

SENATE BILL 977

R7

71r0144

By: **Chair, Finance Committee (By Request – Departmental – Transportation)**

Introduced and read first time: March 1, 2007

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Transit Administration – Passenger Railroad Services Contracts –**
3 **Resolution of Contract Disputes**

4 FOR the purpose of exempting from certain provisions of law certain disputes arising
5 from Maryland Transit Administration contracts for passenger railroad services
6 under certain circumstances; making stylistic changes; and generally relating to
7 contracts for passenger railroad services.

8 BY repealing and reenacting, with amendments,
9 Article – State Finance and Procurement
10 Section 15–202
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2006 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 7–902
16 Annotated Code of Maryland
17 (2001 Replacement Volume and 2006 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – State Finance and Procurement**

21 15–202.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) This subtitle does not apply to a protest concerning the formation of a
2 procurement contract for architectural services or engineering services.

3 (B) **THIS SUBTITLE DOES NOT APPLY TO A PROTEST CONCERNING THE**
4 **FORMATION OF A PROCUREMENT CONTRACT FOR PASSENGER RAILROAD**
5 **SERVICES AS DESCRIBED IN § 7-902 OF THE TRANSPORTATION ARTICLE, OR TO**
6 **A CONTRACT CLAIM ARISING FROM A CONTRACT FOR SUCH SERVICES.**

7 Article – Transportation

8 7-902.

9 (a) The Administration shall continue to operate the following passenger
10 railroad services at levels of service at least equivalent to the level of service
11 established as of July 1, 1981:

12 (1) The CSX line between Brunswick and the District of Columbia;

13 (2) The Amtrak line between Penn Station in Baltimore and the
14 District of Columbia; and

15 (3) The CSX line between Camden Station in Baltimore and the
16 District of Columbia.

17 (b) The Administration shall recover at least 50 percent of total operating
18 costs for all passenger railroad services under its control from fares and operating
19 revenues. Notwithstanding § 7-208 of this title, the [Maryland Transit]
20 Administration shall calculate for passenger rail services a separate farebox recovery
21 ratio for the administrative purposes of determining a separate cost recovery ratio for
22 each of the aforementioned transit modes from the calculation for mass transit, Metro,
23 and light rail.

24 (c) (1) Except as provided in paragraph (2) of this subsection, the
25 Administration may not close a station on a passenger railroad service line described
26 in subsection (a) of this section before March 6, 2007.

27 (2) The Administration may close the Jessup Station on the CSX line
28 between Camden Station in Baltimore and the District of Columbia at any time if the
29 Administration finds that the ridership at the Jessup Station does not warrant
30 keeping the station open.

1 (d) The Administration shall adopt regulations to facilitate the
2 transportation of bicycles on board passenger railroad services.

3 (e) Before closing a station on a passenger railroad service line described in
4 subsection (a) of this section, the [Mass Transit] Administration shall review and
5 report, in accordance with § 2-1246 of the State Government Article, to the Governor
6 and the General Assembly, on the following:

7 (1) With respect to the Dickerson and Boyds MARC stations on the
8 CSX line between Brunswick and the District of Columbia:

9 (i) The impact on traffic congestion along the Interstate 270,
10 Md State Route 117, and Md State Route 28 corridors as a result of the station
11 closures;

12 (ii) The impact of future growth in upper Montgomery and
13 southern Frederick counties, particularly in Clarksburg over the next 5 years, and the
14 projected ridership for the Boyds and Dickerson stations as a result of that future
15 growth;

16 (iii) The impact of the projected growth in upper Montgomery
17 and southern Frederick counties on traffic congestion along the Interstate 270, Md
18 State Route 117, and Md State Route 28 corridors and the transit alternatives that are
19 contemplated to meet any increased demand;

20 (iv) The methodology used to compute average daily ridership;

21 (v) The impact on projected ridership on the line if the stations
22 are closed and later reopened due to impending growth;

23 (vi) The projected ridership if train stops are increased from
24 three stops each to nine stops each for trains arriving at Washington Union Station
25 and from four stops each to ten stops each (to discharge passengers only) for trains
26 departing Washington Union Station;

27 (vii) Under an expanded schedule, the estimated increase in
28 train service as a result of increasing the number of stops;

29 (viii) Options to increase ridership at stations with low ridership,
30 including investing in a ridership campaign to promote stations with low ridership;

1 (ix) The projected ridership after investing in a ridership
2 campaign to promote the stations;

3 (x) The schedule for installing ticket vending machines at the
4 stations and whether such vending machines have already been purchased;

5 (xi) Whether a vending machine that is scheduled to be installed
6 at another station could temporarily be used at either or both of these stations;

7 (xii) The impact on riders boarding at these stations if vending
8 machines are not installed at the stations;

9 (xiii) An evaluation of potential increased bus service to the
10 stations, and parking lot expansion near the stations, including any possible options
11 for parking lot expansion;

12 (xiv) Specific efforts undertaken to:

13 1. Attract new riders on the lines and to retain riders
14 already using the lines; and

15 2. Improve access for individuals with disabilities;

16 (xv) Potential alternatives to closing stations that would achieve
17 greater efficiency on the Brunswick and Camden CSX lines;

18 (xvi) Potential sources of alternative funding for the operating
19 and capital costs of keeping the stations open, including collaboration with local
20 governments; and

21 (xvii) The description of the \$300,000 passenger warning system
22 for the Dickerson Station and whether other possible, less costly, passenger warning
23 systems were considered and the reasons why such systems were not employed; and

24 (2) With regard to the St. Denis Station on the CSX line between
25 Camden Station in Baltimore and the District of Columbia:

26 (i) The information required under items (1)(vii) through (xvi)
27 of this subsection;

28 (ii) The implications of closing a passenger railroad service
29 facility that is a State or federally designated historic landmark or that is located in a
30 State or federally designated historic district;

1 (iii) The impact on traffic congestion along the Interstate 95,
2 Interstate 295, and MD State Route 100 corridors as a result of the station closure;

3 (iv) The effect of closing the St. Denis Station on ridership at the
4 Halethorpe Station, including the effect on traffic and parking at the Halethorpe
5 Station and in Arbutus;

6 (v) The projected ridership at the St. Denis Station if train stops
7 are increased up to nine stops; and

8 (vi) The projected ridership at the St. Denis Station if service to
9 and from Baltimore is resumed.

10 **(F) RESOLUTION OF DISPUTES ARISING FROM A CONTRACT BETWEEN**
11 **THE ADMINISTRATION AND A RAILROAD COMPANY TO PROVIDE PASSENGER**
12 **RAILROAD SERVICES SHALL BE BY BINDING ARBITRATION IF:**

13 **(1) THE CONTRACT WAS AWARDED AS A SOLE SOURCE**
14 **PROCUREMENT UNDER § 13-107 OF THE STATE FINANCE AND PROCUREMENT**
15 **ARTICLE; AND**

16 **(2) THE CONTRACT IS FOR RAILROAD PASSENGER SERVICES**
17 **ALONG THE LINES DESCRIBED IN SUBSECTION (A) OF THIS SECTION.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2007.