

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 934

(Prince George's County Delegation and Montgomery
County Delegation)

Environmental Matters

Education, Health, and Environmental Affairs

Maryland-Washington Regional District - Highways - Pedestrian and Bicycle
Traffic and Facilities
PG/MC 108-08

This bill requires the State Highway Administration and the Maryland-National Capital Park and Planning Commission to consider the safety and availability of access to pedestrian and bicycle paths in the Maryland-Washington Regional District.

Fiscal Summary

State Effect: The bill's provisions could likely be handled within existing budgeted SHA resources. Transportation Trust Fund revenues would not be affected.

Local Effect: Local government expenditures could increase minimally to the extent that additional planning activity cannot be handled within existing resources; expenditures could increase significantly if the bill results in significant new construction or the creation of bicycle parking facilities that would not otherwise occur. Local revenues would not be affected. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: This bill requires M-NCPPC to consider the enhancement of existing sidewalks and hiking, biking, and walking trails when adopting a master plan of

highways within the Maryland-Washington Regional District. The bill also adds a representative from M-NCPPC to the Bicycle and Pedestrian Advisory Committee.

The bill requires the Director of Bicycle and Pedestrian Access to consult regularly with M-NCPPC in the Maryland-Washington Regional District.

For projects in the Maryland-Washington Regional District, the bill requires SHA, in cooperation with the local government and in consultation with M-NCPPC, to implement a plan to increase safety and access for bicycle or pedestrian traffic whenever SHA and a local government designate an area as a bicycle and pedestrian priority area. However, if there is no State highway within the limits of the priority area, the plan is to be developed only by the local government in consultation with M-NCPPC.

In addition to other measures required for the preservation of bicycle transportation, for projects in the Maryland-Washington Regional District, SHA is required under the bill to strive to construct any project in a manner that enhances existing major routes for pedestrian and bicycle traffic to the extent possible. SHA must also develop specified guidelines in consultation with M-NCPPC.

The bill includes M-NCPPC among the entities that may make a request to SHA for the construction of sidewalks to accompany the construction or reconstruction of urban highways.

The bill also requires that by fiscal 2010, each State, federal, county, municipal, or public district, board, body, or official that regularly employs more than 50 people in the Maryland-Washington Regional District report to M-NCPPC on its plan to provide reasonable accommodations for bicycle access, including parking facilities for bicycles.

Current Law/Background: M-NCPPC is a State-created agency responsible for preparing and maintaining a master plan for the physical development of the Maryland-Washington Regional District, comprising parts of Montgomery and Prince George's counties. The Maryland-Washington Regional District is the official name for the M-NCPPC's planning jurisdiction.

As a bi-county agency, M-NCPPC is empowered to acquire, develop, maintain, and administer a regional system of parks in Montgomery and Prince George's counties. M-NCPPC is also empowered to prepare and administer a general plan for the physical development of most of the bi-county area. In Prince George's County, M-NCPPC conducts the public recreation program.

The Secretary of Transportation appoints a Director of Bicycle and Pedestrian Access. Among other things, the director participates in the planning of new transportation facilities and improvements to existing transportation facilities.

The Governor appoints a Bicycle and Pedestrian Advisory Committee to provide guidance to State agencies concerning funding of bicycle and pedestrian related programs, public education and awareness of bicycle and pedestrian related activities and safety, and other issues.

SHA plans and maintains the State highway system and coordinates with local governments on a bicycle priority route system to provide a viable network for bicycle transportation throughout the State. If SHA and a local government designate an area as a bicycle and pedestrian priority area, SHA in cooperation with the local government, must implement a plan to increase safety and access for bicycle and pedestrian traffic. If there is no State highway within the limits of the area, the plan is developed by the local government.

By fiscal 2000, each public institution of higher education and State employment facility must provide reasonable accommodations necessary for bicycle access, including parking for bicycles.

State Expenditures: SHA advises that, to date, no area has been designated as a bicycle and pedestrian priority area despite prior authorization. However, if the bill results in an increased likelihood of a bicycle and pedestrian priority area designation, SHA advises that this could require additional staff or the retention of outside contractual assistance for the safety and access plan required under the bill. Additionally, any such designation could increase construction and implementation costs. Legislative Services advises, however, that it is unclear that this bill will result in new priority area designations.

Local Expenditures: The bill's requirement that each government employer of over 50 people located in the Maryland-Washington Regional District report on its plan to provide reasonable access and parking facilities for bicycles could result in significant expenditures in fiscal years beyond fiscal 2010, depending on the extent of the plan developed as a result of the bill and its implementation. SHA advises that what is considered reasonable access and parking facilities is open to interpretation. Legislative Services advises that if a common bicycle rack is deemed a reasonable parking facility, then this cost would likely be minimal and absorbable within existing local resources; however, if the plan involves enclosed structures of significant size to be built, local expenditures would increase by an indeterminate but potentially significant amount.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Maryland-National Capital Park and Planning Commission, Maryland Department of Transportation, Department of Legislative Services

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