

Department of Legislative Services  
Maryland General Assembly  
2009 Session

FISCAL AND POLICY NOTE

House Bill 28 (Delegate Sossi)  
Environmental Matters

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**Maryland Transportation Authority - Closure of Transportation Facility**

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This bill prohibits the Secretary of Transportation from closing all or part of a transportation facility without approval from the Maryland Transportation Authority (MdTA), unless the Secretary first certifies the need in writing to the Governor and then provides public notice of the closure and alternative travel routes. The Secretary also has to notify members of the General Assembly who represent areas directly impacted by a transportation facility closure and seek their feedback on the proposal. However, the Secretary is authorized to close a transportation facility immediately if it threatens public health and safety.

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**Fiscal Summary**

**State Effect:** Potential significant expenditure increase for contractor delay claims to the extent the bill defers additions, improvements, or other changes at transportation facilities. However, any such impact cannot be reliably estimated at this time.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Since 1971, MdTA has been responsible for constructing, managing, operating, and improving the State's toll facilities and for financing new revenue-producing transportation projects. MdTA is governed by nine individuals appointed by the Governor with the advice and consent of the State Senate. The Secretary of Transportation serves as MdTA's chairman.

MdTA has the authority to limit and control the entrances and exits of any transportation facilities project and may prohibit entrance or exit from any undesignated point. MdTA transportation facilities projects include:

- bridges (*e.g.*, Susquehanna River Bridge; Harry W. Nice Memorial Potomac River Bridge; William Preston Lane, Jr. Memorial Chesapeake Bay Bridge and parallel Chesapeake Bay Bridge; Baltimore Harbor Tunnel; Fort McHenry Tunnel; Francis Scott Key Bridge; and John F. Kennedy Memorial Highway);
- vehicle parking facilities located in priority funding areas;
- other projects that MdTA authorizes to be acquired or constructed; and
- any authorized additions or improvements to MdTA projects.

**Background:** The Coordinated Highways Action Response Team (CHART) was created to help improve operation of Maryland’s highway system. CHART is a joint effort of the Maryland Department of Transportation (MDOT) and the Maryland State Police, in cooperation with other federal, State, and local agencies. Currently, CHART operates 24 hours-a-day, seven days a week to provide traffic monitoring, traveler information, incident management, and traffic management services to the public. One of CHART’s key services is advising motorists of traffic conditions along major routes. Through a series of variable-message signs and travelers’ advisory radio broadcasts, CHART advises motorists of alternative routes they can use to avoid delays, congestion, and potential problems. Cameras throughout the State, including at the Bay Bridge, provide real-time traffic images online through the CHART system.

MDOT advises that several current projects require lane closures, such as the re-decking of the Bay Bridge, construction of I-95 express toll lanes, and MDOT’s annual inspection program.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - January 29, 2009  
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