

Department of Legislative Services  
Maryland General Assembly  
2010 Session

FISCAL AND POLICY NOTE

Senate Bill 368

(Senator Della)

Finance

Appropriations

---

Department of Transportation - Repeal of Secretary's Authority to Abolish  
Employee Positions

---

This bill repeals the Secretary of Transportation's authority to abolish specified positions.

---

Fiscal Summary

**State Effect:** None. The bill is consistent with current practice.

**Local Effect:** None.

**Small Business Effect:** None.

---

Analysis

**Current Law:** The Secretary of Transportation may establish a human resources management system; however, it must (1) be based on merit; (2) include fair and equitable procedures for appointment, hiring, promotion, layoff, removal, termination, redress of grievances, and reinstatement of employees; and (3) permit employees to participate in specified pension and retirement systems.

The Secretary of Transportation has the authority to (1) create and abolish any position other than positions specifically provided for in the Transportation Article; and (2) determine the qualifications, appointment, removal, tenure, terms of employment, and compensation of employees unless otherwise prohibited by law.

**Background:** The Maryland Department of Transportation (MDOT) is responsible for statewide transportation planning and the development, operation, and maintenance of key elements of the transportation system. Currently, there are 9,012 regular positions and 164 contractual positions at MDOT, as summarized in **Exhibit 1**.

---

**Exhibit 1**  
**MDOT Regular and Contractual Positions**  
**Fiscal 2009-2011**

	<u>2009 Actual</u>	<u>2010 Working</u>	<u>2011 Proposed</u>	<u>2010-11 Change</u>	<u>2010-11 % Change</u>
<b>Regular Positions</b>					
Secretary's Office	334.0	333.0	333.0	0.0	0.0%
State Highway Administration	3,228.5	3,175.5	3,175.5	0.0	0.0%
Maryland Port Administration	291.0	284.0	284.0	0.0	0.0%
Motor Vehicle Administration	1,611.5	1,593.5	1,593.5	0.0	0.0%
Maryland Transit Administration	3,136.5	3,114.5	3,114.5	0.0	0.0%
Maryland Aviation Administration	533.0	511.5	511.5	0.0	0.0%
<b>Total</b>	<b>9,134.5</b>	<b>9,012.0</b>	<b>9,012.0</b>	<b>0.0</b>	<b>0.0%</b>
<b>Contractual Positions</b>					
Secretary's Office	5.8	6.5	6.5	0.0	0.0%
State Highway Administration	13.3	22.0	22.0	0.0	0.0%
Maryland Port Administration	1.4	1.7	1.2	-0.5	-29.4%
Motor Vehicle Administration	88.6	116.7	92.7	-24.0	-20.6%
Maryland Transit Administration	15.2	16.0	15.0	-1.0	-6.3%
Maryland Aviation Administration	0.6	1.0	0.5	-0.5	-50.0%
<b>Total</b>	<b>124.8</b>	<b>163.9</b>	<b>137.9</b>	<b>-26.0</b>	<b>-15.9%</b>

Source: Maryland State Budget

---

While most Executive Branch employees are members of the State Personnel Management System, MDOT employees are members of the independent Transportation Service Human Resources System.

In recent years, MDOT positions have been abolished in the same manner as other Executive Branch positions; that is, through either the annual budget process or by the Governor, with the approval of the Board of Public Works, in accordance with specified provisions of the State Finance and Procurement Article.

---

## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - March 3, 2010  
ncs/lgc

---

Analysis by: Amanda Mock

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510