

HOUSE BILL 288

R2

4r1241

By: **Delegate O'Donnell**

Introduced and read first time: January 20, 2014

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Metropolitan Planning Organizations – Notice and Public**
3 **Hearing**

4 FOR the purpose of requiring the Department of Transportation to give certain notice
5 to certain members of the General Assembly before beginning the process of
6 establishing, altering, or eliminating a Metropolitan Planning Organization for
7 transportation planning purposes for certain areas in the State; requiring the
8 Department to hold a public hearing within a certain area of the State to
9 address the establishment, alteration, or elimination of a Metropolitan Planning
10 Organization if any of certain members of the General Assembly requests the
11 public hearing within a certain time period; and generally relating to notice and
12 public hearings with respect to the establishment, alteration, or elimination of a
13 Metropolitan Planning Organization.

14 BY repealing and reenacting, without amendments,
15 Article – Transportation
16 Section 2–103(e)
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2013 Supplement)

19 BY adding to
20 Article – Transportation
21 Section 2–103(e–1)
22 Annotated Code of Maryland
23 (2008 Replacement Volume and 2013 Supplement)

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

26 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2-103.

2 (e) (1) The Secretary is responsible for all planning activities of the
3 Department and for the development and maintenance of a continuing,
4 comprehensive, and integrated transportation planning process.

5 (2) In accordance with § 2-103.1 of this subtitle, the Secretary shall
6 develop and, with the approval of the Governor, shall adopt a State Report on
7 Transportation to guide program development and to foster efficient and economical
8 transportation services throughout the State.

9 (3) On or before the 3rd Wednesday of January of each year, the
10 Secretary shall submit the State Report on Transportation to the General Assembly,
11 subject to § 2-1246 of the State Government Article.

12 **(E-1) (1) BEFORE THE DEPARTMENT BEGINS THE PROCESS OF**
13 **ESTABLISHING, ALTERING, OR ELIMINATING A METROPOLITAN PLANNING**
14 **ORGANIZATION FOR TRANSPORTATION PLANNING PURPOSES FOR AN AREA IN**
15 **THE STATE DESIGNATED UNDER FEDERAL LAW AS AN URBANIZED AREA, THE**
16 **DEPARTMENT SHALL GIVE NOTICE OF THE PENDING PROCESS BY CERTIFIED**
17 **MAIL, RETURN RECEIPT REQUESTED, TO EACH MEMBER OF THE GENERAL**
18 **ASSEMBLY REPRESENTING:**

19 **(I) A STATE LEGISLATIVE DISTRICT, ANY PORTION OF**
20 **WHICH IS LOCATED IN THE URBANIZED AREA; AND**

21 **(II) A STATE LEGISLATIVE DISTRICT THAT IS LOCATED**
22 **WITHIN 1 MILE OF THE BORDER OF THE URBANIZED AREA.**

23 **(2) THE DEPARTMENT SHALL HOLD A PUBLIC HEARING IN THE**
24 **DESIGNATED URBANIZED AREA TO ADDRESS ISSUES RELATED TO THE**
25 **ESTABLISHMENT, ALTERATION, OR ELIMINATION OF A METROPOLITAN**
26 **PLANNING ORGANIZATION IF A MEMBER OF THE GENERAL ASSEMBLY WHO IS**
27 **PROVIDED NOTICE UNDER PARAGRAPH (1) OF THIS SUBSECTION REQUESTS THE**
28 **PUBLIC HEARING WITHIN 45 DAYS OF RECEIPT OF THE NOTICE.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2014.