

# HOUSE BILL 546

R2

5lr1375

---

By: **Delegate Lierman**

Introduced and read first time: February 11, 2015

Assigned to: Environment and Transportation

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Transit Administration Oversight and Planning Board**

3 FOR the purpose of establishing the Maryland Transit Administration Oversight and  
4 Planning Board; providing for the membership, term of office, powers, duties, and  
5 staffing of the Board; providing that a member of the Board may not receive  
6 compensation, but is entitled to reimbursement for certain expenses; requiring the  
7 Board to submit an annual report to the Governor and the General Assembly;  
8 requiring the Board to develop and adopt a certain strategic plan and to review and  
9 update the strategic plan every 5 years; requiring the Board to designate one of its  
10 members to oversee and report on certain citizens' advisory councils; defining a  
11 certain term; and generally relating to the Maryland Transit Administration  
12 Oversight and Planning Board.

13 BY repealing and reenacting, with amendments,  
14 Article – Transportation  
15 Section 7–203 and 7–204(q)  
16 Annotated Code of Maryland  
17 (2008 Replacement Volume and 2014 Supplement)

18 BY adding to  
19 Article – Transportation  
20 Section 7–204(q) and 7–205  
21 Annotated Code of Maryland  
22 (2008 Replacement Volume and 2014 Supplement)

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

25 **Article – Transportation**

26 7–203.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) The exercise of the powers and duties of the Administration is subject to the  
2 authority of the Secretary and, where applicable, the Maryland Transportation Authority  
3 **AND THE MARYLAND TRANSIT ADMINISTRATION OVERSIGHT AND PLANNING**  
4 **BOARD.**

5 (b) By regulation or directive, the Secretary or, where applicable, the Maryland  
6 Transportation Authority may require that the exercise of any power or duty of the  
7 Administration be subject to the prior approval of the Secretary [or], the Maryland  
8 Transportation Authority, [as the case may be] **OR THE MARYLAND TRANSIT**  
9 **ADMINISTRATION OVERSIGHT AND PLANNING BOARD.**

10 7-204.

11 **(Q) THE ADMINISTRATION SHALL DESIGNATE AN EXECUTIVE DIRECTOR OR**  
12 **OTHER STAFF TO PROVIDE ASSISTANCE TO THE MARYLAND TRANSIT**  
13 **ADMINISTRATION OVERSIGHT AND PLANNING BOARD ESTABLISHED UNDER §**  
14 **7-205 OF THIS SUBTITLE.**

15 **[(q)] (R)** Subject to the limitations imposed by this title, the Administration may  
16 exercise all powers reasonably necessary to the declared objects and purposes of this title.

17 **7-205.**

18 **(A) IN THIS SECTION, "BOARD" MEANS THE MARYLAND TRANSIT**  
19 **ADMINISTRATION OVERSIGHT AND PLANNING BOARD.**

20 **(B) THERE IS A MARYLAND TRANSIT ADMINISTRATION OVERSIGHT AND**  
21 **PLANNING BOARD.**

22 **(C) THE BOARD CONSISTS OF:**

23 **(1) THE FOLLOWING EX OFFICIO MEMBERS:**

24 **(i) THE MAYOR OF BALTIMORE CITY, OR THE MAYOR'S**  
25 **DESIGNEE;**

26 **(ii) THE COUNTY EXECUTIVE OF BALTIMORE COUNTY, OR THE**  
27 **COUNTY EXECUTIVE'S DESIGNEE; AND**

28 **(iii) THE COUNTY EXECUTIVE OF ANNE ARUNDEL COUNTY, OR**  
29 **THE COUNTY EXECUTIVE'S DESIGNEE; AND**

30 **(2) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:**

1 (I) A REPRESENTATIVE FROM THE COUNTY GOVERNMENT OF A  
2 COUNTY NOT LISTED UNDER ITEM (1) OF THIS SUBSECTION AND SERVED BY  
3 COMMUTER SERVICES PROVIDED BY THE ADMINISTRATION;

4 (II) A REPRESENTATIVE FROM A LOCALLY OPERATED TRANSIT  
5 SYSTEM IN THE STATE;

6 (III) A RESIDENT OF BALTIMORE CITY WHO IS A REGULAR USER  
7 OF CORE TRANSPORTATION SERVICES PROVIDED BY THE ADMINISTRATION;

8 (IV) A RESIDENT OF A COUNTY OTHER THAN BALTIMORE CITY  
9 WHO USES COMMUTER SERVICES PROVIDED BY THE ADMINISTRATION IN THAT  
10 COUNTY;

11 (V) AN INDIVIDUAL WITH A DISABILITY OR WHO REPRESENTS  
12 AN ORGANIZATION THAT PROVIDES SERVICES FOR INDIVIDUALS WITH  
13 DISABILITIES;

14 (VI) A REPRESENTATIVE FROM THE BUSINESS COMMUNITY  
15 SELECTED FROM AMONG THE FOLLOWING ORGANIZATIONS:

- 16 1. THE GREATER BALTIMORE COMMITTEE;
- 17 2. THE BALTIMORE DEVELOPMENT CORPORATION;
- 18 AND
- 19 3. THE CENTRAL MARYLAND TRANSPORTATION
- 20 ALLIANCE; AND

21 (VII) A REPRESENTATIVE OF A TRANSIT UNION REPRESENTING  
22 EMPLOYEES OF THE ADMINISTRATION.

23 (D) (1) EACH MEMBER OF THE BOARD APPOINTED BY THE GOVERNOR:

24 (I) SERVES FOR A TERM OF 3 YEARS; AND

25 (II) MAY NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.

26 (2) THE INITIAL TERM OF THE MEMBERS APPOINTED TO THE BOARD  
27 BY THE GOVERNOR ARE STAGGERED AS FOLLOWS:

1           **(I) THE MEMBERS APPOINTED BY THE GOVERNOR UNDER**  
2 **SUBSECTION (C)(2)(I), (III), (V), AND (VII) OF THIS SECTION SHALL SERVE FOR A**  
3 **TERM OF 3 YEARS; AND**

4           **(II) THE MEMBERS APPOINTED BY THE GOVERNOR UNDER**  
5 **SUBSECTION (C)(2)(II), (IV), AND (VI) OF THIS SECTION SHALL SERVE FOR A TERM**  
6 **OF 2 YEARS.**

7           **(3) THE GOVERNOR SHALL APPOINT A NEW MEMBER TO FILL ANY**  
8 **VACANCY ON THE BOARD FOR THE REMAINDER OF THAT TERM AND UNTIL A**  
9 **SUCCESSOR QUALIFIES.**

10       **(E) THE BOARD SHALL:**

11           **(1) ANNUALLY ELECT A CHAIR AND VICE CHAIR FROM AMONG THE**  
12 **MEMBERS OF THE BOARD;**

13           **(2) ORGANIZE AND ESTABLISH POLICIES AND PROCEDURES FOR**  
14 **OPERATIONS OF THE BOARD AS IT DEEMS APPROPRIATE, INCLUDING CONFLICT OF**  
15 **INTEREST REQUIREMENTS THAT PROHIBIT A MEMBER OF THE BOARD FROM HAVING**  
16 **ANY FINANCIAL OR NONFINANCIAL INTEREST IN A MATTER OVER WHICH THE BOARD**  
17 **HAS JURISDICTION;**

18           **(3) NO LATER THAN 4 MONTHS AFTER THE BOARD ORGANIZES, AND**  
19 **AFTER AN OPPORTUNITY FOR PUBLIC REVIEW AND COMMENT, ADOPT BYLAWS TO**  
20 **GOVERN OPERATIONS OF THE BOARD;**

21           **(4) MEET AS THE BOARD DEEMS NECESSARY TO CARRY OUT THE**  
22 **DUTIES OF THE BOARD; AND**

23           **(5) KEEP MINUTES OF THE MEETINGS OF THE BOARD AND MAINTAIN**  
24 **PROPER RECORDS OF ALL TRANSACTIONS OF THE BOARD.**

25       **(F) (1) IN ACCORDANCE WITH § 7-204(Q) OF THIS SUBTITLE, PRINCIPAL**  
26 **STAFF FOR THE BOARD SHALL BE PROVIDED BY THE ADMINISTRATION.**

27           **(2) ADDITIONAL STAFF FOR THE BOARD MAY BE PROVIDED BY THE**  
28 **ENTITIES REPRESENTED BY THE MEMBERS OF THE BOARD.**

29       **(G) A MEMBER OF THE BOARD:**

30           **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD;**  
31 **BUT**

1           **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
2 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

3           **(H) IN ADDITION TO ITS DUTIES UNDER SUBSECTION (E) OF THIS SECTION,**  
4 **THE BOARD SHALL:**

5           **(1) ENGAGE IN STRATEGIC TRANSIT PLANNING, INCLUDING:**

6                   **(I) DEVELOPING AND ADOPTING AN INTERMEDIATE AND**  
7 **LONG-RANGE STRATEGIC TRANSIT PLAN CONCERNING THE TRANSIT NEEDS OF THE**  
8 **ADMINISTRATION'S ZONES OF OPERATION;**

9                   **(II) IN CONJUNCTION WITH THE BALTIMORE METROPOLITAN**  
10 **COUNCIL, ACT AS A GATEKEEPER FOR LOCAL, STATE, AND FEDERAL PLANNING**  
11 **PROCESSES;**

12                   **(III) REVIEW AND COMMENT ON LONG-RANGE PLANS UNDER**  
13 **THE MARYLAND CONSOLIDATED TRANSPORTATION PROGRAM; AND**

14                   **(IV) REVIEW AND COMMENT ON TRANSPORTATION**  
15 **OPERATIONS, PLANS, AND SERVICES PROPOSED BY OR FOR BALTIMORE CITY AND**  
16 **THE COUNTIES IN THE BALTIMORE METROPOLITAN AREA THAT COMPLEMENT THE**  
17 **TRANSIT PLANS AND SERVICES OF THE ADMINISTRATION;**

18           **(2) HAVE APPROVAL AUTHORITY OVER:**

19                   **(I) THE ADMINISTRATION'S ANNUAL OPERATING PLAN FOR**  
20 **CORE SERVICES, PUBLIC SAFETY, AND MARKETING; AND**

21                   **(II) SPECIFIC POLICIES AND DECISIONS THAT ARE KEY TO**  
22 **ADMINISTRATION SERVICE QUALITY;**

23           **(3) SOLICIT CONSUMER INPUT AND EVALUATE TRANSIT SYSTEM**  
24 **PRIORITIES AND RESOURCE ALLOCATION;**

25                   **(4) (I) CONDUCT A REVIEW OF ADMINISTRATION POLICIES AND**  
26 **PROCEDURES WHEN CALLED INTO QUESTION BY CITIZEN COMPLAINTS;**

27                   **(II) PUBLISH FINDINGS AND RECOMMENDATIONS BASED ON**  
28 **THE REVIEW; AND**

1 (III) DIRECT THE SECRETARY AND THE ADMINISTRATION TO  
2 MAKE ANY NECESSARY AND APPROPRIATE CHANGES;

3 (5) CONVENE SUBCOMMITTEES OR OTHER APPROPRIATE ENTITIES  
4 TO GATHER INFORMATION AND SUGGESTIONS REGARDING TRANSIT SERVICE FROM  
5 NONPROFIT ORGANIZATIONS, CIVIC FOUNDATIONS, EMPLOYERS, AND TRANSIT  
6 RIDERS AND TO STUDY:

7 (I) PUBLIC-PRIVATE PARTNERSHIP PLANNING AND  
8 OVERSIGHT;

9 (II) EMPLOYEE COMPENSATION AND OTHER LABOR MATTERS;

10 (III) FINANCES AND AUDITS; AND

11 (IV) CONSUMER TRANSPORTATION MATTERS;

12 (6) DESIGNATE ONE OF THE MEMBERS OF THE BOARD TO:

13 (I) OVERSEE THE CITIZENS' ADVISORY COUNCILS  
14 ESTABLISHED IN THE GEOGRAPHIC AREAS SERVED BY THE ADMINISTRATION; AND

15 (II) SUBMIT PERIODIC REPORTS ABOUT THE ACTIVITIES AND  
16 CONCERNS OF THE CITIZENS' ADVISORY COUNCILS TO THE BOARD OR AN  
17 APPROPRIATE SUBCOMMITTEE OF THE BOARD;

18 (7) ADOPT POLICIES THAT ENCOURAGE ADMINISTRATION  
19 PRACTICES THAT PROMOTE PUBLIC SAFETY, TRANSPARENCY, ACCOUNTABILITY,  
20 CUSTOMER SERVICE, REGULAR COMMUNICATION WITH THE PUBLIC, AND PRUDENT  
21 FINANCIAL DECISION MAKING;

22 (8) ON OR BEFORE SEPTEMBER 30 OF EACH YEAR, COMPILE AND  
23 SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE  
24 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A REPORT CONCERNING THE  
25 ADMINISTRATION'S PROGRESS IN MEETING THE STRATEGIC PLAN ADOPTED BY THE  
26 BOARD UNDER THIS SECTION; AND

27 (9) REVIEW AND REVISE THE STRATEGIC TRANSIT PLAN OF THE  
28 BOARD FOR THE ADMINISTRATION EVERY 5 YEARS.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 2015.