

**Department of Legislative Services**  
 Maryland General Assembly  
 2016 Session

**FISCAL AND POLICY NOTE**  
**Enrolled - Revised**

House Bill 1010 (Delegate Lierman, *et al.*)

Environment and Transportation

Finance

**Maryland Transit Administration Oversight and Planning Board**

This bill requires the Maryland Transit Administration (MTA) to develop and update a comprehensive multimodal transit development plan, as specified. The bill also establishes the MTA Oversight and Planning Board within the Maryland Department of Transportation (MDOT). MTA must report to the board in the manner specified by the bill. The bill also codifies the existing Citizen’s Advisory Committee for MTA as the Citizen’s Advisory Council for MTA and establishes two additional MTA advisory councils. By December 15, 2020, the Department of Legislative Services (DLS) must review the board and advisory councils and make recommendations to the General Assembly relating to the termination date of the board and advisory councils and any changes that should be made to the board and advisory councils.

The bill takes effect June 1, 2016, and terminates May 31, 2021.

**Fiscal Summary**

**State Effect:** Transportation Trust Fund (TTF) expenditures increase by as much as \$7.3 million in FY 2017 to staff the board, conduct a survey, develop the comprehensive multimodal transit development plan, update existing transit plans, make programming changes, and host hearings. Future years reflect inflation and ongoing costs but could be higher to the extent additional contractual assistance is needed. DLS can conduct the required review using existing resources. Revenues are not affected.

(\$ in millions)	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	7.3	0.9	0.9	1.0	1.0
Net Effect	(\$7.3)	(\$0.9)	(\$0.9)	(\$1.0)	(\$1.0)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** The bill does not directly affect local governmental operations or finances.

**Small Business Effect:** Minimal.

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## Analysis

### Bill Summary:

#### *Board Membership and Staffing*

Voting board members are specified in the bill, and the Secretary of Transportation (or the Secretary's designee) is designated as a nonvoting member; however, the Secretary/designee may vote to break a tie on any item that has been voted by the board. Each member serves a three-year term that begins January 1 and may not serve more than two consecutive terms. Among other things, the board must (1) elect a chair and vice chair from among its voting members every two years; (2) establish specified ethics policies and procedures; (3) adopt bylaws to govern its operations; (4) meet each quarter, receiving public comments during at least two of its meetings each year; and (5) keep minutes of its meetings and maintain proper records of all transactions.

A board member may not receive compensation but is entitled to reimbursement for travel expenses. MTA must review the membership of the board at least every five years and whenever a major increase to the capacity of the transit system takes place. MTA must then make recommendations to the Governor and General Assembly on any changes it believes should be made to the membership of the board.

MTA must provide staff support for the board.

#### *Responsibilities of the Board*

The board must:

- on behalf of the residents and businesses of the State, exercise oversight of and engage in advocacy for the public transit systems maintained by MTA;
- review and comment on MTA's multimodal transit development plan every five years;
- review MTA reports concerning the attainment of its goals, including performance goals and metrics, evaluate any other performance measures for the transit system, and issue written recommendations about how the review and evaluation should influence MTA's priorities in the upcoming year;

- annually review and comment on transit-related spending priorities in the Consolidated Transportation Program (CTP) each year in a specified manner;
- review and comment on transportation operations, plans, and services proposed by or for any local government, as specified;
- review and comment on MTA's annual operating and capital budget, as well as specific policies and decisions that are key to MTA's service quality;
- in cooperation with MTA, provide comments to the Governor and specified committees of the General Assembly by February 15 each year concerning MTA's comprehensive multimodal transit development plan, budget, and policies;
- convene subcommittees and other entities to gather information and suggestions;
- propose policies to MTA and the General Assembly that encourage MTA practices that promote public safety, transparency, accountability, customer service, communication with the public, and prudent financial decision making;
- compile and submit a report by November 1 each year to the Secretary of Transportation, the Governor, and the General Assembly concerning MTA's progress in meeting the comprehensive multimodal transit development plan submitted to the board; and
- in carrying out its other duties, endeavor to ensure that MTA's plans, budget, decisions, policies, goals, priorities, operations, and services address the public transit needs of residents and businesses in all of the geographic regions of the State.

MTA must report to the board at its quarterly meetings. Each year, MTA must also submit to the board any changes made to its comprehensive multimodal transit development plan; a performance report; an operating, capital improvement, and system maintenance plan; and a summary of any audit report received by MTA. Every five years, MTA must submit to the board an updated comprehensive long-term multimodal transit development plan; an updated plan for core, commuter, light rail, and heavy rail transit service; and the results of an on-board or on-platform survey conducted as part of its long-range planning for transit service.

### *Comprehensive Multimodal Transit Development Plan*

Every five years, MTA must prepare a comprehensive multimodal transit development plan. The plan must include a detailed plan and analysis of MTA's services, including information concerning (1) each mode of transit service provided by MTA; (2) short-, medium-, and long-term goals and plans for each mode of transit service and for the transit system overall; and (3) necessary funding and other requirements for achieving MTA's transit goals. The plan must also include sufficient detail related to the short-term goals and plans to allow the board to gain a clear understanding of and complete an evaluation of the effectiveness of MTA's current performance, as well as any other

information requested by the board or that MTA determines to be helpful to the board in performing its duties.

#### *Citizen's Advisory Council for MTA*

The bill requires MTA to establish the Citizen's Advisory Council for MTA and specifies its membership. Members serve for a term of two years and may not serve for more than six consecutive years. A council member may not receive compensation but is entitled to reimbursement for travel expenses. MTA must establish and maintain an official public website for the council. The purpose of the council is to solicit and receive comments from MTA's mass transit users and provide recommendations to MTA and the board for service improvements.

The council must (1) elect a chair and vice chair, as specified; (2) adopt bylaws to govern its operations; (3) meet at least quarterly to receive public comments; (4) keep minutes of its meetings in a specified manner; and (5) summarize and report its received comments and recommendations to the board and MTA.

#### *MARC Riders Advisory Council for MTA*

The bill requires MTA to establish the Maryland Area Regional Commuter (MARC) Riders Advisory Council for MTA and specifies its membership. Members serve for a term of two years and may not serve for more than six consecutive years. A council member may not receive compensation but is entitled to reimbursement for travel expenses. MTA must establish and maintain an official public website for the council. The purpose of the council is to solicit and receive comments from MARC riders and the general public and to provide recommendations to MTA and the board for service improvements.

The council must (1) elect a chair and vice chair, as specified; (2) adopt bylaws to govern its operations; (3) meet at least quarterly to receive public comments; (4) keep minutes of its meetings in a specified manner; and (5) summarize and report the comments and recommendations it receives to the board and MTA.

#### *Accessible Transportation Advisory Council for MTA*

The bill requires MTA to establish the Accessible Transportation Advisory Council for MTA and specifies its membership. Members serve for a term of two years and may not serve for more than six consecutive years. A council member may not receive compensation but is entitled to reimbursement for travel expenses. MTA must establish and maintain an official public website for the council. The purpose of the council is to solicit and receive comments from accessible transit users and the general public and to provide recommendations to MTA and the board for service improvements.

The council must (1) elect a chair and vice chair, as specified; (2) adopt bylaws to govern its operations; (3) meet at least quarterly to receive public comments; (4) keep minutes of its meetings in a specified manner; and (5) summarize and report the comments and recommendations it receives to the board and MTA.

#### *Additional MTA Reporting Requirements*

By December 1 each year, MTA must submit a report to specified committees of the General Assembly on (1) its process for and progress on preparing the comprehensive multimodal transit development plan; (2) the status of the establishment of the board and advisory councils; and (3) recommendations on any changes needed to the membership or organizational structure of the board and councils to improve operations.

#### *DLS Review of the Board and Advisory Councils*

By December 15, 2020, DLS must conduct a review of the board and advisory councils, as specified, to determine whether the termination date of the board and advisory councils should be extended. DLS must also determine what, if any, statutory or nonstatutory changes should be made to improve the operations of the board and advisory councils, including any changes that should be made to (1) the membership of the board and advisory councils relating to geographic representation and other criteria; (2) the duties of the board and advisory councils; and (3) the organizational structure of the board and advisory councils within MTA.

**Current Law/Background:** MTA operates a comprehensive transit system throughout the Baltimore-Washington metropolitan area, including more than 50 local bus lines in Baltimore and other services such as the light rail, Metro subway, commuter buses, MARC trains, and mobility/paratransit vehicles. MTA is governed by the Maryland Transit Administrator, who is appointed by the Secretary of Transportation, subject to the approval of the Governor.

Long-term transportation planning in the State is a collaborative process designed to consider input from the public, local jurisdictions, metropolitan planning organizations, and elected officials. Among the numerous reports, meetings, and discussions that take place, two important documents are developed to guide transportation planning in the State: the CTP and the Maryland Transportation Plan (MTP). The CTP, which is issued annually to the General Assembly, local elected officials, and interested citizens, provides a description of projects proposed by MDOT for development and evaluation or construction over the next 6-year period. The MTP is a 20-year forecast of State transportation needs based on MDOT's anticipated financial resources during that 20-year period. It must be revised every 5 years through an inclusive public participation process. Furthermore, it must be expressed in terms of goals and objectives and include a summary of the types of

projects and programs that are proposed to accomplish the goals and objectives, using a multimodal approach when feasible. The MTP was last updated in 2014.

A Citizen's Advisory Committee currently exists as a volunteer advisory group to MTA. As a volunteer advisory group, committee members make recommendations for solutions to problems that are identified in collaboration with MTA and the general public. The committee holds public meetings on the third Tuesday of each month. On its website, MTA maintains a web page for the [Citizen's Advisory Committee](#).

MTA transit vehicles are generally designed to ensure accessibility for people with disabilities and seniors. For example, every MTA bus is equipped with wheelchair lifts and/or kneeling capability. Additionally, MTA provides level boarding platforms at each light rail station for customers who cannot use the steps to board the trains. In both types of vehicle, there are seats near the front designated as priority seats for seniors and people with disabilities.

**State Expenditures:** In order to meet the bill's extensive reporting, research, analysis, and survey requirements, MTA needs additional staff and considerable contractual assistance. Therefore, TTF expenditures increase by as much as \$7.3 million in fiscal 2017, which assumes a 30-day start-up delay. This estimate reflects the cost of hiring four administrators, four transportation planners, and one executive director to staff and assist the board and to coordinate with and assist the councils, among other things. The estimate also includes travel reimbursement expenses for board and council members, one-time programming costs, and the following other costs:

- \$4.0 million in contractual services, which MTA needs to assist the new staff in developing the comprehensive multimodal transit development plan, updating the existing modal strategic plans, and producing the various reports required by the bill;
- \$2.0 million to perform the on-board or on-platform survey required by the bill; this estimate assumes that the survey is qualitative and that interviewers seek extensive responses from transit users to collect the highest quality data; and
- \$1.0 million in hearing and public outreach costs over a five-year period (approximately \$400,000 in the first year and \$150,000 per year thereafter); this estimate assumes that MTA hosts a significant number of public workshops and hearings throughout the State (1) as required by the bill for the board and councils and (2) to receive public input to develop the comprehensive multimodal transit development plan and to update the existing transit plans.

Positions	9
Salary and Fringe Benefits	\$726,801
Contractual Services	4,000,000
Survey Costs	2,000,000
Hearing/Public Outreach Costs	400,000
One-Time Programming Costs	100,000
Equipment/Other Operating Costs	<u>59,985</u>
<b>Total FY 2017 State Expenditures</b>	<b>\$7,286,786</b>

DLS advises that it cannot independently verify the estimated costs for contractual services, which are significant. To the extent that MTA is able to rely more heavily on the staff hired under the bill to develop the comprehensive multimodal transit development plan, update its strategic plans, and produce the required reports, costs may be less.

Future year expenditures reflect salaries with annual increases as well as annual increases in ongoing operating expenses, including \$150,000 annually for contractual services for hearings/public outreach. Future year expenditures could be higher to the extent MTA needs additional contractual assistance in any given year. Although the bill terminates May 31, 2021, it is assumed that a full year of costs are incurred in fiscal 2021.

### **Additional Information**

**Prior Introductions:** HB 546 of 2015, a similar bill, received an unfavorable report from the House Environment and Transportation committee.

**Cross File:** None.

**Information Source(s):** Maryland Department of Transportation, Citizen's Advisory Committee, Department of Legislative Services

**Fiscal Note History:** First Reader - March 2, 2016  
kb/lgc Revised - House Third Reader/Updated Information - March 30, 2016  
Revised - Enrolled Bill - May 11, 2016

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