

**Department of Legislative Services**  
Maryland General Assembly  
2017 Session

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

Senate Bill 142

(Senators Manno and Zirkin)

Judicial Proceedings

Environment and Transportation

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**Task Force to Study Bicycle Safety on Maryland Highways**

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This bill establishes a Task Force to Study Bicycle Safety on Maryland Highways. The task force must study safety issues related to bicycle operators and vehicles on highways in the State. The Maryland Department of Transportation (MDOT) must provide staff for the task force. The task force must report its findings and recommendations to the Governor and General Assembly by December 31, 2017.

The bill takes effect on June 1, 2017, and terminates May 31, 2018.

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**Fiscal Summary**

**State Effect:** Transportation Trust Fund (TTF) expenditures increase minimally in the last month of FY 2017 and in the first half of FY 2018 for a consultant to complete some of the research required under the bill, as discussed below. Revenues are not affected.

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

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The task force must study and make recommendations on the following bicycle safety issues:

- appropriate operation of bicycles and motor vehicles on highways;
- adequacy of the current and future capacity and use of bike lanes, bike paths, and protected cycle tracks;

- implementation of Complete Streets strategies related to facilitating safe travel for bicyclists;
- the role of traffic control devices in bicycle safety;
- bicycle safety public education and outreach;
- potential funding sources to support and encourage the safe operation of bicycles in the State;
- the effects of bike lanes, bike paths, and protected cycle tracks on street parking and pedestrian and vehicular traffic flow;
- best practices for ensuring access to retail, residential, commercial, and other points of interest adjacent to bike lanes, bike paths, and protected cycle tracks; and
- the siting of utilities and other infrastructure along bike lanes, bike paths, and protected cycle tracks.

**Current Law:** Generally, Maryland’s traffic laws apply to bicycles and motor scooters. A cyclist or person on a motor scooter may not ride on any roadway where the posted maximum speed limit is more than 50 miles an hour. Where there is not a bike lane paved to a smooth surface, a person operating a bicycle or a motor scooter may use the roadway or the shoulder. Where there is a bike lane paved to a smooth surface, a person operating a bicycle or a motor scooter must use the bike lane and may not ride on the roadway, except (1) when overtaking and passing another bicycle, motor scooter, pedestrian, or other vehicle within the bike lane if the overtaking and passing cannot be done safely within the bike lane; (2) when preparing for a left turn at an intersection or into an alley, private road, or driveway; (3) when reasonably necessary to leave the bike lane to avoid debris or other hazardous condition; or (4) when reasonably necessary to leave the bike lane because the bike lane is overlaid with a right turn lane, merge lane, or other marking that breaks the continuity of the bike lane.

The Maryland Bicycle and Pedestrian Advisory Committee (MBPAC) was established by Chapter 670 of 2000 (it had been previously formed in December 1991 as the Bicycle Advisory Committee by Chapter 624 of 1991). The 22-member committee advises State government agencies on issues directly related to bicycling and pedestrian activity including funding, public awareness, safety, and education. Members include State officials and private citizens and are appointed by the Governor.

**Background:** The National Highway Traffic Safety Administration reports that, in 2015, the latest year for which data is available, 818 cyclists were fatally injured on the nation’s roads. This is the highest number of fatalities since 1995 and represents a 12.2% increase, compared to the 729 pedalcyclist fatalities reported nationally for 2014.

In 2011 the State Highway Administration adopted a “Complete Streets” initiative aimed at ensuring safety and connectivity for vehicles, bicycles, and pedestrians throughout the

State transportation system. The initiative requires all transportation projects to evaluate options for improved bicycle access, including (1) constructing bike lanes on resurfaced roads wherever possible; (2) maintaining minimum shoulder widths of four feet; and (3) retaining existing bicycle accommodations on roads.

**State Expenditures:** TTF expenditures increase minimally in fiscal 2017 and for the first half of fiscal 2018 for a consultant to complete some of the research required under the bill. According to MDOT, MBPAC, on which an official from MDOT serves, performs most of the functions required in the bill. The committee advises State government agencies on bicycle and pedestrian safety, including Complete Streets initiatives, public awareness, and education.

MDOT advises that a consultant is required to conduct research for the task force at an estimated cost of \$125,000 to \$135,000 and that the staffing requirements of the bill also have a significant operational impact. Since it appears that much of the expertise, research, and source material is already available from the work of MBPAC over the course of its nearly 26-year history, the Department of Legislative Services (DLS) advises that *most* of the issues required to be studied can likely be handled with the existing resources of MDOT. However, DLS agrees that a consultant is likely needed to conduct research pertaining to the siting of utilities and infrastructure along bike lanes. MDOT estimates the portion of the consultant cost associated with this research to be between \$50,000 and \$60,000. MDOT further advises that it would be difficult to adequately address all of the required issues within the timeframe established by the bill. Accordingly, TTF expenditures likely increase by \$55,000, with a portion of that cost incurred in the last month of fiscal 2017 (due to the compressed timeframe) and the remainder incurred in fiscal 2018. The actual cost of a consultant depends on the specific number and nature of the tasks required of the consultant.

Otherwise, MDOT's costs associated with staffing the task force and providing expense reimbursements for members are assumed to be minimal and absorbable within existing budgeted resources.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 192 (Delegate Lafferty) - Environment and Transportation.

**Information Source(s):** Maryland Department of Transportation; National Highway Traffic Safety Administration; Department of Legislative Services

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