

# HOUSE BILL 535

R1, L6

(8lr0847)

## ENROLLED BILL

— *Environment and Transportation/Finance* —

Introduced by **Delegates Lierman, Ali, Angel, Clippinger, Ebersole, Fraser-Hidalgo, Hettleman, Hill, C. Howard, Korman, Lafferty, J. Lewis, R. Lewis, Luedtke, Morhaim, Platt, Sanchez, and P. Young**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Transportation – Complete Streets Program – Establishment**

3 FOR the purpose of establishing the Complete Streets Program; specifying the purpose and  
4 goals of the Program; ~~requiring the Governor to annually appropriate a certain~~  
5 ~~amount of~~ providing for funding for the Program; specifying the requirements for a  
6 local government to be designated as a certified jurisdiction; authorizing a certified  
7 jurisdiction to apply for *matching* grants from the Program; specifying the use of  
8 *matching* grant funds; specifying certain requirements for a certified jurisdiction  
9 that receives a grant under the Program; requiring the Secretary of Transportation  
10 to adopt certain regulations; requiring the Department of Transportation to submit  
11 a certain report to certain committees of the General Assembly on or before a certain  
12 date each year; requiring the Department to issue a certain report to certain  
13 committees of the General Assembly on or before a certain date; establishing a

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber/conference committee amendments.



workgroup to assist the Department in developing and reviewing certain regulations; providing that members of the workgroup may not receive compensation but are entitled to reimbursement for expenses; providing for the membership and chair of the workgroup; requiring the Department to consult with the workgroup to develop certain regulations; requiring the Department to give the workgroup a certain review and comment period on certain regulations; providing for the construction of this Act; defining certain terms; and generally relating to the establishment of the Complete Streets Program.

BY adding to

Article – Transportation

Section 8–901 through 8–908 to be under the new subtitle “Subtitle 9. Complete Streets Program”

Annotated Code of Maryland

(2015 Replacement Volume and 2017 Supplement)

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

### Article – Transportation

#### SUBTITLE 9. COMPLETE STREETS PROGRAM.

##### 8–901.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “CERTIFIED JURISDICTION” MEANS A LOCAL GOVERNMENT THAT HAS BEEN CERTIFIED BY THE DEPARTMENT IN ACCORDANCE WITH § 8–905 OF THIS SUBTITLE.

(C) “COMPLETE STREETS” MEANS STREETS THAT PROVIDE ACCOMMODATIONS FOR USERS OF MULTIPLE MODES OF TRANSPORTATION.

(D) “COMPLETE STREETS POLICY” MEANS A LAW, A BYLAW, AN ORDINANCE, OR AN ADMINISTRATIVE POLICY ADOPTED BY A LOCAL GOVERNMENT IN ACCORDANCE WITH § 8–905 OF THIS SUBTITLE.

(E) “ELIGIBLE PROJECT” MEANS A LOCAL GOVERNMENT OR STATE HIGHWAY, STREET, OR ROAD RETROFIT PROJECT THAT INCLUDES THE ADDITION OF OR SIGNIFICANT REPAIR TO FACILITIES THAT PROVIDE ACCESS FOR USERS OF MULTIPLE MODES OF TRANSPORTATION.

1 (F) “GREEN STORMWATER INFRASTRUCTURE” MEANS INFRASTRUCTURE  
2 IMPLEMENTED USING BEST MANAGEMENT PRACTICES THAT REDUCE THE VOLUME  
3 OF STORMWATER RUNOFF THROUGH INFILTRATION, EVAPOTRANSPIRATION, THE  
4 BENEFICIAL REUSE OF WATER, OR ANY OTHER EFFECTIVE METHOD.

5 (G) “LOCAL GOVERNMENT” MEANS A COUNTY OR MUNICIPALITY IN THE  
6 STATE.

7 ~~(G)~~ (H) “PROGRAM” MEANS THE COMPLETE STREETS PROGRAM  
8 ESTABLISHED UNDER THIS SUBTITLE.

9 8-902.

10 THERE IS A COMPETITIVE MATCHING GRANT PROGRAM WITHIN THE  
11 DEPARTMENT KNOWN AS THE “COMPLETE STREETS PROGRAM”.

12 8-903.

13 (A) THE PURPOSE OF THE PROGRAM IS TO PROVIDE MATCHING GRANTS TO  
14 CERTIFIED JURISDICTIONS TO ENCOURAGE:

15 (1) THE REGULAR AND ROUTINE INCLUSION OF COMPLETE STREETS  
16 DESIGN ELEMENTS AND INFRASTRUCTURE DURING THE PLANNING, DESIGN,  
17 CONSTRUCTION, AND RECONSTRUCTION OF NEW OR EXISTING LOCALLY FUNDED  
18 ROADS; ~~AND~~

19 (2) THE ADOPTION OF URBAN ~~ARTERIAL~~ RETROFIT STREET  
20 ORDINANCES DESIGNED TO PROVIDE SAFE ACCESS TO USERS OF MULTIPLE MODES  
21 OF TRANSPORTATION; AND

22 (3) THE DEVELOPMENT OF RANKING SYSTEMS FOR COMPLETE  
23 STREETS PROJECTS THAT CONSIDER THE NEEDS OF UNDERINVESTED AND  
24 UNDERSERVED COMMUNITIES IN SPECIFIC GEOGRAPHIC REGIONS OF THE STATE.

25 (B) THE GOALS OF THE PROGRAM ARE TO:

26 (1) PROMOTE HEALTHY COMMUNITIES BY ENCOURAGING THE USE OF  
27 MULTIPLE MODES OF TRANSPORTATION OTHER THAN SINGLE-OCCUPANCY MOTOR  
28 VEHICLES;

29 (2) IMPROVE SAFETY BY DESIGNING ~~MAJOR ARTERIAL~~ STREETS TO  
30 INCLUDE FEATURES SUCH AS:

31 (I) WIDER SIDEWALKS;

1 (II) DEDICATED BIKE FACILITIES;

2 (III) MEDIANS; ~~AND~~

3 (IV) PEDESTRIAN STREETScape FEATURES; AND

4 (V) GREEN STORMWATER INFRASTRUCTURE;

5 (3) PROTECT THE ENVIRONMENT AND ~~REDUCE~~ IMPROVE WATER  
6 QUALITY BY USING GREEN STORMWATER INFRASTRUCTURE TO REDUCE  
7 STORMWATER RUNOFF FROM RIGHTS-OF-WAY;

8 (4) REDUCE CONGESTION BY PROVIDING SAFE ALTERNATIVES TO  
9 SINGLE-OCCUPANCY MOTOR VEHICLE DRIVING; ~~AND~~

10 ~~(4)~~ (5) PRESERVE COMMUNITY CHARACTER BY INVOLVING LOCAL  
11 AND DIVERSE COMMUNITIES ~~RESIDENTS~~ AND STAKEHOLDERS IN PLANNING,  
12 PRIORITIZATION, AND DESIGN DECISIONS; AND

13 (6) PROVIDE FOR THE EQUITABLE DISTRIBUTION OF COMPLETE  
14 STREETS FUNDS THAT TAKES INTO CONSIDERATION THE NEEDS OF  
15 UNDERINVESTED AND UNDERSERVED COMMUNITIES IN SPECIFIC GEOGRAPHIC  
16 REGIONS OF THE STATE.

17 8-904.

18 ~~THE GOVERNOR SHALL ANNUALLY APPROPRIATE AT LEAST \$1,000,000 FROM~~  
19 ~~THE TRANSPORTATION TRUST FUND FOR THE PROGRAM.~~

20 FUNDS FOR THE PROGRAM SHALL BE AS PROVIDED BY THE GOVERNOR IN  
21 THE STATE BUDGET.

22 8-905.

23 (A) A LOCAL GOVERNMENT THAT HAS ADOPTED A COMPLETE STREETS  
24 POLICY IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION MAY APPLY TO THE  
25 DEPARTMENT FOR DESIGNATION AS A CERTIFIED JURISDICTION.

26 (B) (1) A COMPLETE STREETS POLICY ADOPTED BY A LOCAL  
27 GOVERNMENT SHALL:

28 (I) IDENTIFY THE BODY, ENTITY, OR INDIVIDUAL RESPONSIBLE  
29 FOR IMPLEMENTING THE PROGRAM;

1 (II) REQUIRE THE DEVELOPMENT OF PROCEDURES TO FOLLOW  
 2 WHEN CONDUCTING ~~COUNTY~~ LOCAL ROAD REPAIRS, UPGRADES, OR EXPANSION  
 3 PROJECTS TO INCORPORATE COMPLETE STREETS ELEMENTS;

4 (III) FACILITATE PROJECTS TO ACHIEVE THE GOALS  
 5 ESTABLISHED UNDER § 8-903(B) OF THIS SUBTITLE;

6 (IV) REQUIRE THE ESTABLISHMENT OF A REVIEW PROCESS FOR  
 7 PRIVATE DEVELOPMENT PROPOSALS TO ENSURE COMPLETE STREETS  
 8 COMPONENTS ARE INCORPORATED INTO NEW CONSTRUCTION ACCORDING TO  
 9 TERMS SPECIFIED BY THE LOCAL GOVERNMENT;

10 ~~(IV)~~ (V) SET A 5-YEAR GOAL FOR AN INCREASED MODE SHARE  
 11 OF SPECIFIED MODES OF TRANSPORTATION OTHER THAN SINGLE-OCCUPANCY  
 12 MOTOR VEHICLES;

13 ~~(V)~~ (VI) REQUIRE THE DEVELOPMENT OF A PROGRAM TO  
 14 MEET THE GOAL ESTABLISHED UNDER ITEM ~~(IV)~~ (V) OF THIS PARAGRAPH;

15 ~~(VI)~~ (VII) COMPLY WITH ANY OTHER REQUIREMENTS THAT THE  
 16 DEPARTMENT CONSIDERS NECESSARY; AND

17 ~~(VII)~~ (VIII) BE APPROVED BY THE DEPARTMENT.

18 (2) A LOCAL GOVERNMENT SHALL HOLD AT LEAST ONE PUBLIC  
 19 HEARING PRIOR TO THE ADOPTION OF A COMPLETE STREETS POLICY.

20 8-906.

21 (A) A CERTIFIED JURISDICTION MAY:

22 (1) APPLY FOR MATCHING GRANTS FROM THE PROGRAM; AND

23 (2) USE MATCHING GRANT FUNDS ONLY FOR COSTS ASSOCIATED  
 24 WITH ~~THE~~;

25 (I) THE IMPLEMENTATION OF THE COMPLETE STREETS  
 26 POLICY, INCLUDING THE DEVELOPMENT AND UPDATES OF POLICIES, ORDINANCES,  
 27 PROCEDURES, AND DESIGN MANUALS; AND

28 (II) THE DESIGN AND PLANNING OF ELIGIBLE PROJECTS.

1           **(B) A CERTIFIED JURISDICTION THAT RECEIVES A MATCHING GRANT**  
2 **SHALL:**

3                   **(1) MAINTAIN AND UPDATE ITS COMPLETE STREETS POLICY;**

4                   **(2) COORDINATE WITH THE DEPARTMENT TO CONFIRM THE**  
5 **ACCURACY OF THE BASELINE INVENTORY OF PEDESTRIAN AND BICYCLE**  
6 **ACCOMMODATIONS TO IDENTIFY PRIORITY PROJECTS;**

7                   **(3) SUBMIT AN ANNUAL PROGRESS REPORT TO THE DEPARTMENT, IN**  
8 **A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT; AND**

9                   **(4) COMPLY WITH ANY OTHER REQUIREMENTS THAT THE**  
10 **DEPARTMENT CONSIDERS NECESSARY.**

11 **8-907.**

12           **THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.**

13 **8-908.**

14           **(A) ON OR BEFORE DECEMBER 31 EACH YEAR, THE DEPARTMENT SHALL**  
15 **SUBMIT A REPORT TO THE SENATE FINANCE COMMITTEE, SENATE BUDGET AND**  
16 **TAXATION COMMITTEE, HOUSE APPROPRIATIONS COMMITTEE, AND HOUSE**  
17 **ENVIRONMENT AND TRANSPORTATION COMMITTEE, IN ACCORDANCE WITH §**  
18 **2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE STATUS OF THE PROGRAM.**

19           **(B) THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION**  
20 **SHALL INCLUDE:**

21                   **(1) THE STATUS OF ANY GRANT PROJECTS FUNDED BY THE**  
22 **PROGRAM; AND**

23                   **(2) A DISCUSSION OF WHETHER THERE IS A NEED TO REEVALUATE**  
24 **THE PROGRAM TO ENSURE THAT IT IS MEETING THE GOALS STATED IN § 8-903(B)**  
25 **OF THIS SUBTITLE.**

26           **(C) THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION**  
27 **SHALL BE MADE AVAILABLE ON THE DEPARTMENT'S WEBSITE.**

28           **SECTION 2. AND BE IT FURTHER ENACTED, That:**

1 (a) There is a workgroup to assist the Department of Transportation in  
2 developing and reviewing the regulations required under § 8–907 of the Transportation  
3 Article as enacted by this Act.

4 (b) A member of the workgroup:

5 (1) may not receive compensation as a member of the workgroup; but

6 (2) is entitled to reimbursement for expenses under the Standard State  
7 Travel Regulations, as provided in the State budget.

8 (c) The workgroup shall consist of the following members:

9 (1) two members of the Senate of Maryland, appointed by the President of  
10 the Senate;

11 (2) two members of the House of Delegates, appointed by the Speaker of  
12 the House;

13 (3) the Secretary of Planning, or the Secretary's designee;

14 (4) the Secretary of the Environment, or the Secretary's designee;

15 (5) the Administrator of the Maryland Transit Administration, or the  
16 Administrator's designee; and

17 (6) the following individuals appointed by the Governor:

18 (i) three individuals from different regional planning or  
19 transportation agencies;

20 (ii) one individual from the Baltimore Metropolitan Council;

21 (iii) one individual from the Metropolitan Washington Council of  
22 Governments;

23 (iv) one individual from the Maryland Municipal League;

24 (v) one individual from the Maryland Association of Counties; and

25 (vi) one individual from ~~Bikemore~~ Bike Maryland or another  
26 bicycling advocacy organization; and

27 (vii) one individual from the County Engineers Association of  
28 Maryland.

1 (d) The President of the Senate and the Speaker of the House shall each designate  
2 a cochair of the workgroup.

3 (e) (1) The Department of Transportation shall consult with the workgroup to  
4 develop the regulations required under § 8–907 of the Transportation Article as enacted by  
5 this Act.

6 (2) In addition to the requirement under paragraph (1) of this subsection,  
7 at least 30 days before the submission of the regulations to the Joint Committee on  
8 Administrative, Executive, and Legislative Review under § 10–110 of the State  
9 Government Article, the Department shall transmit the regulations to the workgroup for  
10 review and comment.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be construed  
12 to require the Maryland Department of Transportation to provide staff or operating  
13 expenses for the administration of the Complete Streets Program established under Section  
14 1 of this Act until money is appropriated in the State budget for the Program.

15 SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1,  
16 2020, the Maryland Department of Transportation, in accordance with § 2–1246 of the State  
17 Government Article, shall issue a report to the Senate Finance Committee and the House  
18 Environment and Transportation Committee on how the required local funding match is  
19 implemented and the effectiveness of the local match requirement.

20 SECTION ~~3~~ ~~4~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 July 1, 2018.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.