

HOUSE BILL 744

R1

8lr1449
CF SB 850

By: **Delegate Lafferty**

Introduced and read first time: February 1, 2018

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

CHAPTER _____

1 AN ACT concerning

2 **Transportation – Complete Streets Policy – Adoption**

3 FOR the purpose of requiring ~~the Maryland Transportation Authority and~~ certain modal
4 administrations of the Department of Transportation to adopt a complete streets
5 policy that requires the implementation of certain complete streets design features
6 for certain facilities under certain circumstances; specifying the requirements of a
7 complete streets policy; exempting ~~the Authority and~~ certain modal administrations
8 of the Department from adopting certain facets of a complete streets policy under
9 certain circumstances; defining certain terms; and generally relating to the adoption
10 of a complete streets policy by ~~the Authority and~~ certain modal administrations of
11 the Department.

12 BY adding to

13 Article – Transportation

14 Section 2–112, ~~4–408~~, 5–408.1, 7–309, and 8–204.1

15 Annotated Code of Maryland

16 (2015 Replacement Volume and 2017 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Transportation**

20 **2–112.**

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.



1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (2) (I) "COMPLETE STREETS DESIGN FEATURES" MEANS DESIGN
4 FEATURES THAT ACCOMMODATE AND FACILITATE SAFE AND CONVENIENT ACCESS
5 AND MOBILITY TO FACILITIES BY ALL USERS, INCLUDING BICYCLISTS, MOTORISTS,
6 PEDESTRIANS, AND PUBLIC TRANSPORTATION USERS.

7 (II) "COMPLETE STREETS DESIGN FEATURES" INCLUDES:

8 1. PAVED SHOULDERS SUITABLE FOR USE BY
9 BICYCLISTS;

10 2. PROTECTED BICYCLE LANES;

11 3. SHARE THE ROAD SIGNAGE;

12 4. CROSSWALKS;

13 5. PEDESTRIAN CONTROL SIGNALS;

14 6. BUS ACCESS AND SAFETY MEASURES;

15 7. SIDEWALKS; ~~AND~~

16 8. SHARED USE PATHWAYS; AND

17 9. GREEN STORMWATER INFRASTRUCTURE.

18 (3) "COMPLETE STREETS POLICY" MEANS A POLICY THAT ~~REQUIRES~~
19 PROVIDES INFORMATION FOR THE IMPLEMENTATION OF COMPLETE STREETS
20 DESIGN FEATURES DURING THE PLANNING, DESIGN, CONSTRUCTION, AND
21 RECONSTRUCTION OF A FACILITY.

22 (4) "FACILITY" MEANS:

23 (I) AN AIRPORT FACILITY, AS DEFINED IN § 5-101 OF THIS
24 ARTICLE, THAT IS OWNED OR OPERATED BY THE STATE;

25 (II) A STATE HIGHWAY, AS DEFINED IN § 8-101 OF THIS
26 ARTICLE; AND

27 (III) A TRANSIT FACILITY, AS DEFINED IN § 7-101 OF THIS
28 ARTICLE; ~~AND~~

1 ~~(IV) A TRANSPORTATION FACILITIES PROJECT, AS DEFINED IN §~~
2 ~~4-101 OF THIS ARTICLE.~~

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

8 (B) THIS SECTION APPLIES TO A FACILITY IN:

9 (1) THE MARYLAND AVIATION ADMINISTRATION, AS REQUIRED
10 UNDER § 5-408.1 OF THIS ARTICLE;

11 ~~(2) THE MARYLAND TRANSPORTATION AUTHORITY, AS REQUIRED~~
12 ~~UNDER § 4-408 OF THIS ARTICLE;~~

13 ~~(3)~~ THE MARYLAND TRANSIT ADMINISTRATION, AS REQUIRED
14 UNDER § 7-309 OF THIS ARTICLE; AND

15 ~~(4)~~ (3) THE STATE HIGHWAY ADMINISTRATION, AS REQUIRED
16 UNDER § 8-204.1 OF THIS ARTICLE.

17 (C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A
18 COMPLETE STREETS POLICY ADOPTED IN ACCORDANCE WITH THIS SECTION SHALL:

19 (1) BE IMPLEMENTED WITH THE OBJECTIVE OF CREATING A
20 COMPREHENSIVE, INTEGRATED, AND CONNECTED TRANSPORTATION NETWORK
21 THAT ALLOWS USERS TO CHOOSE AMONG DIFFERENT MODES OF TRANSPORTATION;

22 (2) ENSURE THAT ALL USERS ARE CONSIDERED DURING THE
23 PLANNING, DESIGN, CONSTRUCTION, AND RECONSTRUCTION PHASES OF A
24 FACILITY;

25 (3) BENEFIT ALL USERS EQUITABLY, PARTICULARLY TO THE EXTENT
26 FEASIBLE WHILE TAKING INTO CONSIDERATION THE NEEDS OF THE MOST
27 UNDERINVESTED AND UNDERSERVED COMMUNITIES;

28 (4) WHEN PRACTICABLE, REQUIRE THE ACCOMMODATION OF OTHER
29 MODES OF TRANSPORTATION;

30 (5) RECOGNIZE THAT ALL FACILITIES ARE DIFFERENT AND USER
31 NEEDS SHOULD BE BALANCED TO ENSURE COMMUNITY ENHANCEMENT; AND

1 **(6) INCORPORATE BEST PRACTICES RELATED TO COMPLETE**
2 **STREETS DESIGN ELEMENTS.**

3 ~~**(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, EXCEPTIONS**~~
4 **EXCEPTIONS TO THE REQUIREMENTS OF THIS SECTION MAY BE ADOPTED ONLY**
5 **WHEN CIRCUMSTANCES OR LAWS EXIST THAT PROHIBIT OR LIMIT THE ABILITY TO**
6 **PROVIDE FAVORABLE CONDITIONS FOR ALL MODES OF TRANSPORTATION.**

7 ~~**(2) THE DIRECTOR OF BICYCLE AND PEDESTRIAN ACCESS SHALL BE**~~
8 ~~**CONSULTED BEFORE THE ADOPTION OF AN EXCEPTION UNDER PARAGRAPH (1) OF**~~
9 ~~**THIS SUBSECTION.**~~

10 ~~**4-408.**~~

11 ~~**(A) IN THIS SECTION, "COMPLETE STREETS POLICY" HAS THE MEANING**~~
12 ~~**STATED IN § 2-112 OF THIS ARTICLE.**~~

13 ~~**(B) THE AUTHORITY SHALL, IN ACCORDANCE WITH § 2-112 OF THIS**~~
14 ~~**ARTICLE, ADOPT A COMPLETE STREETS POLICY FOR TRANSPORTATION FACILITIES**~~
15 ~~**PROJECTS.**~~

16 ~~**5-408.1.**~~

17 **(A) IN THIS SECTION, "COMPLETE STREETS POLICY" HAS THE MEANING**
18 **STATED IN § 2-112 OF THIS ARTICLE.**

19 **(B) THE ADMINISTRATION SHALL, IN ACCORDANCE WITH § 2-112 OF THIS**
20 **ARTICLE, ADOPT A COMPLETE STREETS POLICY FOR AIRPORT FACILITIES OWNED**
21 **OR OPERATED BY THE STATE.**

22 ~~**7-309.**~~

23 **(A) IN THIS SECTION, "COMPLETE STREETS POLICY" HAS THE MEANING**
24 **STATED IN § 2-112 OF THIS ARTICLE.**

25 **(B) THE ADMINISTRATION SHALL, IN ACCORDANCE WITH § 2-112 OF THIS**
26 **ARTICLE, ADOPT A COMPLETE STREETS POLICY FOR TRANSIT FACILITIES.**

27 ~~**8-204.1.**~~

28 **(A) IN THIS SECTION, "COMPLETE STREETS POLICY" HAS THE MEANING**
29 **STATED IN § 2-112 OF THIS ARTICLE.**

1 **(B) THE ADMINISTRATION SHALL, IN ACCORDANCE WITH § 2-112 OF THIS**
2 **ARTICLE, ADOPT A COMPLETE STREETS POLICY FOR STATE HIGHWAYS.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.