

SENATE BILL 407

R1, L6

8lr2378
CF HB 535

By: Senators Guzzone, Astle, Benson, Currie, Ferguson, Madaleno, Ramirez, Young, ~~and Zucker~~ Zucker, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, Reilly, and Rosapepe

Introduced and read first time: January 25, 2018

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2018

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 funding for the Program; specifying the requirements for a local
6 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; establishing a workgroup to assist the Department in developing and
13 reviewing certain regulations; providing that members of the workgroup may not
14 receive compensation but are entitled to reimbursement for expenses; providing for
15 the membership and chair of the workgroup; requiring the Department to consult
16 with the workgroup to develop certain regulations; requiring the Department to give
17 the workgroup a certain review and comment period on certain regulations; and
18 generally relating to the establishment of the Complete Streets Program.

19 BY adding to

20 Article – Transportation

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

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 Annotated Code of Maryland
2 (2015 Replacement Volume and 2017 Supplement)

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

5 **Article – Transportation**

6 **SUBTITLE 9. COMPLETE STREETS PROGRAM.**

7 **8–901.**

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

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

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

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

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

22 (F) “LOCAL GOVERNMENT” MEANS A COUNTY OR MUNICIPALITY IN THE
23 STATE.

24 (G) “PROGRAM” MEANS THE COMPLETE STREETS PROGRAM ESTABLISHED
25 UNDER THIS SUBTITLE.

26 **8–902.**

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

29 **8–903.**

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

3 (1) THE REGULAR AND ROUTINE INCLUSION OF COMPLETE STREETS
4 DESIGN ELEMENTS AND INFRASTRUCTURE DURING THE PLANNING, DESIGN,
5 CONSTRUCTION, AND RECONSTRUCTION OF NEW OR EXISTING LOCALLY FUNDED
6 ROADS; ~~AND~~

7 (2) THE ADOPTION OF URBAN ~~ARTERIAL~~ RETROFIT STREET
8 ORDINANCES DESIGNED TO PROVIDE SAFE ACCESS TO USERS OF MULTIPLE MODES
9 OF TRANSPORTATION; AND

10 (3) IN DEVELOPING THE PRIORITY FOR PROJECTS, ENGAGEMENT IN
11 AN EQUITY ANALYSIS THAT INCLUDES THE IDENTIFICATION AND ANALYSIS OF
12 OPPORTUNITY AND EQUITY GAPS.

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

14 (1) PROMOTE HEALTHY COMMUNITIES BY ENCOURAGING THE USE OF
15 MULTIPLE MODES OF TRANSPORTATION OTHER THAN SINGLE-OCCUPANCY MOTOR
16 VEHICLE TRANSPORTATION;

17 (2) IMPROVE SAFETY BY DESIGNING ~~MAJOR-ARTERIAL~~ STREETS TO
18 INCLUDE FEATURES SUCH AS:

19 (I) WIDER SIDEWALKS;

20 (II) DEDICATED BIKE FACILITIES;

21 (III) MEDIANS; ~~AND~~

22 (IV) PEDESTRIAN STREETScape FEATURES; AND

23 (V) GREEN STORMWATER INFRASTRUCTURE;

24 (3) PROTECT THE ENVIRONMENT AND REDUCE CONGESTION BY
25 PROVIDING SAFE ALTERNATIVES TO SINGLE-OCCUPANCY MOTOR VEHICLE
26 DRIVING; ~~AND~~

27 (4) PROTECT THE ENVIRONMENT AND IMPROVE WATER QUALITY BY
28 USING GREEN STORMWATER INFRASTRUCTURE TO REDUCE STORMWATER RUNOFF
29 FROM RIGHTS-OF-WAY;

1 ~~(4)~~ **(5) PRESERVE COMMUNITY CHARACTER BY INVOLVING LOCAL**
2 **AND DIVERSE COMMUNITIES RESIDENTS AND STAKEHOLDERS IN PLANNING,**
3 **PRIORITIZATION, AND DESIGN DECISIONS; AND**

4 **(6) ENCOURAGE EQUITABLE DEVELOPMENT OF COMPLETE STREETS**
5 **PROJECTS.**

6 **8-904.**

7 **THE GOVERNOR SHALL ANNUALLY APPROPRIATE AT LEAST \$1,000,000 FROM**
8 **THE TRANSPORTATION TRUST FUND FOR THE PROGRAM.**

9 **8-905.**

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

13 **(B) (1) A COMPLETE STREETS POLICY ADOPTED BY A LOCAL**
14 **GOVERNMENT SHALL:**

15 **(I) IDENTIFY THE BODY, ENTITY, OR INDIVIDUAL RESPONSIBLE**
16 **FOR IMPLEMENTING THE PROGRAM;**

17 **(II) REQUIRE THE DEVELOPMENT OF PROCEDURES TO FOLLOW**
18 **WHEN CONDUCTING COUNTY ROAD REPAIRS, UPGRADES, OR EXPANSION PROJECTS**
19 **TO INCORPORATE COMPLETE STREETS ELEMENTS;**

20 **(III) REQUIRE THE ESTABLISHMENT OF A REVIEW PROCESS FOR**
21 **PRIVATE DEVELOPMENT PROPOSALS TO ENSURE COMPLETE STREETS**
22 **COMPONENTS ARE INCORPORATED INTO NEW CONSTRUCTION ACCORDING TO**
23 **TERMS SPECIFIED BY THE LOCAL GOVERNMENT;**

24 **(IV) SET A 5-YEAR GOAL FOR AN INCREASED MODE SHARE OF**
25 **SPECIFIED MODES OF TRANSPORTATION OTHER THAN SINGLE-OCCUPANCY MOTOR**
26 **VEHICLE TRANSPORTATION;**

27 **(V) REQUIRE THE DEVELOPMENT OF A PROGRAM TO MEET THE**
28 **GOAL ESTABLISHED UNDER ITEM (IV) OF THIS PARAGRAPH;**

29 **(VI) COMPLY WITH ANY OTHER REQUIREMENTS THAT THE**
30 **DEPARTMENT CONSIDERS NECESSARY; AND**

31 **(VII) BE APPROVED BY THE DEPARTMENT.**

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

3 **8-906.**

4 (A) A CERTIFIED JURISDICTION MAY:

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

6 (2) USE MATCHING GRANT FUNDS ONLY FOR COSTS ASSOCIATED
7 WITH:

8 (I) THE IMPLEMENTATION OF THE COMPLETE STREETS
9 POLICY, INCLUDING THE DEVELOPMENT AND UPDATES OF POLICIES, ORDINANCES,
10 PROCEDURES, AND DESIGN MANUALS; AND

11 (II) ~~THE~~ THE DESIGN AND PLANNING OF ELIGIBLE PROJECTS.

12 (B) A CERTIFIED JURISDICTION THAT RECEIVES A MATCHING GRANT
13 SHALL:

14 (1) MAINTAIN AND UPDATE ITS COMPLETE STREETS POLICY;

15 (2) COORDINATE WITH THE DEPARTMENT TO CONFIRM THE
16 ACCURACY OF THE BASELINE INVENTORY OF PEDESTRIAN AND BICYCLE
17 ACCOMMODATIONS TO IDENTIFY PRIORITY PROJECTS;

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

20 (4) COMPLY WITH ANY OTHER REQUIREMENTS THAT THE
21 DEPARTMENT CONSIDERS NECESSARY.

22 **8-907.**

23 THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.

24 **8-908.**

25 (A) ON OR BEFORE DECEMBER 31 EACH YEAR, THE DEPARTMENT SHALL
26 SUBMIT A REPORT TO THE SENATE FINANCE COMMITTEE, SENATE BUDGET AND
27 TAXATION COMMITTEE, HOUSE APPROPRIATIONS COMMITTEE, AND HOUSE
28 ENVIRONMENT AND TRANSPORTATION COMMITTEE, IN ACCORDANCE WITH §
29 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE STATUS OF THE PROGRAM.

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

3 **(1) THE STATUS OF ANY GRANT PROJECTS FUNDED BY THE**
4 **PROGRAM; AND**

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

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

10 SECTION 2. AND BE IT FURTHER ENACTED, That:

11 (a) There is a workgroup to assist the Department of Transportation in
12 developing and reviewing the regulations required under § 8-907 of the Transportation
13 Article as enacted by this Act.

14 (b) A member of the workgroup:

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

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

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

19 (1) two members of the Senate of Maryland, appointed by the President of
20 the Senate;

21 (2) two members of the House of Delegates, appointed by the Speaker of
22 the House;

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

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

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

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

28 (i) three individuals from different regional planning or
29 transportation agencies;

- 1 (ii) one individual from the Baltimore Metropolitan Council;
- 2 (iii) one individual from the Metropolitan Washington Council of
3 Governments;
- 4 (iv) one individual from the Maryland Municipal League;
- 5 (v) one individual from the Maryland Association of Counties;
- 6 (vi) one individual from ~~Bikemore~~ Bike Maryland or another
7 bicycling advocacy organization; and
- 8 (vii) one individual from the County Engineers Association of
9 Maryland.

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.