

Chapter 717

(House Bill 744)

AN ACT concerning

Transportation – Complete Streets Policy – Adoption

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

BY adding to

Article – Transportation

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

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

2–112.

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

(2) (i) “COMPLETE STREETS DESIGN FEATURES” MEANS DESIGN FEATURES THAT ACCOMMODATE AND FACILITATE SAFE AND CONVENIENT ACCESS AND MOBILITY TO FACILITIES BY ALL USERS, INCLUDING BICYCLISTS, MOTORISTS, PEDESTRIANS, AND PUBLIC TRANSPORTATION USERS.

(ii) “COMPLETE STREETS DESIGN FEATURES” INCLUDES:

- 1. PAVED SHOULDERS SUITABLE FOR USE BY BICYCLISTS;**
- 2. PROTECTED BICYCLE LANES;**

3. SHARE THE ROAD SIGNAGE;
4. CROSSWALKS;
5. PEDESTRIAN CONTROL SIGNALS;
6. BUS ACCESS AND SAFETY MEASURES;
7. SIDEWALKS; ~~AND~~
8. SHARED USE PATHWAYS; AND
9. GREEN STORMWATER INFRASTRUCTURE.

(3) “COMPLETE STREETS POLICY” MEANS A POLICY THAT ~~REQUIRES~~ PROVIDES INFORMATION FOR THE IMPLEMENTATION OF COMPLETE STREETS DESIGN FEATURES DURING THE PLANNING, DESIGN, CONSTRUCTION, AND RECONSTRUCTION OF A FACILITY.

(4) “FACILITY” MEANS:

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

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

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

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

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

(B) THIS SECTION APPLIES TO A FACILITY IN:

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

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

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

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

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

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

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

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

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

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

(6) INCORPORATE BEST PRACTICES RELATED TO COMPLETE STREETS DESIGN ELEMENTS FEATURES.

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

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

~~(A) IN THIS SECTION, “COMPLETE STREETS POLICY” HAS THE MEANING STATED IN § 2-112 OF THIS ARTICLE.~~

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

5-408.1.

(A) IN THIS SECTION, “COMPLETE STREETS POLICY” HAS THE MEANING STATED IN § 2-112 OF THIS ARTICLE.

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

7-309.

(A) IN THIS SECTION, “COMPLETE STREETS POLICY” HAS THE MEANING STATED IN § 2-112 OF THIS ARTICLE.

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

8-204.1.

(A) IN THIS SECTION, “COMPLETE STREETS POLICY” HAS THE MEANING STATED IN § 2-112 OF THIS ARTICLE.

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

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

Approved by the Governor, May 15, 2018.