

Chapter 721

(House Bill 535)

AN ACT concerning

Transportation – Complete Streets Program – Establishment

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

(F) “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.

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

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

8-902.

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

8-903.

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

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

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

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

(B) THE GOALS OF THE PROGRAM ARE TO:

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

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

(I) WIDER SIDEWALKS;

(II) DEDICATED BIKE FACILITIES;

(III) MEDIANS; ~~AND~~

(IV) PEDESTRIAN STREETScape FEATURES; AND

(V) GREEN STORMWATER INFRASTRUCTURE;

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

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

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

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

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

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

8-905.

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

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

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

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

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

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

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

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

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

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

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

8-906.

(A) A CERTIFIED JURISDICTION MAY:

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

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

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

(II) THE DESIGN AND PLANNING OF ELIGIBLE PROJECTS.

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

(1) MAINTAIN AND UPDATE ITS COMPLETE STREETS POLICY;

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

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

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

8-907.

THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.

8-908.

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

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That:

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

(b) A member of the workgroup:

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

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

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

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

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

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

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

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

(6) the following individuals appointed by the Governor:

- (i) three individuals from different regional planning or transportation agencies;
- (ii) one individual from the Baltimore Metropolitan Council;
- (iii) one individual from the Metropolitan Washington Council of Governments;
- (iv) one individual from the Maryland Municipal League;
- (v) one individual from the Maryland Association of Counties; and
- (vi) one individual from ~~Bikemore~~ Bike Maryland or another bicycling advocacy organization; and
- (vii) one individual from the County Engineers Association of Maryland.

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

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

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

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

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

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

Approved by the Governor, May 15, 2018.