By: Delegate Charkoudian
Introduced and read first time: January 31, 2022
Assigned to: Environment and Transportation and Appropriations

A BILL ENTITLED

AN ACT concerning

Safe Access for All (SAFE) Roads Act of 2022

FOR the purpose of requiring the Department of Transportation, under certain circumstances, to recommend and implement certain design elements when developing certain projects; requiring the Department to implement certain safety improvements for certain projects; requiring the State Highway Administration to conduct a certain analysis and study; requiring the Governor, for certain fiscal years, to include in the annual budget bill certain appropriations for certain purposes; and generally relating to pedestrian and bicycle rider safety.

BY adding to

Article – Transportation
Section 2–103.1(c–1) and 2–609
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

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

Article – Transportation

2–103.1.

(C–1) (1) THE DEPARTMENT, IN DEVELOPING ANY CONSTRUCTION OR IMPROVEMENT PROJECT, OR POSTCONSTRUCTION PROJECT, PRESERVATION, OR MAINTENANCE, SHALL RECOMMEND AND IMPLEMENT CONTEXT–DRIVEN DESIGN ELEMENTS FOR PEDESTRIAN AND BICYCLE SAFETY CONSISTENT WITH:

(I) THE U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION PROVEN SAFETY COUNTERMEASURES; AND

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
(II) THE STATE HIGHWAY ADMINISTRATION’S CONTEXT DRIVEN GUIDE AND ASSOCIATED STRATEGIES.

(2) IF A NEW CONSTRUCTION OR IMPROVEMENT PROJECT IS PROJECTED TO TAKE MORE THAN 12 MONTHS TO COMPLETE, THE DEPARTMENT SHALL IMPLEMENT ALL POSSIBLE INCREMENTAL, NEAR–TERM SAFETY IMPROVEMENTS IMMEDIATELY WHILE MAINTAINING EACH PROJECT’S PRIORITY RANKING.

2–609.

(A) TO IMPROVE PEDESTRIAN AND BICYCLE RIDER SAFETY IN THE STATE, THE STATE HIGHWAY ADMINISTRATION SHALL:

(1) CONDUCT AN ANALYSIS OF SITES, CORRIDORS, AND INTERSECTIONS ACROSS THE STATE WITH PEDESTRIAN AND BICYCLE RIDER CRASHES, FATALITIES, AND SIGNIFICANT INJURIES;

(2) CONDUCT A FULL STUDY OF ROAD CHARACTERISTICS THAT:

(I) DETERMINES WHICH FACTORS CREATE A PUBLIC SAFETY RISK OR DANGER TO VULNERABLE ROAD USERS SUCH AS PEDESTRIANS AND CYCLISTS;

(II) INCLUDES A NETWORK ANALYSIS THAT EXAMINES VULNERABLE ROAD USERS’ ORIGINS AND DESTINATIONS TO DETERMINE HIGH–RISK AREAS WHERE ACCIDENTS COULD OCCUR;

(III) EXAMINES GAPS IN EXISTING SAFE INFRASTRUCTURE FOR VULNERABLE ROAD USERS SUCH AS SHARED–USE PATHS, SIDEWALKS, BIKE LANES, AND HIGH–RISK ROADWAY CROSSINGS;

(IV) RECOMMENDS ENGINEERING AND SAFETY IMPROVEMENTS DESIGNED TO ELIMINATE PEDESTRIAN AND BICYCLE RIDER INJURIES AND FATALITIES;

(V) DEVELOPS A BUDGET ESTIMATE AND TIMELINE FOR THE IMPLEMENTATION OF EACH ENGINEERING AND SAFETY IMPROVEMENT; AND

(VI) IMPLEMENTS EACH ENGINEERING AND SAFETY IMPROVEMENT;
(3) Ensure that all engineering and safety improvements are consistent with the Vision Zero program established under Title 8, Subtitle 10 of this article and the implementation strategies described in § 8–1005 of this article; and

(4) Consult regularly with the Bicycle and Pedestrian Advisory Committee established under § 2–606 of this subtitle.

(B) (1) Subject to paragraph (2) of this subsection, for fiscal years 2024 through 2028, the Governor shall include in the annual budget bill an appropriation for the State Highway Administration’s Safety, Congestion Relief, Highway and Bridges System Preservation Minor Projects Program for the following purposes and in at least the following amounts:

(i) ADA Retrofit – $9,000,000;

(ii) Bicycle Retrofit – $10,000,000;

(iii) Safety and Spot Improvement – $80,000,000;

(iv) Sidewalk Program – $10,000,000; and

(v) Traffic Management – $60,000,000.

(2) For fiscal years 2025 through 2028, the amounts required under paragraph (1) of this subsection shall be increased by 10% each year.

(C) On or before October 1, 2022, the State Highway Administration shall report on:

(1) The number of open staff positions in the State Highway Administration by title and department and the extent to which these open positions slow down the process of implementing safety improvements once improvements have been identified; and

(2) Information about employees that perform direct labor on highway and road safety and improvement projects for the State Highway Administration, including the following:

(i) Wage, benefit, and compensation levels;
(II) OPEN POSITIONS BY TITLE AND DEPARTMENT;

(III) TURNOVER RATES; AND

(IV) AN EXAMINATION OF HOW TURNOVER RATES AND OPEN POSITIONS AFFECT HOW QUICKLY SAFETY IMPROVEMENTS CAN BE IMPLEMENTED.

(D) ON OR BEFORE JULY 1, 2023, AND JULY 1 EACH YEAR THEREAFTER, THE STATE HIGHWAY ADMINISTRATION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE FINDINGS OF AND IMPLEMENTATION OF SUBSECTION (A)(1) AND (2) OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Maryland Department of Transportation maximize applications for and access to federal funding that is or may become available for infrastructure for pedestrian and bicycle safety.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2022.