

# SENATE BILL 23

R2

(PRE-FILED)

2lr1338  
CF HB 141

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By: **Senator Carter**

Requested: November 1, 2021

Introduced and read first time: January 12, 2022

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Equity in Transportation Sector – Guidelines and Analyses**

3 FOR the purpose of requiring that equity be considered when certain State transportation  
4 plans, reports, and goals are developed; altering the membership of the advisory  
5 committee on State transportation goals, benchmarks, and indicators; establishing  
6 the Commission on Transportation Equity; requiring the Department of  
7 Transportation, in collaboration with the Maryland Transit Administration, to  
8 conduct certain analyses and consult with certain communities before announcing  
9 or proposing certain service changes; requiring the Administration to take certain  
10 actions to avoid or minimize certain disparate impacts or disproportionate burdens;  
11 requiring the Administration to compile a report on the impacts of a proposed service  
12 change after holding a public hearing on the proposed service change; and generally  
13 relating to equity in transportation.

14 BY repealing and reenacting, with amendments,  
15 Article – Transportation  
16 Section 2–103.1(d), (h), and (j) and 7–101  
17 Annotated Code of Maryland  
18 (2020 Replacement Volume and 2021 Supplement)

19 BY repealing and reenacting, without amendments,  
20 Article – Transportation  
21 Section 2–103.1(g) and (i)  
22 Annotated Code of Maryland  
23 (2020 Replacement Volume and 2021 Supplement)

24 BY adding to  
25 Article – Transportation  
26 Section 7–714 and 7–715  
27 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(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.

(d) (1) The Maryland Transportation Plan shall:

[(1)] (I) Except as otherwise provided, be revised every 5 years through  
an inclusive public participation process;

[(2)] (II) Include a 20–year forecast of State transportation needs, based  
on the financial resources anticipated to be available to the Department during that  
20–year period;

[(3)] (III) Be expressed in terms of the State transportation goals and  
measures; and

[(4)] (IV) Include a summary of the types of projects and programs that are  
proposed to accomplish the State transportation goals and measures, using a multi–modal  
approach when feasible.

**(2) BEGINNING WITH THE 2045 MARYLAND TRANSPORTATION PLAN,  
THE DEPARTMENT SHALL CONSIDER WAYS TO ACHIEVE EQUITY IN THE  
TRANSPORTATION SECTOR WHEN DEVELOPING THE STATE TRANSPORTATION  
GOALS.**

(g) Beginning with the year 2002 State Report on Transportation and continuing  
thereafter, before the General Assembly considers the proposed Maryland Transportation  
Plan and the proposed Consolidated Transportation Program, the Department shall submit  
an annual report on the attainment of State transportation goals and benchmarks for the  
approved and proposed Maryland Transportation Plan and the approved and proposed  
Consolidated Transportation Program to the Governor and, subject to § 2–1257 of the State  
Government Article, to the General Assembly.

(h) (1) The report required under subsection (g) of this section shall include:

(i) The establishment of certain measurable performance indicators  
or benchmarks, in priority funding areas at a minimum, designed to quantify the State  
transportation goals and measures specified in the Maryland Transportation Plan and §  
2–103.7 of this subtitle; and

(ii) The degree to which the projects and programs contained in the

1 approved Maryland Transportation Plan and Consolidated Transportation Program attain  
2 those goals and benchmarks as measured by the performance indicators or benchmarks.

3 (2) The Department shall include in its report measurable long-term goals,  
4 and intermediate benchmarks of progress toward the attainment of the long-term goals,  
5 for the following measurable transportation indicators:

6 (i) An increase in the share of total person trips for each of transit,  
7 high occupancy auto, pedestrian, and bicycle modes of travel;

8 (ii) A decrease in indicators of traffic congestion as determined by  
9 the Department; and

10 (iii) Any other performance goals established by the Department for  
11 reducing automobile traffic and increasing the use of nonautomobile traffic.

12 (3) (I) BEGINNING WITH THE 2023 ATTAINMENT REPORT ON  
13 TRANSPORTATION SYSTEM PERFORMANCE, THE ADVISORY COMMITTEE ADVISING  
14 THE DEPARTMENT ON STATE TRANSPORTATION GOALS, BENCHMARKS, AND  
15 INDICATORS SHALL CONSULT WITH THE COMMISSION ON TRANSPORTATION  
16 EQUITY TO RECOMMEND MEASURABLE TRANSPORTATION INDICATORS THAT CAN  
17 BE EVALUATED FOR:

18 1. RACIAL AND ETHNIC DISPARITIES; AND

19 2. IMPACTS ON PERSONS WITH DISABILITIES.

20 (II) THE DEPARTMENT SHALL EVALUATE THE INDICATORS  
21 UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO IDENTIFY ANY:

22 1. RACIAL AND ETHNIC DISPARITIES; AND

23 2. IMPACTS ON PERSONS WITH DISABILITIES.

24 [(3)] (4) The performance indicators or benchmarks described in this  
25 subsection shall acknowledge the difference between urban and rural transportation needs.

26 (i) The Smart Growth Subcabinet, established under Title 9, Subtitle 14 of the  
27 State Government Article, shall conduct an annual review of the State transportation goals,  
28 benchmarks, and indicators.

29 (j) (1) An advisory committee shall be assembled to advise the Department on  
30 the State transportation goals, benchmarks, and indicators under subsection (h) of this  
31 section.

1           (2) Membership of the advisory committee shall include but is not limited  
2 to the following members appointed by the Governor:

3                   (i) A representative of the Maryland business community;

4                   (ii) A representative of the disabled citizens community;

5                   (iii) A representative of rural interests;

6                   (iv) A representative of an auto users group;

7                   (v) A representative of a transit users group;

8                   (vi) A representative of the goods movement industry;

9                   (vii) A nationally recognized expert on transportation demand  
10 management;

11                   (viii) A nationally recognized expert on pedestrian and bicycle  
12 transportation;

13                   (ix) A nationally recognized expert on transportation performance  
14 measurement;

15                   (x) A representative of an environmental advocacy organization;

16                   (xi) A representative from the Maryland Department of Planning;

17                   (xii) A representative of the Maryland Association of Counties; [and]

18                   (xiii) A representative of the Maryland Municipal League;

19                   **(XIV) A REPRESENTATIVE OF THE MARYLAND STATE**  
20 **CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF**  
21 **COLORED PEOPLE; AND**

22                   **(XV) A REPRESENTATIVE OF A TRANSPORTATION LABOR**  
23 **ORGANIZATION, DESIGNATED BY THE MARYLAND STATE AND DISTRICT OF**  
24 **COLUMBIA AFL-CIO.**

25           (3) The Governor shall appoint the chairman of the advisory committee.

26           (4) The advisory committee shall meet at least four times during the  
27 process of developing the Maryland Transportation Plan to provide advice to the  
28 Department on meeting the requirements of this subsection.

1                   (5) The Department and the advisory committee shall consider the  
2 following:

3                   (i) Transportation and population trends and their impact on the  
4 State's transportation system and priority funding areas;

5                   (ii) Past and present State funding devoted to the various  
6 transportation modes and demand management;

7                   (iii) The full range of unmet transportation needs in priority funding  
8 areas;

9                   (iv) The full range of transportation measures and facilities  
10 available, and their role, effectiveness, and cost effectiveness in providing travel choices  
11 and reducing congestion;

12                   (v) A review of transportation performance indicators and their use  
13 in other states;

14                   (vi) A review of the coordination of State transportation investments  
15 with local growth plans for priority funding areas;

16                   (vii) The types of investments needed and their levels of funding for  
17 supporting the State transportation goals and measures established under § 2–103.7 of this  
18 subtitle;

19                   (viii) The impact of transportation investment on:

20                               1. The environment;

21                               2. Environmental justice as defined in § 1–701 of the  
22 Environment Article;

23                               3. Communities; [and]

24                               4. Economic development; [and]

25                               **5. RACIAL EQUITY; AND**

26                               **6. PERSONS WITH DISABILITIES, INCLUDING SERVICE**  
27 **ACCESSIBILITY; AND**

28                   (ix) The Climate Action Plan goals required by the Greenhouse Gas  
29 Emissions Reduction Act of 2009 under § 2–1205(b) of the Environment Article.

30 7–101.

1 (a) In this title the following words have the meanings indicated.

2 (b) “Administration” means the Maryland Transit Administration.

3 (c) “Administrator” means the Maryland Transit Administrator.

4 (D) “DISPARATE IMPACT” MEANS A FACIALLY NEUTRAL POLICY OR  
5 PRACTICE THAT DISPROPORTIONATELY AFFECTS MEMBERS OF A GROUP  
6 IDENTIFIED BY RACE, COLOR, OR NATIONAL ORIGIN, WHERE THE RECIPIENT’S  
7 POLICY OR PRACTICE LACKS A SUBSTANTIAL LEGITIMATE JUSTIFICATION AND  
8 WHERE THERE EXIST ONE OR MORE ALTERNATIVES THAT WOULD SERVE THE SAME  
9 LEGITIMATE OBJECTIVES BUT WITH LESS DISPROPORTIONATE EFFECT ON THE  
10 BASIS OF RACE, COLOR, OR NATIONAL ORIGIN.

11 (E) “DISPROPORTIONATE BURDEN” MEANS A FACIALLY NEUTRAL POLICY  
12 OR PRACTICE THAT DISPROPORTIONATELY AFFECTS LOW-INCOME POPULATIONS  
13 MORE THAN NON-LOW-INCOME POPULATIONS AND, ON A FINDING OF  
14 DISPROPORTIONATE BURDEN, REQUIRES THE RECIPIENT TO EVALUATE  
15 ALTERNATIVES AND MITIGATE BURDENS WHERE PRACTICABLE.

16 [(d)] (F) “District” means:

17 (1) The Metropolitan Transit District, consisting of Baltimore City,  
18 Baltimore County, Anne Arundel County, and other areas as designated by the Secretary  
19 after consultation and coordination with the affected jurisdiction and subject to the  
20 provisions of the Washington Metropolitan Transit Authority Compact; and

21 (2) Any area in which railroad service is performed under contract with the  
22 Administration or in which railroad facilities are owned by the Administration.

23 [(e)] (G) “Excursion train” means any special event train sponsored or  
24 contracted for in connection with the promotion of a public event benefiting the State and  
25 its citizens.

26 [(f)] (H) “Light rail transit” means rail transit which is electrically powered and  
27 can operate in mixed traffic with automobiles.

28 [(g)] (I) “Private carrier” means any person that renders transit service within  
29 the District under an operating permit or license issued by an agency of this State  
30 exercising regulatory jurisdiction over transportation of passengers within this State and  
31 over persons engaged in that business.

32 [(h)] (J) “Proof of fare payment” means evidence of fare prepayment authorized  
33 by the Administration for the use of transit service.

1            **[(i)] (K)**        “Railroad company” means any entity engaged in the providing of  
2 railroad service under this title.

3            **[(j)] (L)**        (1)        “Railroad facility” means any facility used in providing railroad  
4 services, and includes any one or more or combination of:

5                            (i)        Switches, spurs, tracks, structures, terminals, yards, real  
6 property, and other facilities useful or designed for use in connection with the  
7 transportation of persons or goods by rail; and

8                            (ii)       All other appurtenances, including locomotives, cars, vehicles,  
9 and other instrumentalities of shipment or carriage, useful or designed for use in  
10 connection with the transportation of persons or goods by rail.

11                        (2)        “Railroad facility” does not include any transit facility.

12            **[(k)] (M)**        “Railroad service” means any service utilizing rail or railroad facilities  
13 performed by any common carrier operating under the jurisdiction of the State or federal  
14 government as a common carrier and includes any such service performed by the National  
15 Railroad Passenger Corporation.

16            **[(l)] (N)**        “Transit facility” includes any one or more or combination of tracks,  
17 rights-of-way, bridges, tunnels, subways, rolling stock, stations, terminals, ports, parking  
18 areas, equipment, fixtures, buildings, structures, other real or personal property, and  
19 services incidental to or useful or designed for use in connection with the rendering of  
20 transit service by any means, including rail, bus, motor vehicle, or other mode of  
21 transportation, but does not include any railroad facility.

22            **[(m)] (O)**        “Transit-oriented development” means a mix of private or public  
23 parking facilities, commercial and residential structures, and uses, improvements, and  
24 facilities customarily appurtenant to such facilities and uses, that:

25                        (1)        Is part of a deliberate development plan or strategy involving:

26                            (i)        Property that is adjacent to the passenger boarding and alighting  
27 location of a planned or existing transit station; or

28                            (ii)       Property, any part of which is located within one-half mile of the  
29 passenger boarding and alighting location of a planned or existing transit station;

30                        (2)        Is planned to maximize the use of transit, walking, and bicycling by  
31 residents and employees; and

32                        (3)        Is designated as a transit-oriented development by:

33                            (i)        The Secretary, after considering a recommendation of the Smart

1 Growth Subcabinet established under § 9–1406 of the State Government Article; and

2 (ii) The local government or multicounty agency with land use and  
3 planning responsibility for the relevant area.

4 **[(n)] (P)** (1) “Transit service” means the transportation of persons and their  
5 packages and baggage and of newspapers, express, and mail in regular route, special, or  
6 charter service by means of transit facilities between points within the District.

7 (2) “Transit service” does not include any:

8 (i) Vanpool operation; or

9 (ii) Railroad service.

10 **[(o)] (Q)** (1) “Transit station” means any facility, the primary function of  
11 which relates to the boarding and alighting of passengers from transit vehicles.

12 (2) “Transit station” includes platforms, shelters, passenger waiting  
13 facilities, parking areas, access roadways, and other real property used to facilitate  
14 passenger access to transit service or railroad service.

15 **[(p)] (R)** “Transit vehicle” means a mobile device used in rendering transit  
16 service.

17 **7–714.**

18 **(A) IN THIS SECTION, “COMMISSION” MEANS THE COMMISSION ON**  
19 **TRANSPORTATION EQUITY.**

20 **(B) THERE IS A COMMISSION ON TRANSPORTATION EQUITY.**

21 **(C) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:**

22 **(1) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY’S**  
23 **DESIGNEE, AS AN EX OFFICIO MEMBER;**

24 **(2) THREE MEMBERS APPOINTED BY THE GOVERNOR;**

25 **(3) TWO MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE;**

26 **(4) TWO MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE;**

27 **(5) ONE REPRESENTATIVE OF A TRANSPORTATION LABOR**  
28 **ORGANIZATION, DESIGNATED BY THE MARYLAND STATE AND DISTRICT OF**



1 COLUMBIA AFL–CIO; AND

2 (6) THE FOLLOWING MEMBERS, APPOINTED JOINTLY BY THE  
3 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

4 (I) ONE REPRESENTATIVE OF THE MARYLAND STATE  
5 CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF  
6 COLORED PEOPLE;

7 (II) ONE REPRESENTATIVE OF DISABILITY RIGHTS MARYLAND;

8 (III) ONE REPRESENTATIVE OF CASA DE MARYLAND;

9 (IV) ONE REPRESENTATIVE OF THE BALTIMORE TRANSIT  
10 EQUITY COALITION;

11 (V) TWO HIGH SCHOOL STUDENTS, AT LEAST ONE OF WHOM  
12 MUST BE A TRANSIT RIDER RESIDING IN BALTIMORE CITY; AND

13 (VI) A REPRESENTATIVE OF THE JOHNS HOPKINS BLOOMBERG  
14 SCHOOL OF PUBLIC HEALTH.

15 (D) (1) EACH APPOINTING OFFICIAL SHALL CONSIDER THE EXPERTISE  
16 OF THE OTHER MEMBERS APPOINTED TO THE COMMISSION AND ATTEMPT TO MAKE  
17 APPOINTMENTS THAT REFLECT A DIVERSITY OF EXPERTISE.

18 (2) THE COMMISSION SHALL REFLECT THE CULTURAL, ETHNIC, AND  
19 GEOGRAPHIC DIVERSITY OF THE STATE.

20 (E) (1) THE COMMISSION SHALL ELECT A CHAIR AND VICE CHAIR FROM  
21 AMONG ITS MEMBERS.

22 (2) THE COMMISSION:

23 (I) SHALL HOLD REGULAR QUARTERLY MEETINGS; AND

24 (II) MAY CONVENE A SPECIAL MEETING IF NECESSARY.

25 (F) (1) SEVEN MEMBERS OF THE COMMISSION SHALL CONSTITUTE A  
26 QUORUM.

27 (2) ALL ACTIONS OF THE COMMISSION SHALL REQUIRE THE  
28 AFFIRMATIVE VOTE OF AT LEAST SEVEN MEMBERS.



1                   2.     A DISPARATE IMPACT POLICY; AND

2                   3.     A DISPROPORTIONATE BURDEN POLICY;

3                   (6)    ADVISE THE ADMINISTRATION ON:

4                    (I)    TRANSIT EQUITY ANALYSIS POLICIES AND GUIDELINES,  
5 INCLUDING THRESHOLDS FOR WHEN A CHANGE TO SERVICE OR A REDUCTION OR  
6 CANCELLATION OF A CAPITAL PROJECT REQUIRES ANALYSIS; AND

7                    (II)   POLICIES AND GUIDELINES THAT INCLUDE METHODS FOR  
8 INTERMODAL ANALYSIS TO ENSURE THAT A CHANGE DOES NOT  
9 DISPROPORTIONATELY IMPACT MODES WITH MAJORITY-MINORITY RIDERSHIP;

10                  (7)    ADVISE AND ASSIST THE DEPARTMENT AND THE  
11 ADMINISTRATION WITH COMMUNITY OUTREACH TO MINORITY COMMUNITIES,  
12 LOW-INCOME COMMUNITIES, DISABLED RIDERS, AND RIDERS WITH LIMITED  
13 ENGLISH PROFICIENCY; AND

14                  (8)    (I)    HOLD AT LEAST ONE TOWN HALL MEETING ANNUALLY TO  
15 SOLICIT INPUT FROM THE PUBLIC ON ISSUES OF TRANSPORTATION EQUITY;

16                    (II)   ALLOW THE PUBLIC TO TESTIFY AT TOWN HALL MEETINGS  
17 IN PERSON OR THROUGH ELECTRONIC MEANS; AND

18                    (III)   TO THE EXTENT POSSIBLE, HOLD TOWN HALL MEETINGS IN  
19 VARIOUS REGIONS OF THE STATE.

20                  (J)    (1)    THE COMMISSION SHALL PRODUCE AN ANNUAL REPORT THAT  
21 INCLUDES:

22                    (I)    ACTIVITIES OF THE COMMISSION;

23                    (II)   THE DEPARTMENT'S PROGRESS ON ENSURING EQUITABLE  
24 TRANSPORTATION SYSTEMS;

25                    (III)   RECOMMENDATIONS FOR THE DEPARTMENT TO IMPROVE  
26 EQUITY; AND

27                    (IV)   AN ANALYSIS OF THE TESTIMONY RECEIVED FROM THE  
28 PUBLIC DURING ANY TOWN HALL MEETINGS HELD BY THE COMMISSION DURING THE  
29 PREVIOUS CALENDAR YEAR.

1           **(2) THE REPORT SHALL BE:**

2                   **(I) POSTED ON THE DEPARTMENT’S WEBSITE; AND**

3                   **(II) MADE AVAILABLE TO THE PUBLIC ON REQUEST.**

4           **(K) ON OR BEFORE OCTOBER 1, 2022, AND EACH OCTOBER 1 THEREAFTER,**  
5 **THE COMMISSION SHALL SUBMIT THE ANNUAL REPORT REQUIRED UNDER**  
6 **SUBSECTION (J) OF THIS SECTION TO:**

7                   **(1) THE MEMBERS OF THE BOARD OF PUBLIC WORKS;**

8                   **(2) THE ATTORNEY GENERAL;**

9                   **(3) THE SECRETARY OF TRANSPORTATION; AND**

10                   **(4) IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT**  
11 **ARTICLE:**

12                   **(I) THE PRESIDENT OF THE SENATE;**

13                   **(II) THE SPEAKER OF THE HOUSE;**

14                   **(III) THE SENATE FINANCE COMMITTEE; AND**

15                   **(IV) THE HOUSE ENVIRONMENT AND TRANSPORTATION**  
16 **COMMITTEE.**

17           SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
18 as follows:

19                                   **Article – Transportation**

20           **7-715.**

21           **(A) BEFORE ANNOUNCING OR PROPOSING ANY SERVICE CHANGE THAT**  
22 **WOULD CONSTITUTE A MAJOR SERVICE CHANGE UNDER THE FEDERAL TRANSIT**  
23 **ADMINISTRATION’S TITLE VI REQUIREMENTS AND GUIDELINES FOR FEDERAL**  
24 **TRANSIT ADMINISTRATION RECIPIENTS, OR ANY REDUCTION OR CANCELLATION OF**  
25 **A CAPITAL PROJECT EXCEEDING THE THRESHOLDS DEVELOPED BY THE**  
26 **ADMINISTRATION IN COORDINATION WITH THE COMMISSION ON TRANSPORTATION**  
27 **EQUITY, THE DEPARTMENT, IN COLLABORATION WITH THE ADMINISTRATION,**  
28 **SHALL:**

1           **(1) CONDUCT A TRANSIT EQUITY ANALYSIS IN ACCORDANCE WITH**  
2 **THE TITLE VI REQUIREMENTS AND GUIDELINES FOR FEDERAL TRANSIT**  
3 **ADMINISTRATION RECIPIENTS AND THE GUIDELINES ADVISED BY THE COMMISSION**  
4 **ON TRANSPORTATION EQUITY TO DETERMINE WHETHER THE CHANGE WILL**  
5 **CREATE A DISPARATE IMPACT OR A DISPROPORTIONATE BURDEN;**

6           **(2) PERFORM A COST-BENEFIT ANALYSIS, INCLUDING AN ANALYSIS**  
7 **OF IMPACTS ON:**

8                   **(I) ECONOMIC DEVELOPMENT;**

9                   **(II) EMPLOYMENT;**

10                  **(III) EDUCATION; AND**

11                  **(IV) HEALTH; AND**

12           **(3) CONSULT WITH MEMBERS AND LEADERS OF AFFECTED**  
13 **COMMUNITIES, INCLUDING THROUGH COMMUNITY OUTREACH TO:**

14                   **(I) RACIAL MINORITY COMMUNITIES;**

15                   **(II) LOW-INCOME COMMUNITIES;**

16                   **(III) DISABLED RIDERS;**

17                   **(IV) RIDERS WITH LIMITED ENGLISH PROFICIENCY; AND**

18                   **(V) TRANSIT-RELIANT RIDERS.**

19           **(B) (1) IF, ACCORDING TO THE GUIDELINES ADVISED BY THE**  
20 **COMMISSION ON TRANSPORTATION EQUITY, A TRANSIT EQUITY ANALYSIS REVEALS**  
21 **DISPARATE IMPACT OR DISPROPORTIONATE BURDEN, THE ADMINISTRATION**  
22 **SHALL:**

23                   **(I) DEVELOP ALTERNATIVES THAT WOULD MEET THE GOALS**  
24 **OF THE PROPOSED SERVICE CHANGE; AND**

25                   **(II) CONDUCT A TRANSIT EQUITY ANALYSIS ON THE**  
26 **ALTERNATIVES.**

27           **(2) IF A DISPARATE IMPACT CAN BE AVOIDED THROUGH USE OF ONE**

1 OF THE ALTERNATIVES ANALYZED, THE ADMINISTRATION SHALL PROCEED WITH  
2 THAT ALTERNATIVE AS THE PRIMARY PROPOSED SERVICE CHANGE.

3 (3) IF THERE IS NO ALTERNATIVE THAT WOULD AVOID A DISPARATE  
4 IMPACT OR DISPROPORTIONATE BURDEN, THE ADMINISTRATION:

5 (I) MAY NOT IMPLEMENT THE PROPOSED SERVICE CHANGE  
6 UNLESS A SUBSTANTIAL JUSTIFICATION EXISTS THAT NECESSITATES THE CHANGE;  
7 AND

8 (II) SHALL IMPLEMENT THE ALTERNATIVE THAT CAUSES THE  
9 LEAST DISPARATE IMPACT OR DISPROPORTIONATE BURDEN.

10 (C) BEFORE HOLDING A PUBLIC HEARING ON A PROPOSED SERVICE  
11 CHANGE, THE ADMINISTRATION SHALL:

12 (I) PUBLISH THE TRANSPORTATION EQUITY ANALYSIS AND  
13 COST-BENEFIT ANALYSIS ON THE ADMINISTRATION'S WEBSITE; AND

14 (II) PROVIDE A COPY TO THE COMMISSION ON TRANSPORTATION  
15 EQUITY.

16 (D) (1) AFTER COMPLETING THE PUBLIC HEARINGS, THE  
17 ADMINISTRATION SHALL COMPILE A REPORT ON THE IMPACTS OF THE PROPOSED  
18 SERVICE CHANGE.

19 (2) THE REPORT SHALL INCLUDE:

20 (I) THE TRANSIT EQUITY ANALYSIS;

21 (II) THE COST-BENEFIT ANALYSIS;

22 (III) A COMMUNITY OUTREACH REPORT;

23 (IV) ANY ALTERNATIVES ANALYZED; AND

24 (V) IF APPLICABLE, THE FINAL ALTERNATIVE SELECTED.

25 (3) IF A DISPARATE IMPACT OR DISPROPORTIONATE BURDEN EXISTS  
26 IN THE FINAL ALTERNATIVE SELECTED, THE REPORT SHALL INCLUDE A  
27 SUBSTANTIAL JUSTIFICATION STATEMENT.

28 (4) THE REPORT SHALL BE:

1 (I) MADE AVAILABLE TO THE PUBLIC ON THE  
2 ADMINISTRATION'S WEBSITE, WITH A VISIBLE LINK FROM THE PRIMARY  
3 INFORMATION PAGE RELATING TO THE PROPOSED SERVICE CHANGE; AND

4 (II) DISTRIBUTED TO:

5 1. THE MEMBERS OF THE BOARD OF PUBLIC WORKS;

6 2. THE ATTORNEY GENERAL;

7 3. THE SECRETARY OF TRANSPORTATION;

8 4. THE COMMISSION ON TRANSPORTATION EQUITY;

9 5. ANY ELECTED OFFICIALS WHOSE DISTRICTS WOULD  
10 BE IMPACTED BY THE PROPOSED SERVICE CHANGE;

11 6. ANY COMMUNITY LEADERS CONSULTED DURING THE  
12 COMMUNITY OUTREACH PROCESS; AND

13 7. IN ACCORDANCE WITH § 2-1257 OF THE STATE  
14 GOVERNMENT ARTICLE:

15 A. THE PRESIDENT OF THE SENATE;

16 B. THE SPEAKER OF THE HOUSE;

17 C. THE SENATE FINANCE COMMITTEE; AND

18 D. THE HOUSE ENVIRONMENT AND TRANSPORTATION  
19 COMMITTEE.

20 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take  
21 effect July 1, 2023.

22 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section  
23 3 of this Act, this Act shall take effect October 1, 2022.