

Chapter 54

(House Bill 778)

AN ACT concerning

**Transportation – Investment Program – MARC Rail Service
(Maryland Regional Rail Transformation Act)**

FOR the purpose of requiring the Maryland Transit Administration to establish certain investment programs for enhancing certain rail lines and services operated by the Maryland Area Regional Commuter rail service; requiring the Administration to advance certain rail projects in a certain fiscal year; requiring the Administration to conduct a certain study; establishing the Transportation Trust Fund Workgroup; and generally relating to the Maryland Area Regional Commuter rail service and the enhancement of rail services.

BY adding to

Article – Transportation

Section 7–311

Annotated Code of Maryland

(2020 Replacement Volume and 2021 Supplement)

Preamble

WHEREAS, The Maryland Area Regional Commuter (MARC) rail service connects Baltimore and Washington, D.C. to many of Maryland’s suburban communities; and

WHEREAS, The State must advance the Maryland Transit Administration’s MARC Cornerstone Plan and other MARC improvements to unlock a truly regional rail system that reliably services more Maryland communities and connects to Virginia and Delaware; now, therefore,

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

Article – Transportation

7–311.

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

(2) “MARC” MEANS THE MARYLAND AREA REGIONAL COMMUTER RAIL SERVICE.

(3) “MARC CORNERSTONE PLAN” MEANS THE PLAN ESTABLISHED BY THE ADMINISTRATION TO TRANSLATE THE ADMINISTRATION’S TRANSIT VISION STATEMENT INTO STRATEGIC PRIORITIES, POLICIES, PROGRAMS, AND INITIATIVES FOR MARC RAIL SERVICE.

(4) “TRANSIT VISION STATEMENT” MEANS THE ADMINISTRATION’S OBJECTIVE TO PROVIDE SAFE, EFFICIENT, AND RELIABLE TRANSIT ACCESS ACROSS MARYLAND WITH WORLD-CLASS CUSTOMER SERVICE.

(B) (1) THE ADMINISTRATION SHALL ESTABLISH INDIVIDUAL INVESTMENT PROGRAMS TO ADVANCE THE MARC CORNERSTONE PLAN AND OTHER MARC IMPROVEMENTS BY PROVIDING INCREMENTAL ENHANCEMENTS FOR:

(I) THE BRUNSWICK LINE, INCLUDING A THIRD TRACK BETWEEN ROCKVILLE AND GERMANTOWN TO BETTER SERVE WESTERN MARYLAND AND EXISTING COMMUNITIES SERVED BY THE LINE;

(II) THE CAMDEN LINE;

(III) THE PENN LINE;

(IV) NEW REGIONAL SERVICE BETWEEN PERRYVILLE, MARYLAND AND NEWARK, DELAWARE;

(V) NEW REGIONAL RUN-THROUGH RAIL SERVICE TO ALEXANDRIA, VIRGINIA; AND

(VI) EXTENDING THE BRUNSWICK LINE TO BETTER SERVE WESTERN MARYLAND.

(2) EACH INVESTMENT PROGRAM ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:

(I) COMMENCE IN FISCAL YEAR 2023;

(II) INCLUDE A REVIEW OF EXISTING RAIL OPERATIONS, INFRASTRUCTURE, AND RIGHT-OF-WAY INFORMATION TO CONFIRM EXISTING CONDITIONS;

(III) INCLUDE RAIL SIMULATION MODELS FOR EACH OF THE CURRENT CORRIDORS SERVED BY MARC AND AREAS IDENTIFIED FOR NEW SERVICE;

(IV) IDENTIFY FUTURE OPERATING SCENARIOS THAT CAN IMPROVE SERVICE, INCLUDING NEW MIDDAY, WEEKEND, EVENING, THROUGH-RUNNING, AND BIDIRECTIONAL SERVICE;

(V) DEVELOP CONCEPTUAL LEVEL IMPROVEMENT PLANS TO ENHANCE MARC'S SERVICE OVER TIME, INCLUDING:

- 1. CONCEPT PLANS FOR HIGHEST-VALUE INFRASTRUCTURE IMPROVEMENTS IDENTIFIED BY THE SIMULATION MODELS;**
- 2. NEW STATIONS OR STATION ENHANCEMENTS; AND**
- 3. IMPROVEMENTS TO ENHANCE ACCESS TO JOBS AND HOUSING IN NEIGHBORING JURISDICTIONS; AND**

(VI) IDENTIFY A 5-YEAR PRIORITY SET OF CAPITAL PROJECTS AND ACTIVITIES TO IMPLEMENT PLANNED IMPROVEMENTS TO BE FUNDED IN THE CONSOLIDATED TRANSPORTATION PROGRAM.

(3) IN FISCAL YEAR 2028 AND EVERY FIFTH FISCAL YEAR THEREAFTER, THE ADMINISTRATION SHALL UPDATE EACH INVESTMENT PROGRAM ESTABLISHED UNDER THIS SUBSECTION.

(C) IN FISCAL YEAR 2023, THE ADMINISTRATION SHALL ADVANCE THE FOLLOWING RAIL PRIORITY PROJECTS AS PART OF THE INVESTMENT PROGRAMS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION:

(1) IN COORDINATION WITH THE DISTRICT OF COLUMBIA, VIRGINIA, THE VIRGINIA RAILWAY EXPRESS, AMTRAK, AND CSX, DEVELOP A SERVICE AND OPERATIONS PLAN FOR MARC THROUGH-RUNNING TO ALEXANDRIA, VIRGINIA;

(2) IN COORDINATION WITH DELAWARE, PENNSYLVANIA, THE SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY (SEPTA), AND AMTRAK, DEVELOP A SERVICE AND OPERATIONS PLAN FOR MARC, SEPTA, OR AMTRAK TO RUN COMPETITIVE TRANSIT SCHEDULES BETWEEN PERRYVILLE, MARYLAND AND NEWARK, DELAWARE;

(3) COMPLETE 30% OF THE DESIGN FOR A NEW ELKTON INFILL MARC STATION ON THE PENN LINE;

(4) COMPLETE 30% OF THE DESIGN FOR A NEW BAYVIEW INFILL MARC STATION ON THE PENN LINE;

(5) COMPLETE 30% OF THE DESIGN FOR:

~~(I) A THIRD TRACK BETWEEN ROCKVILLE AND GERMANTOWN ON MARC'S BRUNSWICK LINE TO BETTER SERVE WESTERN MARYLAND AND EXISTING COMMUNITIES SERVED BY THE LINE; AND~~

~~(II) GERMANTOWN STATION IMPROVEMENTS;~~

(6) COMPLETE 15% OF THE DESIGN FOR A FOURTH TRACK ON THE PENN LINE; AND

(7) HIRE THREE FULL-TIME EQUIVALENT (FTE) STAFF AT A COST OF APPROXIMATELY \$450,000 ANNUALLY BEGINNING IN FISCAL YEAR 2023 FOR THE ADMINISTRATION'S PLANNING AND CAPITAL PROGRAMMING TO ENSURE THE ADMINISTRATION HAS ADEQUATE STAFF RESOURCES TO LEVERAGE FEDERAL RAIL FUNDING.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Transit Administration shall conduct a MARC Cornerstone Plan Implementation Study.

(b) The study shall assess and present for public review:

(1) the total expected cost to implement:

(i) the entire MARC Cornerstone Plan;

(ii) Maryland-Virginia through-running rail service;

(iii) Maryland-Delaware through-running rail service; and

(iv) Western Maryland MARC extension programs;

(2) the total expected cost of the first 5-year capital program for Brunswick Line, Camden Line, Penn Line, Maryland-Virginia through-running, Maryland-Delaware through-running, and Western Maryland extension rail services;

(3) the Administration's workforce needs to efficiently implement the MARC Cornerstone Plan, Maryland-Delaware through-running, and Western Maryland extension rail services, including a staffing and compensation comparison between MARC and peer regional railroads throughout the United States; and

(4) efficient and achievable methods by which the rail capital investments and services identified and analyzed under this subsection should be funded.

(c) In developing the study, the Administration shall consult with regional private entities, including leading employers, labor representatives, transit rider advisory committees, and regional planning boards.

(d) (1) On or before December 1, 2022, the Administration shall submit to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly an executive summary and report of its findings and recommendations from the study.

(2) The Administration shall post the executive summary and report required under paragraph (1) of this subsection on the website of the Administration.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) In this section, “Workgroup” means the Transportation Trust Fund Workgroup.

(b) There is a Transportation Trust Fund Workgroup.

(c) The Workgroup consists 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 Transportation or the Secretary’s designee;

(4) one individual representing the business community, jointly designated by the President of the Senate and the Speaker of the House; and

(5) one individual representing the unions, jointly designated by the President of the Senate and the Speaker of the House.

(d) The Department of Legislative Services shall provide staff for the Workgroup.

(e) The Workgroup shall examine:

(1) the current State funding sources and structure of the Maryland Transportation Trust Fund;

(2) threats and challenges to the existing funding sources;

(3) short- and long-term multimodal infrastructure construction and maintenance funding needs for all regions of the State;

(4) how to ensure that the Transportation Trust Fund and not other fund sources supports the State's infrastructure needs and options for sustainable, long-term revenue sources for transportation;

(5) how to position the State to benefit from the multiyear federal infrastructure bill;

(6) how to ensure that the State's public-private partnership law provides adequate oversight; and

(7) potential changes to policies and procedures, including legislation that may be needed to implement any recommendations.

(f) On or before December 16, 2022, the Workgroup shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Gubernatorial Veto Override, April 9, 2022.