

SENATE BILL 876

R2

3lr2036
CF HB 794

By: **Senator M. Washington**

Introduced and read first time: February 6, 2023

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 9, 2023

CHAPTER _____

1 AN ACT concerning

2 **Baltimore Regional Transit Commission – Establishment**

3 FOR the purpose of establishing the Baltimore Regional Transit Commission to review and
4 ~~approve~~ comment on annual budget requests of the Maryland Transit
5 Administration, updates to the Central Maryland Transportation Plan, and certain
6 annual reports ~~on the Administration's state of good repair~~, and to perform other
7 oversight and advocacy duties related to Baltimore region transit services; and
8 generally relating to the Baltimore Regional Transit Commission.

9 BY adding to

10 Article – Transportation

11 Section 7–213

12 Annotated Code of Maryland

13 (2020 Replacement Volume and 2022 Supplement)

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

16 **Article – Transportation**

17 **7–213.**

18 **(A) THERE IS A BALTIMORE REGIONAL TRANSIT COMMISSION.**

19 **(B) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE~~
 2 ~~PRESIDENT OF THE SENATE;~~

3 ~~(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE~~
 4 ~~SPEAKER OF THE HOUSE;~~

5 ~~(3)~~ (1) THE FOLLOWING SIX MEMBERS FROM BALTIMORE CITY,
 6 APPOINTED AS FOLLOWS:

7 (I) ~~FOUR~~ THREE MEMBERS APPOINTED BY THE GOVERNOR,
 8 INCLUDING:

9 1. AT LEAST ONE MEMBER WHO USES TRANSIT IN THE
 10 BALTIMORE REGION; AND

11 2. AT LEAST ONE MEMBER FROM THE BUSINESS
 12 COMMUNITY; AND

13 (II) ~~TWO~~ THREE MEMBERS APPOINTED BY THE MAYOR OF
 14 BALTIMORE CITY;

15 ~~(4)~~ (2) THE FOLLOWING ~~FIVE~~ FOUR MEMBERS FROM BALTIMORE
 16 COUNTY, APPOINTED AS FOLLOWS:

17 (I) ~~THREE~~ TWO MEMBERS APPOINTED BY THE GOVERNOR,
 18 INCLUDING:

19 1. AT LEAST ONE MEMBER WHO USES TRANSIT IN THE
 20 BALTIMORE REGION; AND

21 2. AT LEAST ONE MEMBER FROM THE BUSINESS
 22 COMMUNITY; AND

23 (II) TWO MEMBERS APPOINTED BY THE COUNTY EXECUTIVE OF
 24 BALTIMORE COUNTY;

25 ~~(5)~~ (3) THE FOLLOWING TWO MEMBERS FROM ANNE ARUNDEL
 26 COUNTY, APPOINTED AS FOLLOWS:

27 (I) ONE MEMBER APPOINTED BY THE GOVERNOR; AND

28 (II) ONE MEMBER APPOINTED BY THE COUNTY EXECUTIVE OF
 29 ANNE ARUNDEL COUNTY;

1 ~~(6)~~ (4) THE FOLLOWING TWO MEMBERS FROM HOWARD COUNTY,
2 APPOINTED AS FOLLOWS:

3 (I) ONE MEMBER APPOINTED BY THE GOVERNOR; AND

4 (II) ONE MEMBER APPOINTED BY THE COUNTY EXECUTIVE OF
5 HOWARD COUNTY; ~~AND~~

6 ~~(7)~~ (5) ONE NONVOTING MEMBER WHO IS AN EMPLOYEE OF THE
7 ADMINISTRATION AND IS A MEMBER OF THE ~~LARGEST LABOR UNION IN THE~~
8 ~~BALTIMORE REGION~~ AMALGAMATED TRANSIT UNION LOCAL LABOR UNION,
9 DESIGNATED BY THE LABOR UNION; AND

10 (6) THE SECRETARY OR THE SECRETARY'S DESIGNEE, WHO SHALL
11 VOTE ONLY IN THE CASE OF A TIE.

12 (C) (1) THE COMMISSION SHALL SELECT A CHAIR AND A VICE CHAIR
13 FROM AMONG ITS MEMBERS.

14 (2) THE CHAIR AND VICE CHAIR SHALL EACH SERVE A TERM OF 2
15 YEARS IN THOSE CAPACITIES.

16 (D) (1) THE TERM OF A COMMISSIONER IS 3 YEARS.

17 (2) A COMMISSIONER MAY NOT SERVE MORE THAN TWO
18 CONSECUTIVE TERMS.

19 (3) THE TERM OF A COMMISSIONER BEGINS JANUARY 1, 2024.

20 (4) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY
21 THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON JANUARY 1, 2024.

22 (5) AT THE END OF A TERM, A COMMISSIONER CONTINUES TO SERVE
23 UNTIL A SUCCESSOR IS APPOINTED.

24 (E) (1) THE BALTIMORE METROPOLITAN COUNCIL SHALL PROVIDE
25 STAFF FOR THE COMMISSION.

26 (2) THE ADMINISTRATION SHALL ALLOCATE FUNDS FOR
27 OPERATIONAL EXPENSES INCURRED BY THE COMMISSION, INCLUDING FUNDING
28 FOR ONE SENIOR PLANNER AND TWO JUNIOR PLANNER STAFFING POSITIONS.

29 (F) A MEMBER OF THE COMMISSION:

1 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
2 COMMISSION; BUT

3 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
4 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

5 (G) THE COMMISSION SHALL:

6 (1) ORGANIZE AND ESTABLISH POLICIES AND PROCEDURES FOR THE
7 OPERATIONS OF THE COMMISSION, INCLUDING CONFLICT OF INTEREST STANDARDS
8 THAT PROHIBIT A COMMISSIONER FROM HAVING ANY INAPPROPRIATE FINANCIAL
9 OR NONFINANCIAL INTEREST IN A MATTER OVER WHICH THE COMMISSION HAS
10 JURISDICTION;

11 (2) NOT LATER THAN 6 MONTHS AFTER THE COMMISSION FIRST
12 MEETS, ADOPT BYLAWS TO GOVERN THE OPERATIONS OF THE COMMISSION;

13 (3) (I) MEET AT LEAST QUARTERLY; AND

14 (II) ACCEPT PUBLIC COMMENTS DURING THE MEETINGS AND,
15 AT ALL TIMES, ELECTRONICALLY;

16 (4) INCLUDE IN THE QUARTERLY AGENDA EACH OF THE FOLLOWING
17 TOPICS AT LEAST ONCE EACH YEAR:

18 (I) ~~THE STATE OF GOOD REPAIR~~ CAPITAL NEEDS INVENTORY
19 REPORT;

20 (II) THE CONSOLIDATED TRANSPORTATION PROGRAM
21 PRIORITIES AND INITIAL BUDGET REQUESTS UNDER § 2-103.1 OF THIS ARTICLE;
22 AND

23 (III) ~~ANY BUDGET REQUEST APPROVAL; AND~~

24 ~~(IV)~~ ANY UPDATE ON THE CENTRAL MARYLAND REGIONAL
25 TRANSIT PLAN UNDER § 7-301.1 OF THIS TITLE;

26 (5) (I) KEEP MINUTES OF COMMISSION MEETINGS AND MAINTAIN
27 PROPER RECORDS OF ALL COMMISSION ACTIVITY; AND

28 (II) POST ALL MINUTES, RECORDS, NOTICES, COMMENTS, OR
29 OTHER INFORMATION ISSUED BY THE COMMISSION OR RECEIVED FROM THE PUBLIC
30 ON A PUBLIC WEBSITE ESTABLISHED AND MAINTAINED BY THE COMMISSION;

1 (6) ~~EXERCISE OVERSIGHT OF~~ PROVIDE INPUT AND ENGAGE IN
2 ADVOCACY FOR THE BALTIMORE REGION PUBLIC TRANSIT SYSTEMS MAINTAINED
3 BY THE ADMINISTRATION;

4 (7) ~~REVIEW ANY REPORT PREPARED BY OR FOR~~ REQUEST AND
5 REVIEW INFORMATION FROM THE ANNUAL ATTAINMENT REPORT AND THE
6 ADMINISTRATION CONCERNING THE ATTAINMENT OF THE ADMINISTRATION'S
7 GOALS, INCLUDING PERFORMANCE GOALS AND METRICS, EVALUATE ANY OTHER
8 MEASURES OF THE PERFORMANCE OF THE BALTIMORE REGION TRANSIT SYSTEM,
9 AND ISSUE WRITTEN RECOMMENDATIONS CONCERNING HOW THE RESULTS OF THE
10 COMMISSION'S REVIEW AND EVALUATION SHOULD INFLUENCE THE
11 ADMINISTRATION'S PRIORITIES IN FUTURE YEARS;

12 (8) REVIEW AND COMMENT ON ~~TRANSPORTATION OPERATIONS,~~
13 ~~PLANS, AND SERVICES PROPOSED FOR THE BALTIMORE REGION THAT~~
14 ~~COMPLEMENT THE TRANSIT PLANS AND SERVICES OF THE ADMINISTRATION~~
15 SERVICE CHANGE REPORTS AND MAJOR SERVICE CHANGE PROPOSALS ON A
16 QUARTERLY BASIS;

17 (9) REVIEW AND ~~APPROVE~~ COMMENT ON THE ADMINISTRATION'S
18 ANNUAL OPERATING AND CAPITAL BUDGET REQUEST FOR THE BALTIMORE REGION,
19 INCLUDING BUS, LIGHT RAIL, METRO, COMMUTER BUS, MARC SERVICE, AND
20 PARATRANSIT AS PART OF THE DEVELOPMENT OF THE DRAFT AND FINAL
21 CONSOLIDATED TRANSPORTATION PROGRAM;

22 (10) ~~CONVENE SUBCOMMITTEES OR OTHER APPROPRIATE ENTITIES~~
23 ~~TO GATHER INFORMATION AND SUGGESTIONS FROM NONPROFIT ORGANIZATIONS,~~
24 ~~CIVIC FOUNDATIONS, EMPLOYERS, AND TRANSIT RIDERS REGARDING TRANSIT~~
25 ~~SERVICE IN THE BALTIMORE REGION;~~

26 (11) ~~AS IT DEEMS APPROPRIATE, PROPOSE TO THE ADMINISTRATION~~
27 ~~AND THE GENERAL ASSEMBLY POLICIES THAT PROMOTE PUBLIC SAFETY,~~
28 ~~TRANSPARENCY, ACCOUNTABILITY, CUSTOMER SERVICE, REGULAR~~
29 ~~COMMUNICATION WITH THE PUBLIC, AND PRUDENT FINANCIAL DECISION MAKING~~
30 ~~IN THE BALTIMORE REGION;~~

31 (12) REVIEW AND APPROVE ANY UPDATE TO THE CENTRAL
32 MARYLAND REGIONAL TRANSIT PLAN;

33 (13) ~~SUBMIT FORMAL COMMENT ON THE CONSOLIDATED~~
34 ~~TRANSPORTATION PROGRAM;~~

35 (14) (11) REVIEW AND ~~APPROVE AN ANNUAL PLAN ON THE STATE OF~~
36 ~~GOOD REPAIR~~ COMMENT ON THE CAPITAL NEEDS INVENTORY REPORT; AND

1 ~~(15)~~ **(12) REVIEW LOCAL TRANSIT PLANS AND SERVICES IN THE**
 2 **BALTIMORE REGION TO ENSURE COORDINATION BETWEEN THE LOCAL TRANSIT**
 3 **SERVICES AND THE ADMINISTRATION.**

4 **(H) IN CARRYING OUT ITS DUTIES UNDER SUBSECTION (G) OF THIS**
 5 **SECTION, THE COMMISSION SHALL ENDEAVOR TO ENSURE THAT THE**
 6 **ADMINISTRATION'S PLANS, BUDGETS, DECISIONS, POLICIES, GOALS, PRIORITIES,**
 7 **OPERATIONS, AND SERVICES ADDRESS THE PUBLIC TRANSIT NEEDS OF RESIDENTS**
 8 **AND BUSINESSES IN THE BALTIMORE REGION.**

9 **(I) ON OR BEFORE DECEMBER 1 EACH YEAR, THE COMMISSION SHALL**
 10 **REPORT ITS FINDINGS AND RECOMMENDATIONS ON THE BALTIMORE REGION**
 11 **TRANSIT SYSTEMS TO THE ADMINISTRATION, THE GOVERNOR, AND, IN**
 12 **ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL**
 13 **ASSEMBLY.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding § 7-213(d)
 15 of the Transportation Article, as enacted by Section 1 of this Act, the initial terms of the
 16 members of the Baltimore Regional Transit Commission established under this Act shall
 17 be staggered as follows:

18 (1) of the ~~two~~ three members from Baltimore City appointed by the Mayor,
 19 one member shall serve an initial term of 4 years and ~~one member~~ two members shall serve
 20 an initial term of 3 years;

21 (2) of the ~~four~~ three members from Baltimore City appointed by the
 22 Governor, ~~two members~~ one member shall serve an initial term of 4 years and two members
 23 shall serve an initial term of 3 years;

24 (3) of the two members from Baltimore County appointed by the County
 25 Executive of Baltimore County, one member shall serve an initial term of 4 years and one
 26 member shall serve an initial term of 3 years;

27 (4) of the ~~three~~ two members from Baltimore County appointed by the
 28 Governor, one member shall serve an initial term of 4 years and ~~two members~~ one member
 29 shall serve an initial term of 3 years;

30 (5) the member from Anne Arundel County appointed by the County
 31 Executive of Anne Arundel County shall serve an initial term of ~~4~~ 3 years;

32 (6) the member from Anne Arundel County appointed by the Governor
 33 shall serve an initial term of ~~3~~ 4 years;

34 (7) the member from Howard County appointed by the County Executive
 35 of Howard County shall serve an initial term of 4 years;

1 (8) the member from Howard County appointed by the Governor shall
2 serve an initial term of 3 years; and

3 (9) ~~the members of the General Assembly each shall serve an initial term~~
4 ~~of 4 years; and~~

5 (10) the nonvoting member representing a labor union shall serve an initial
6 term of 3 years.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.