

**Department of Legislative Services**  
 Maryland General Assembly  
 2023 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1052 (Delegate Ruth)  
 Appropriations

**Transportation – Consolidated Transportation Program – Scoring**

This bill expands the State transportation goals and measures that must be used by the Maryland Department of Transportation (MDOT) for its project-based scoring system when it evaluates major transportation projects for inclusion in the draft and final Consolidated Transportation Program (CTP). The bill also establishes the Workgroup on the Maryland Open Transportation Investment Decision Act to evaluate the updated scoring system. MDOT must staff the workgroup, and, by September 1, 2025, the workgroup must report its findings and recommendations to the General Assembly. **The provisions of the bill relating to the workgroup terminate September 30, 2025.**

**Fiscal Summary**

**State Effect:** Transportation Trust Fund (TTF) expenditures increase by \$600,000 in FY 2024, \$350,000 in FY 2025, and \$150,000 annually thereafter. Reimbursements for workgroup members are assumed to be minimal and absorbable with existing resources. Revenues are not affected.

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	600,000	350,000	150,000	150,000	150,000
Net Effect	(\$600,000)	(\$350,000)	(\$150,000)	(\$150,000)	(\$150,000)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** Local governments can participate in and cooperate with the workgroup using existing budgeted resources. The bill does not otherwise directly affect local government operations or finances. Revenues are not affected.

**Small Business Effect:** Minimal.

## Analysis

### Bill Summary/Current Law:

#### *Project-based Scoring System*

MDOT was required by Chapter 36 of 2016, as modified by Chapter 30 of 2017, to develop a project-based scoring system using the State transportation goals, and specified measures for each goal, in accordance with federal transportation requirements. Major transportation projects (meaning projects with a total cost exceeding \$5.0 million and that meet other specified requirements) being considered for inclusion in the draft and final CTP must be evaluated using this scoring system. The [CTP](#), which is issued annually to the General Assembly, local elected officials, and interested citizens, provides a description of projects proposed by MDOT for development and evaluation or construction over the next six-year period. The State transportation goals are:

- safety and security;
- system preservation;
- reducing congestion and improving commute times;
- environmental stewardship;
- community vitality;
- economic prosperity;
- equitable access to transportation;
- cost effectiveness and return on investment; and
- local priorities.

Under current law, MDOT must also (1) develop weighting metrics for each goal and measure; (2) make the scores of all projects evaluated for inclusion in the CTP and assigned a score under the system available to the public, as specified; and (3) rank major transportation projects using the system it develops.

The bill modifies MDOT's project-based scoring system by:

- including climate change mitigation, environmental justice, and adhering to smart growth design principles in the State transportation goals, and including measures that MDOT must utilize when evaluating those goals;
- modifying the measures that must be used to evaluate specified existing goals, including, among others, that (1) the potential of the project to improve air quality and to limit or reduce greenhouse gas emission be measured when evaluating environmental stewardship and climate change and (2) no longer requiring that job

accessibility be measured when evaluating how a project reduces congestion and improves commute times;

- requiring MDOT, when it posts the scores for each project on its website, to include the full values and calculations used to determine each project's score; and
- requiring the project-based scoring system to be updated to meet the bill's requirements by January 1, 2024.

### *Workgroup on the Maryland Open Transportation Investment Decision Act*

The bill establishes the Workgroup on the Maryland Open Transportation Investment Decision Act and requires the workgroup to (1) evaluate the project-based scoring system once it is updated by MDOT pursuant to the bill and make recommendations on whether any modifications should be made; (2) evaluate how prioritizing major transportation projects with higher scores for inclusion in the CTP over major transportation projects with lower scores impacts the program; (3) evaluate other prioritization processes in the region and in other states, including Virginia's SmartScale Program, and the applicability of those processes in Maryland; (4) make recommendations on what changes or improvements should be made to the quantitative methods used by MDOT to calculate scores for each measure; and (5) in the process of conducting its evaluations, solicit input from specified entities. The workgroup may evaluate and test alternative models for prioritizing major transportation projects.

A member of the workgroup may not receive compensation but is entitled to reimbursement for expenses under the standard State travel regulations.

**State Expenditures:** In the execution of its duties, MDOT often engages expert consultants to handle complex research, evaluations, and planning studies. To develop the initial project-based scoring system under Chapter 36, as modified by Chapter 30, MDOT relied considerably on these expert consultants and continues to engage them to assist with the evaluation of major projects for inclusion in the CTP each year. As such, MDOT anticipates relying on consultants to assist with developing the new measures, conducting future evaluations, and staffing the workgroup.

Therefore, TTF expenditures increase by \$600,000 in fiscal 2024, \$350,000 in fiscal 2025, and \$150,000 annually thereafter. The estimate includes (1) \$500,000 for the initial research and development of the new and modified measures in fiscal 2024; (2) \$150,000 annually beginning in fiscal 2025 to conduct evaluations for the new goals and measures; and (3) \$100,000 in fiscal 2024 and \$200,000 in fiscal 2025 for workgroup staffing.

## **Additional Information**

**Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Transportation; Maryland Association of Counties; Carroll, Harford, Queen Anne's, and St. Mary's counties; Maryland Municipal League; Department of Legislative Services

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