

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

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

House Bill 485 (Delegate Bagnall)  
Environment and Transportation and  
Appropriations

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**Department of Transportation – Heads of Business Units – Appointment and  
Senate Confirmation**

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This bill subjects the appointments of Executive Director of the Maryland Aviation Administration (MAA), the Executive Director of the Maryland Port Administration (MPA), the Maryland Transit Administrator, the State Highway Administrator, and the Motor Vehicle Administrator to the advice and consent of the Senate. The bill also codifies the appointment of an Executive Director of the Maryland Transportation Authority (MDTA) and requires the position to be appointed by the Secretary of Transportation with the approval of the Governor and the advice and consent of the Senate.

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**Fiscal Summary**

**State Effect:** The bill's changes can be handled with existing budgeted resources. Revenues are not affected.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** MAA has responsibility for fostering, developing, and regulating aviation activity throughout the State. MAA operates, maintains, and develops the Baltimore-Washington International Thurgood Marshall Airport (a State-owned airport) as a major center of commercial air carrier service in the State and Martin State Airport as a general aviation facility and as a support facility for the Maryland Air National Guard and

the Maryland State Police. MAA is governed by its Executive Director and the Maryland Aviation Commission. The Secretary of Transportation serves as the commission's chairman. The chairman must appoint the Executive Director of MAA based on the advice of the commission, subject to the approval of the Governor.

MPA, through its efforts to increase waterborne commerce, promotes the economic well-being of the State and manages the State-owned facilities at the Helen Delich Bentley Port of Baltimore. MPA is governed by its Executive Director and the Maryland Port Commission. The Secretary serves as the commission's chairman. The chairman must appoint the Executive Director of MPA, subject to the approval of the Governor.

The Maryland Transit Administration (MTA) operates a comprehensive transit system throughout the Baltimore-Washington metropolitan area, including more than 50 local bus lines in Baltimore and other services such as the light rail, Metro subway, commuter buses, MARC trains, and mobility/paratransit vehicles. MTA is governed by the Maryland Transit Administrator, who is appointed by the Secretary of Transportation, subject to the approval of the Governor.

The State Highway Administration (SHA) is responsible for more than 5,200 miles or approximately 16,800 lane miles of road, 2,500 bridges, 3,500 small stream crossing structures, and 80 miles of sound barriers in the State. It also has responsibility for planning, designing, constructing, and maintaining these roads and bridges to safety and performance standards while considering sociological, ecological, and economic concerns. SHA is governed by the State Highway Administrator, who is appointed by the Secretary of Transportation, subject to the approval of the Governor.

The Motor Vehicle Administration (MVA) is responsible for supplying motor vehicle services to the citizens of Maryland. These services include licensing all passenger and commercial drivers, registering and titling vehicles, providing photo identification cards for nondriver residents, and regulating motor vehicle dealers, vehicle rental companies, and driver education schools. MVA is governed by the Motor Vehicle Administrator, who is appointed by the Secretary of Transportation, subject to the approval of the Governor.

Since 1971, MDTA has been responsible for constructing, managing, operating, and improving the State's toll facilities and for financing new revenue-producing transportation projects. MDTA is governed by nine individuals appointed by the Governor, with the advice and consent of the Senate. The Secretary of Transportation serves as MDTA's chairman. Although State law does not require MDTA to have an Executive Director, the Secretary of Transportation must provide MDTA with the personnel necessary to accomplish its purpose. To that end, MDTA is governed by an Executive Director who is appointed by the Secretary of Transportation, subject to the approval of the Governor.

**Additional Comments:** The bill also specifies that the Executive Director of MAA and the Executive Director of MPA are to be appointed by the Secretary of Transportation, subject to the approval of the Governor. However, provisions in current law, which are not amended by the bill, specify that these executive directors are to be appointed by the chairman of their respective commissions, subject to the approval of the Governor. As the Secretary of Transportation serves as the chairman of both commissions, the bill does not materially change that aspect of the appointment process.

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### **Additional Information**

**Prior Introductions:** Similar legislation has been introduced within the last three years. See SB 1027 of 2020.

**Designated Cross File:** SB 630 (Senator Lam, *et al.*) - Executive Nominations.

**Information Source(s):** Maryland Department of Transportation; Department of Legislative Services

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