

HOUSE BILL 781

R1

4lr2130

By: **Delegates Hornberger, Ciliberti, McComas, T. Morgan, and Schmidt**

Introduced and read first time: January 31, 2024

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – State Highways – Rubber Modified Asphalt**

3 FOR the purpose of requiring the State Highway Administration to use rubber modified
4 asphalt in the construction, reconstruction, and repair of State highways; requiring
5 the Administration to consider certain types of rubber modified asphalt when
6 planning for the construction, reconstruction, and repair of State highways; and
7 generally relating to rubber modified asphalt use on State highways.

8 BY repealing and reenacting, with amendments,

9 Article – Transportation

10 Section 8–601

11 Annotated Code of Maryland

12 (2020 Replacement Volume and 2023 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Transportation**

16 8–601.

17 (a) The Administration shall construct, reconstruct, and repair State highways
18 as necessary and shall maintain them in good condition.

19 **(B) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE**
20 **MEANINGS INDICATED.**

21 **(II) “CRUMB RUBBER” MEANS THE GRANULES THAT RESULT**
22 **FROM GRINDING UP WHOLE SCRAP TIRES FROM AUTOMOBILES, TRUCKS, AND**
23 **BUSES.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (III) "DRY PROCESS" MEANS THE ADDITION OF CRUMB RUBBER
2 AS AGGREGATE DURING MIXING TO PRODUCE RUBBER MODIFIED ASPHALT.

3 (IV) "RUBBER MODIFIED ASPHALT" MEANS AN ALTERNATIVE
4 ROAD PAVEMENT MATERIAL PRODUCED BY MIXING CRUMB RUBBER WITH
5 CONVENTIONAL ASPHALT.

6 (V) "WET PROCESS" MEANS THE ADDITION OF CRUMB RUBBER
7 TO THE ASPHALT BINDER BEFORE MIXING TO PRODUCE RUBBER MODIFIED
8 ASPHALT.

9 (2) THE ADMINISTRATION SHALL USE RUBBER MODIFIED ASPHALT
10 IN THE CONSTRUCTION, RECONSTRUCTION, AND REPAIR OF STATE HIGHWAYS.

11 (3) THE ADMINISTRATION SHALL CONSIDER THE USE OF VARIOUS
12 TYPES OF RUBBER MODIFIED ASPHALT, INCLUDING THOSE PRODUCED BY THE WET
13 PROCESS AND THE DRY PROCESS, WHEN PLANNING FOR THE CONSTRUCTION,
14 RECONSTRUCTION, AND REPAIR OF STATE HIGHWAYS.

15 (4) THE ADMINISTRATION SHALL ADOPT REGULATIONS TO CARRY
16 OUT THIS SUBSECTION.

17 [(b)] (C) (1) The Department may not spend any further funds for the
18 construction of I-95 through Prince George's County that will involve a new or
19 reconstructed segment connecting it to any other highway in Prince George's County. The
20 Department may not spend any further funds for the construction of a new highway,
21 arterial, freeway, or expressway in the lands between Viers Mill Road and Northwest
22 Branch described in the 1980 highway needs inventory as the right-of-way reserved for
23 the Rockville Facility in Montgomery County, including the area designated as the
24 Matthew Henson State Park under § 5-1004 of the Natural Resources Article.

25 [(c)] (2) This prohibition does not preclude construction in the right-of-way
26 designated as the Rockville Facility of:

27 [(1)] (I) Roadway crossings to facilitate traffic flow and highway safety;
28 or

29 [(2)] (II) A hiker/biker trail in the lands between Viers Mill Road and
30 Northwest Branch.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2024.