

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 344

(Delegate Palakovich Carr, *et al.*)

Environment and Transportation

Judicial Proceedings

Transportation - Vision Zero - Implementation

This bill expands the responsibilities of the Vision Zero coordinator within the Maryland Department of Transportation (MDOT) with respect to implementing Vision Zero. The bill also (1) requires the coordinator to hold a quarterly public meeting on the implementation of Vision Zero with specified individuals and establishes requirements for specified meeting participants; (2) subjects MDOT, with respect to those meetings, to specified enhanced Open Meetings Act requirements; (3) requires each quarterly public meeting to be livestreamed; and (4) requires MDOT to maintain on its website a complete and unedited archived video recording of any such meeting for a minimum of five years after the date of the meeting. Finally, the bill requires the annual report submitted by MDOT by December 31 each year on the status of Vision Zero to also include the activities and any findings and recommendations of the coordinator as well as a summary of each quarterly public meeting held in the previous year.

Fiscal Summary

State Effect: The bill's requirements can be handled using existing budgeted resources. Revenues are not affected.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Minimal or none.

Analysis

Bill Summary:

Vision Zero Coordinator Duties

The duties of the Vision Zero coordinator – with respect to the implementation of Vision Zero – are expanded to include collaborating with other State agencies and local authorities, including local transportation agencies, law enforcement agencies, educational institutions, and fire and rescue services, to:

- identify specified strategies for achieving the existing Vision Zero goal to have zero vehicle-related deaths or serious injuries on roadways by 2030;
- analyze infrastructure reviews of pedestrian and bicyclist fatalities completed by the State Highway Administration (SHA) pursuant to the requirements of Chapters 153 and 154 of 2022;
- provide guidance on any other issue directly related to roadway safety; and
- advise the Governor and State and local agencies on (1) the implementation of Vision Zero; (2) policies, programs, and services affecting traffic safety for pedestrians, bicyclists, and drivers and passengers of motor vehicles; and (3) priorities and needs for roadway safety.

Required Quarterly Public Meetings

The Vision Zero coordinator must hold a quarterly public meeting on the implementation of Vision Zero with (1) the State Highway Administrator or the Administrator's designee; (2) the Motor Vehicle Administrator or the Administrator's designee; (3) the Executive Director of the Maryland Transportation Authority or the Executive Director's designee; and (4) a representative of MDOT's Office of the Secretary as designated by the Secretary of Transportation. The coordinator may request that any other appropriate State or local official participate in or take questions at a quarterly public meeting. At a quarterly public meeting, the required participants listed above must:

- address and make recommendations on any Vision Zero development and implementation issues identified by the coordinator under the bill;
- discuss each infrastructure review completed by SHA pursuant to the requirements of Chapters 153 and 154 and analyzed by the coordinator and vote to accept the review or return the review to the person that conducted it for a response to questions or comments or for further review as appropriate; and
- discuss and recommend any guidance or advice for the coordinator to provide regarding issues directly related to roadway safety.

A quarterly public meeting must be live streamed. A requirement relating to how long MDOT must maintain on its website a complete and unedited archived video recording of each meeting is described below.

Enhanced Open Meetings Act Requirements

The bill subjects MDOT, with respect to the quarterly public meetings held by the Vision Zero coordinator pursuant to the bill, to specified enhanced Open Meetings Act requirements that apply to certain public bodies, as discussed below in the Current Law section of this fiscal and policy note.

MDOT must maintain on its website a complete and unedited archived video recording of each quarterly public meeting for a minimum of five years after the date of the meeting. (Other public bodies subject to the enhanced requirements under current law must maintain such video recordings for a minimum of one year after the date of the meeting, as applicable.)

Current Law:

Vision Zero

The State's traffic safety program was renamed Vision Zero by Chapter 377 of 2019 and is currently referred to as [Zero Deaths Maryland](#). The Federal Highway Administration's traffic safety program is known as the [Safe System Approach](#).

The purpose of Vision Zero is to develop strategies to make roadways safer for drivers and passengers of motor vehicles, bicyclists, and pedestrians. The goal of Vision Zero is to have zero vehicle-related deaths or serious injuries on roadways by 2030.

MDOT must designate a coordinator to oversee the implementation of Vision Zero throughout the State. In implementing Vision Zero, the coordinator must collaborate with other State agencies and local authorities, including local transportation agencies, law enforcement agencies, educational institutions, and fire and rescue services.

The implementation of Vision Zero must include specified strategies for achieving the goal to have zero vehicle-related deaths or serious injuries on roadways by 2030, including, among others, strategies for:

- identifying State and local laws, policies, and regulations that hinder the development and implementation of Vision Zero;
- proposing changes to State and local laws to allow for innovative engineering and traffic calming;

- collecting and publishing motor vehicle collision data;
- reviewing existing traffic safety programs to determine their effectiveness;
- prioritizing resources for investment in the communities most affected by motor vehicle collisions;
- developing and publishing a long-term plan for the continued development of Vision Zero; and
- investing more resources into construction needs for high-accident intersections and roadway sections.

Zero Deaths Maryland

Zero Deaths Maryland is administered by the Maryland Highway Safety Office (MHSO), which is housed within the Motor Vehicle Administration. SHA partners closely with MHSO to implement safety programs and best practices for the program. In support of the program, Chapters 153 and 154 require SHA to perform an infrastructure review of each pedestrian or bicyclist fatality that occurs on a State highway or at an intersection of a State highway and another highway or municipal street.

MHSO's safety operations are divided into various program areas that include speed and aggressive driving, distracted driving, impaired driving, occupant protection, motorcycle safety, and pedestrian and bicycle safety. MHSO's activities include data tracking and reporting, program development, and providing grant funding for law enforcement, outreach, and education. MHSO's annual reports can be found on its [website](#), and the reports include detailed highway safety data and information on MHSO's operations and funding, including its progress on Vision Zero.

Open Meetings Act – Generally

Under Maryland's Open Meetings Act, with limited exceptions, a public body must (1) meet in open session in places reasonably accessible to potential attendees and (2) provide reasonable advance notice of the time and location of meetings, including, when appropriate, whether any portion of a meeting will be in closed session. A "public body" is any entity that (1) consists of at least two individuals and (2) is created by the Maryland Constitution; a State statute; a county or municipal charter; a memorandum of understanding or a master agreement to which a majority of the county boards of education and the Maryland State Department of Education are signatories; an ordinance; a rule, resolution, or bylaw; or an executive order of the Governor or of the chief executive authority of a political subdivision. Exclusions from the definition of "public body" include juries, the Governor's cabinet and Executive Council, judicial nominating commissions, and single-member entities, among others.

Guidance provided by the Office of the Attorney General indicates that when the meeting “place” is a conference call, the public can be provided access through a call-in number or by access to a meeting room with a speakerphone.

Enhanced Open Meetings Act Requirements

Certain economic and regional development organizations and other public bodies are subject to additional requirements under the Open Meetings Act. Each public body subject to these enhanced requirements must make publicly available on its website:

- each open meeting agenda, and other specified meeting materials, at least 48 hours in advance of each meeting or as far in advance as practicable under specified circumstances;
- meeting minutes from the portions of a meeting that were held in open session, not more than two business days after the minutes are approved; and
- live video streaming of each portion of a meeting that is held in open session.

The public body must approve meeting minutes in a timely manner. Each meeting agenda must include consideration of the meeting minutes from the most recent meeting, with specified exceptions. To the extent practicable, each open meeting agenda must indicate whether the public body intends to adjourn the open session to a closed session and, if applicable, the expected time at which the public body intends to adjourn the open session to a closed session.

The public body must maintain meeting minutes on its website for a minimum of five years after the date of the meeting. Generally, the public body must maintain on its website a complete and unedited archived video recording of each open meeting for which live video streaming was made available for a minimum of one year after the date of the meeting; however, this requirement is altered for specified public bodies.

Additional Information

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

Designated Cross File: SB 345 (Senator Waldstreicher) - Judicial Proceedings.

Information Source(s): Maryland Department of Transportation; Federal Highway Administration; Office of the Attorney General; Department of Legislative Services

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