

Chapter 462

(House Bill 517)

AN ACT concerning

~~Transportation—Maryland Area Rail Commuter Rail Authority—Establishment~~
~~(MARC Rail Authority Act of 2025)~~
Workgroup on the Reorganization of the Maryland Transit Administration

FOR the purpose of establishing ~~the Maryland Area Rail Commuter (MARC) Rail Authority~~ and the powers and duties of the ~~MARC Rail Authority, acting on behalf of the Department of Transportation, has with respect to the supervision, construction, operation, maintenance, and repair of MARC railroad facilities projects; and generally relating to the establishment of the Maryland Area Rail Commuter (MARC) Rail Authority~~ the Workgroup on the Reorganization of the Maryland Transit Administration to study reorganizing the Maryland Transit Administration; and generally relating to the Workgroup on the Reorganization of the Maryland Transit Administration.

~~BY adding to~~

~~Article—Transportation~~

~~Section 7-1301 through 7-1310 to be under the new subtitle “Subtitle 13. Maryland Area Rail Commuter (MARC) Rail Authority”~~

~~Annotated Code of Maryland~~

~~(2020 Replacement Volume and 2024 Supplement)~~

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

~~Article—Transportation~~

~~SUBTITLE 13. MARYLAND AREA RAIL COMMUTER (MARC) RAIL AUTHORITY.~~

~~7-1301.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:~~

~~(B) “MARC” MEANS MARYLAND AREA RAIL COMMUTER RAIL SERVICE.~~

~~(C) “MARC RAILROAD FACILITIES PROJECT” INCLUDES:~~

~~(1) (i) THE BRUNSWICK, CAMDEN, OR PENN LINES OF THE MARYLAND AREA RAIL COMMUTER (MARC) SERVICE; AND~~

~~(H) EXTENDING MARC SERVICE; AND~~

~~(2) ANY ADDITIONS, IMPROVEMENTS, OR ENLARGEMENTS TO ANY OF THE PROJECTS LISTED UNDER ITEM (1) OF THIS SUBSECTION, WHENEVER AUTHORIZED.~~

~~7-1302.~~

~~THERE IS A MARC RAIL AUTHORITY.~~

~~7-1303.~~

~~(A) (1) THE SECRETARY IS THE CHAIR OF THE MARC RAIL AUTHORITY.~~

~~(2) THE SECRETARY SHALL DESIGNATE AN EXECUTIVE DIRECTOR OF THE MARC RAIL AUTHORITY.~~

~~(B) IN ADDITION TO THE CHAIR, THE MARC RAIL AUTHORITY CONSISTS OF THE FOLLOWING MEMBERS:~~

~~(1) (I) ONE MEMBER WITH A BACKGROUND IN RAIL TRANSIT, APPOINTED BY THE PRESIDENT OF THE SENATE; AND~~

~~(II) ONE MEMBER WITH A BACKGROUND IN RAIL TRANSIT, APPOINTED BY THE SPEAKER OF THE HOUSE; AND~~

~~(2) AS AN EX OFFICIO MEMBER, THE EXECUTIVE DIRECTOR OF THE MARC RAIL AUTHORITY.~~

~~(C) (1) THE TERM OF AN APPOINTED MEMBER IS 4 YEARS.~~

~~(2) AN APPOINTED MEMBER MAY NOT SERVE MORE THAN THREE CONSECUTIVE TERMS.~~

~~(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(D) AN APPOINTED MEMBER OF THE MARC RAIL AUTHORITY IS ENTITLED TO:~~

~~(1) THE COMPENSATION PROVIDED IN THE STATE BUDGET; AND~~

~~(2) REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.~~

~~(E) THE MARC RAIL AUTHORITY IS SUBJECT TO THE OPEN MEETINGS ACT UNDER TITLE 3 OF THE GENERAL PROVISIONS ARTICLE.~~

~~7-1304.~~

~~(A) THE MARC RAIL AUTHORITY IS ENTITLED TO THE STAFF PROVIDED IN THE STATE BUDGET.~~

~~(B) THE SECRETARY SHALL PROVIDE THE MARC RAIL AUTHORITY WITH THE PERSONNEL OF THE DEPARTMENT THAT THE SECRETARY CONSIDERS NECESSARY FOR PERFORMANCE OF THE MAINTENANCE AND OTHER FUNCTIONS REQUIRED OF THE MARC RAIL AUTHORITY TO MEET ITS OBLIGATIONS WITH RESPECT TO ITS MARC RAILROAD FACILITIES PROJECTS.~~

~~7-1305.~~

~~(A) (1) ACTING ON BEHALF OF THE DEPARTMENT, THE MARC RAIL AUTHORITY HAS THOSE POWERS AND DUTIES RELATING TO THE SUPERVISION, FINANCING, CONSTRUCTION, OPERATION, MAINTENANCE, AND REPAIR OF MARC RAILROAD FACILITIES PROJECTS AS ARE GRANTED TO IT BY THIS SUBTITLE.~~

~~(2) THE MARC RAIL AUTHORITY MAY:~~

~~(I) DELEGATE PROJECT OPERATIONS, MAINTENANCE, AND REPAIR TO THE ADMINISTRATION; AND~~

~~(II) USE FARE REVENUE TO PROVIDE THE ADMINISTRATION WITH PAYMENTS FOR PROJECT OPERATIONS, MAINTENANCE, AND REPAIR.~~

~~(B) THE MARC RAIL AUTHORITY HAS GENERAL SUPERVISION OF MARC RAILROAD FACILITIES PROJECTS.~~

~~(C) THE MARC RAIL AUTHORITY SHALL FINANCE, CONSTRUCT, OPERATE, REPAIR, AND MAINTAIN IN GOOD ORDER THE MARC RAILROAD FACILITIES.~~

~~(D) THE MARC RAIL AUTHORITY SHALL, TO THE EXTENT PRACTICABLE, ADHERE TO THE TRANSIT PLANS PREPARED UNDER SUBTITLE 3 OF THIS TITLE.~~

~~7-1306.~~

~~(A) THE MARC RAIL AUTHORITY MAY ACQUIRE, HOLD, AND DISPOSE OF PROPERTY IN THE EXERCISE OF ITS POWERS AND PERFORMANCE OF ITS DUTIES.~~

~~(B) THE MARC RAIL AUTHORITY MAY MAKE ANY CONTRACTS AND AGREEMENTS NECESSARY OR INCIDENTAL TO THE EXERCISE OF ITS POWERS AND PERFORMANCE OF ITS DUTIES.~~

~~(C) THE MARC RAIL AUTHORITY MAY APPLY FOR AND RECEIVE GRANTS FROM ANY FEDERAL AGENCY FOR THE PLANNING, CONSTRUCTION, OPERATION, OR FINANCING OF ANY PASSENGER RAIL OR TRANSIT PROJECT AND MAY RECEIVE AID OR CONTRIBUTIONS OF MONEY, PROPERTY, LABOR, OR OTHER THINGS OF VALUE FROM ANY SOURCE, TO BE HELD, USED, AND APPLIED FOR THE PURPOSES FOR WHICH THE GRANTS, AID, AND CONTRIBUTIONS ARE MADE.~~

~~(D) THE MARC RAIL AUTHORITY MAY ADOPT RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.~~

~~(E) THE MARC RAIL AUTHORITY MAY DO ANYTHING ELSE NECESSARY OR CONVENIENT TO CARRY OUT THE POWERS GRANTED IN THIS SUBTITLE.~~

~~7-1307.~~

~~SUBJECT TO TITLE 12 OF THE REAL PROPERTY ARTICLE AND CHAPTER 608 OF THE ACTS OF THE GENERAL ASSEMBLY OF 1976, THE MARC RAIL AUTHORITY MAY CONDEMN PROPERTY FOR ANY MARC RAILROAD FACILITIES PROJECT.~~

~~7-1308.~~

~~THE MARC RAIL AUTHORITY MAY CONTRACT WITH THE ADMINISTRATION TO AUTHORIZE ADMINISTRATION POLICE OFFICERS TO EXERCISE THE POWERS DESCRIBED UNDER § 7-207 OF THIS TITLE ON PROPERTY OWNED, LEASED, OR OPERATED BY OR UNDER THE CONTROL OF THE MARC RAIL AUTHORITY.~~

~~7-1309.~~

~~(A) THE MARC RAIL AUTHORITY SHALL MAKE PUBLICLY AVAILABLE ON ITS WEBSITE:~~

~~(1) EACH OPEN MEETING AGENDA:~~

~~(i) AT LEAST 48 HOURS IN ADVANCE OF EACH MEETING; OR~~

~~(H) IF THE MEETING IS BEING HELD DUE TO AN EMERGENCY, A NATURAL DISASTER, OR ANY OTHER UNANTICIPATED SITUATION, AS FAR IN ADVANCE OF THE MEETING AS PRACTICABLE;~~

~~(2) MEETING MINUTES FROM THE PORTIONS OF A MEETING THAT WERE HELD IN OPEN SESSION, NOT MORE THAN 2 BUSINESS DAYS AFTER THE MINUTES ARE APPROVED;~~

~~(3) LIVE VIDEO STREAMING OF EACH OPEN MEETING OF THE MARC RAIL AUTHORITY THAT IS HELD AT:~~

~~(I) THE HEADQUARTERS OF THE MARC RAIL AUTHORITY; OR~~

~~(II) ANY OTHER LOCATION WHERE THE MARC RAIL AUTHORITY HAS HELD AT LEAST 10 MEETINGS DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR; AND~~

~~(4) A COMPLETE AND UNEDITED ARCHIVED VIDEO RECORDING OF EACH OPEN MEETING FOR WHICH LIVE VIDEO STREAMING WAS MADE AVAILABLE UNDER ITEM (3) OF THIS SUBSECTION FOR A MINIMUM OF 5 YEARS AFTER THE DATE OF THE MEETING.~~

~~(B) THE DEPARTMENT OF INFORMATION TECHNOLOGY SHALL PROVIDE TO THE MARC RAIL AUTHORITY THE TECHNICAL STAFF, SUPPORT, AND EQUIPMENT NECESSARY TO LIVESTREAM THE OPEN MEETINGS OF THE MARC RAIL AUTHORITY.~~

~~7-1310.~~

~~(A) ON AN ANNUAL BASIS, THE DEPARTMENT SHALL ALLOCATE TO THE MARC RAIL AUTHORITY THE REVENUE NEEDED TO SUPPORT THE MARC OPERATING AND CAPITAL BUDGETS.~~

~~(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, MARC FARES AND ANY OTHER REVENUE FROM CHARGES IMPOSED FOR MARC SERVICE MAY BE USED ONLY TO SUPPORT THE MARC RAIL AUTHORITY.~~

~~(2) TO THE EXTENT REQUIRED UNDER FINANCING AGREEMENTS UNDER TITLE 4, SUBTITLE 3 OF THIS ARTICLE ENTERED INTO ON OR BEFORE OCTOBER 1, 2024, MARC FARES AND ANY OTHER REVENUE FROM CHARGES IMPOSED FOR MARC SERVICE SHALL CONTINUE TO SUPPORT THOSE EXISTING INSTRUMENTS AND OBLIGATIONS.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Department of Transportation shall transition all MARC operations and contracts to the MARC Rail Authority to the extent permissible by such agreements.~~

(a) There is a Workgroup on the Reorganization of the Maryland Transit Administration.

(b) The Workgroup consists of the following members:

(1) the Chair of the Appropriations Committee, or the Chair's designee;

(2) the Chair of the Environment and Transportation Committee, or the Chair's designee;

(3) the Chair of the Budget and Taxation Committee, or the Chair's designee;

(4) the Chair of the Budget and Taxation Committee's Public Safety, Transportation, and Environment Subcommittee, or the Chair's designee;

(5) the Secretary of Transportation, or the Secretary's designee;

(6) the Maryland Transit Administrator, or the Administrator's designee;

(7) the Chair of the Baltimore Region Transit Commission, or the Chair's designee; and

(8) a representative of the local metropolitan planning organization for Baltimore City, designated by the organization; and

(9) two members who regularly use MTA services, appointed by the Governor.

(c) The Secretary of Transportation shall designate the chair of the Workgroup.

(d) The Department of Legislative Services and the Department of Transportation shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) study ~~issues relating to a reorganization of~~ the potential for reorganizing the Maryland Department of Transportation and the Maryland Transit Administration, including:

(i) options for allowing the Administration to continue providing local Baltimore City transit services, including light rail, subway, and bus services and the creation of a new unit or reorganization of the Office of the Secretary to provide statewide transit services;

(ii) the current contractual obligations and agreements of the Administration and the ~~process~~ necessary steps to transfer the obligations and agreements as part in the event of a reorganization of the Department and the Administration; and

(iii) the governance changes to the Administration necessary to ensure that Baltimore City has the appropriate oversight and input into local Baltimore City transit service; and

(2) make recommendations regarding the potential for the reorganization of the Department and the Administration ~~to ensure that:~~

~~(i) local Baltimore City transit service, including light rail, subway, and bus service, remain as a single unit within the Department and any other functions of the Administration are reorganized into a separate unit within the Department or the Office of the Secretary;~~

~~(ii) the workforce and personnel of the Administration necessary to operate local Baltimore City transit services remain within the Administration and the workforce and personnel of the Administration necessary to operate statewide transit services are reorganized into a separate unit within the Department or the Office of the Secretary; and~~

~~(iii) the funding for local Baltimore City transit service is not reduced.~~

~~(g) On or before December 1, 2025, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.~~

(g) (1) To the extent practicable, the Workgroup shall:

(i) analyze alternative reorganization plans and weigh the costs and benefits of each alternative;

(ii) provide cost estimates for any reorganization plan; and

(iii) analyze the impact of any potential reorganization plan on federal funding and regulatory compliance.

(2) Any reorganization plan considered by the Workgroup under this subsection may not reduce funding for local Baltimore City transit services.

(h) It is the intent of the General Assembly that the fiscal year 2027 budget for the Office of the Secretary of Transportation include an appropriation of \$150,000 for consulting services to support the efforts of the Workgroup.

(i) On or before December 1, 2026:

(1) the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly; and

(2) the Department of Transportation, in consultation with the Department of Legislative Services, shall submit to the Speaker of the House and the President of the Senate draft legislation to effectuate the recommendations of the Workgroup.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(1) beginning with the fiscal year 2027 budget, all local Baltimore City transit services, including light rail, subway, and bus service, be included in the Maryland Transit Administration budget and all statewide transit service, including MARC rail service, the construction and operation of the Purple Line, and commuter bus service, be included in the Office of the Secretary's budget; and

(2) on or before December 1, 2025, the Department of Transportation shall submit draft legislation to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly providing for the reorganization of the Department to ensure that the Maryland Transit Administration provides local Baltimore City transit services, including light rail, subway, and bus service, and a separate unit within the Department provides statewide transit services including MARC rail service, the construction and operation of the Purple Line, and commuter bus service.

SECTION 3. 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025. It shall remain effective for a period of 1 year 2 years and, at the end of June 30, 2026 2027, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, May 13, 2025.