

SB0858/153728/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 858
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “not board” and substitute “be prohibited from using”; in line 6, strike “enter” and substitute “entering”; strike beginning with “for” in line 6 down through “circumstances” in line 7 and substitute “; requiring the Maryland Transit Administration to create a rider code of conduct and implement a comprehensive internal safety program to strengthen protections for operators and passengers”; and in line 7, strike “individuals” and substitute “persons”.

AMENDMENT NO. 2

On page 1, in line 21, after “(2)” insert “(1)”; and after line 22, insert:

“(II) “PUBLIC TRANSIT OPERATOR” INCLUDES A PERSON ENGAGED IN OFFICIAL DUTIES AS A STATION AGENT, CONDUCTOR, OR STATION ATTENDANT WHO IS EMPLOYED BY:

1. AN ENTITY THAT PROVIDES TRANSIT SERVICE UNDER CONTRACT WITH THE ADMINISTRATION;

2. A PRIVATE ENTITY THAT PROVIDES PUBLIC TRANSIT SERVICE; AND

3. AN ENTITY THAT PROVIDES TRANSIT SERVICE UNDER A TRANSPORTATION COMPACT UNDER TITLE 10 OF THIS ARTICLE.”.

On page 2, in line 9, strike “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A” and substitute “(1) A”; in lines 13 and 14, strike “NOT BOARD” and substitute

“BE PROHIBITED FROM USING”; in line 14, strike “ENTER” and substitute “ENTERING”; in line 15, strike “STATION FOR:” and substitute “STATION, UNDER GUIDELINES AND SUBJECT TO AN APPEALS PROCESS ESTABLISHED BY THE ADMINISTRATION.”; and after line 15, insert:

“(2) THIS SECTION DOES NOT INCREASE THE DUTY OF CARE FOR THE ADMINISTRATION OR ANOTHER STATE AGENCY OR THEIR EMPLOYEES, CONTRACTORS, OR CONTRACTOR’S EMPLOYEES FOR ANY TORT OR OTHER LIABILITY PURPOSES IN CONNECTION WITH ACTIONS BY A PERSON ALLEGED TO HAVE COMMITTED AN ASSAULT ON A PUBLIC TRANSIT OPERATOR OR PASSENGER.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 16 on page 2 through line 4 on page 3, inclusive.

AMENDMENT NO. 3

On page 3, after line 4, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before June 1, 2025, the Maryland Transit Administration, in consultation with the Washington Metropolitan Area Transit Authority, the Joint Safety Committee, and operator union representatives, shall convene a workgroup to create a rider code of conduct and implement a comprehensive internal safety program to strengthen protections for Administration operators and passengers through clear safety protocols, strengthened safety policies, and improved risk mitigation measures.

(b) The workgroup:

(1) shall address consequences for violations in Administration facilities that shall include ridership bans for an assault on a public transit operator or passenger as soon as practicable, the possibility of legal action, and an appeals process;

(2) may not require a criminal conviction as a prerequisite to a ban on public transit service usage; and

(3) shall authorize, under standards set by the workgroup, the use of public transit facilities by a person accused of assault on a public transit operator or passenger, if the assault was directly related to the person's disability and the person is accompanied by a direct support professional or another appropriate caregiver when using public transit facilities.

(c) On or before October 1, 2025, the workgroup shall report its findings and recommendations to the Maryland Transit Administrator and, in accordance with § 2-1257 of the State Government Article, the Senate Finance Committee and the House Environment and Transportation Committee.

(d) After issuing the report under subsection (c) of this section, the workgroup shall continue to assess the effectiveness of the proposed code of conduct and internal safety program and recommend ongoing improvements.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(1) if the Maryland Transit Administration adopts a rider code of conduct and implements a comprehensive internal safety program, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect; and

(2) the Maryland Transit Administration shall notify the Department of Legislative Services within 5 days after adoption of the rider code of conduct and

implementation of a comprehensive internal safety program as described in Section 2 of this Act.”;

in line 5, strike “2.” and substitute “4.”; and in line 6, strike “October” and substitute “June”.