

HOUSE BILL 84

R1, M3

(PRE-FILED)

5lr1602
CF SB 395

By: **Delegate Edelson**

Requested: November 1, 2024

Introduced and read first time: January 8, 2025

Assigned to: Appropriations and Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2025

CHAPTER _____

1 AN ACT concerning

2 **Transportation – Major Highway Capacity Expansion Projects and Impact**
3 **Assessments**
4 **(Transportation and Climate Alignment Act of 2025)**

5 FOR the purpose of requiring the Department of Transportation, as part of the planning
6 and implementation of certain major highway expansion projects ~~to~~, to perform an
7 impact assessment of the project and develop and implement a corresponding
8 multimodal transportation program; requiring the Department, beginning with ~~the~~
9 a certain Consolidated Transportation Program, to evaluate certain major capital
10 projects for their impact on greenhouse gas emissions and vehicle miles traveled;
11 requiring, under certain circumstances, the Department to fund offsetting activities
12 to reduce certain project or program impacts on greenhouse gas emissions ~~and~~
13 ~~vehicle miles traveled~~; requiring the Secretary of Transportation to ~~perform certain~~
14 ~~capacity expansion impact assessments~~ establish certain processes and post certain
15 information on the Department’s website; requiring the Department and the State
16 Highway Administration to issue a certain report before proceeding to the final
17 project planning phase for certain projects; and generally relating to the planning
18 and development of certain transportation projects.

19 BY adding to

20 Article – Transportation

21 Section 2–901 through 2–905 to be under the new subtitle “Subtitle 9. Major
22 Highway Capacity Expansion Projects”

23 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2020 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
 Article – Transportation
 Section 8–102
 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 9. MAJOR HIGHWAY CAPACITY EXPANSION PROJECTS.

2–901.

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

(B) “CARBON DIOXIDE EQUIVALENT” MEANS THE MEASUREMENT OF A
 GIVEN WEIGHT OF A GREENHOUSE GAS THAT HAS THE SAME GLOBAL WARMING
 POTENTIAL, MEASURED OVER A SPECIFIED PERIOD OF TIME, AS 1 METRIC TON OF
 CARBON DIOXIDE.

(C) “GREENHOUSE GAS” INCLUDES CARBON DIOXIDE, METHANE, NITROUS
 OXIDE, HYDROFLUOROCARBONS, PERFLUOROCARBONS, AND SULFUR
 HEXAFLUORIDE.

(D) “GREENHOUSE GAS EMISSIONS” MEANS EMISSIONS OF GREENHOUSE
 GASES IN THE STATE, MEASURED IN METRIC TONS OF CARBON DIOXIDE
 EQUIVALENTS.

(E) “IMPACT ASSESSMENT” MEANS AN ASSESSMENT OF A PROJECT’S OR
 PROGRAM’S OPERATIONAL IMPACT ON GREENHOUSE GAS EMISSIONS AND VEHICLE
 MILES TRAVELED.

(F) “INDUCED DEMAND” MEANS ~~THE VOLUME OF TRAFFIC THAT IS DRAWN
 TO A NEW OR EXPANDED ROAD BY PROVIDING ADDITIONAL CAPACITY, INCLUDING
 FROM:~~

~~(1) TRIPS DIVERTED FROM OTHER ROUTES;~~

~~(2) DISCRETIONARY TRIPS THAT MAY NOT HAVE BEEN MADE
 WITHOUT IMPROVEMENT; AND~~

1 ~~(3)~~ ~~IMPROVED ACCESS TO EMPLOYMENT AND OTHER ACTIVITY~~
2 ~~LOCATION CHOICES~~ AN INCREASE IN THE DEMAND FOR MOTOR VEHICLE TRAVEL
3 THAT IS DEMONSTRATED BY AN INCREASE IN VEHICLE MILES TRAVELED DUE TO AN
4 INCREASE IN ROADWAY SUPPLY, SUCH AS NEW OR EXPANDED ROADS, ADDITIONAL
5 CAPACITY, OR ADDITIONAL LANE MILES.

6 (G) “MAJOR CAPITAL PROJECT” HAS THE MEANING STATED IN § 2-103.1 OF
7 THIS TITLE.

8 (H) “MAJOR HIGHWAY CAPACITY EXPANSION PROJECT” MEANS A MAJOR
9 CAPITAL PROJECT THAT:

10 (1) THROUGH ALL PHASES INCREASES HIGHWAY CAPACITY
11 THROUGH NEW HIGHWAY LANES, GRADE SEPARATIONS INCLUDING INTERCHANGES,
12 OR EXTENDED HIGHWAY LANES; AND

13 (2) HAS A TOTAL COST ~~FOR ALL PHASES~~ THAT EXCEEDS ~~\$5,000,000~~
14 \$100,000,000.

15 (I) “OVERBURDENED COMMUNITY” HAS THE MEANING STATED IN § 1-701
16 OF THE ENVIRONMENT ARTICLE.

17 (J) “SYSTEM PRESERVATION ACTIVITY” MEANS AN ACTIVITY FOCUSED ON
18 MAINTAINING AND REHABILITATING EXISTING TRANSPORTATION
19 INFRASTRUCTURE TO ENSURE THE INFRASTRUCTURE REMAINS SAFE, RELIABLE,
20 AND FUNCTIONAL.

21 ~~(J)~~ (K) “UNDERSERVED COMMUNITY” HAS THE MEANING STATED IN §
22 1-701 OF THE ENVIRONMENT ARTICLE.

23 ~~(K)~~ (L) “VEHICLE MILES TRAVELED PER CAPITA” MEANS THE TOTAL
24 NUMBER OF ON-ROAD MILES TRAVELED BY VEHICLES IN A GEOGRAPHIC REGION
25 OVER A 1-YEAR PERIOD DIVIDED BY THE POPULATION IN THAT REGION.

26 2-902.

27 THIS SUBTITLE DOES NOT APPLY TO A MAJOR HIGHWAY CAPACITY EXPANSION
28 PROJECT THAT ON OR BEFORE JUNE 30, 2025, ~~WAS:~~

29 (1) ~~A~~ WAS A PART OF THE STATEWIDE TRANSPORTATION
30 IMPROVEMENT PROGRAM THAT RECEIVED FUNDING FOR CONSTRUCTION; OR

1 (2) ~~FUNDED~~ WAS FUNDED FOR CONSTRUCTION IN THE
2 CONSOLIDATED TRANSPORTATION PROGRAM; OR

3 (3) COMPLETED THE ENVIRONMENTAL REVIEW PROCESS UNDER THE
4 NATIONAL ENVIRONMENTAL POLICY ACT.

5 **2-903.**

6 (A) AS PART OF THE PLANNING AND IMPLEMENTATION OF A MAJOR
7 HIGHWAY CAPACITY EXPANSION PROJECT, THE DEPARTMENT SHALL PERFORM AN
8 IMPACT ASSESSMENT OF THE PROJECT AND DEVELOP AND IMPLEMENT A
9 CORRESPONDING MULTIMODAL TRANSPORTATION PROGRAM FOR THE PROPOSED
10 HIGHWAY CORRIDOR EXPANSION.

11 (B) (1) DURING PROJECT DEVELOPMENT ~~OF THE MAJOR HIGHWAY~~
12 ~~CAPACITY EXPANSION PROJECT,~~ THE MULTIMODAL TRANSPORTATION PROGRAM
13 REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL IDENTIFY
14 INVESTMENTS IN TRANSIT, TRANSIT-ORIENTED DEVELOPMENT, TRANSPORTATION
15 DEMAND MANAGEMENT, PEDESTRIAN AND BICYCLE FACILITIES, LAND USE
16 CHANGES, AND OTHER ~~MEASURES~~ ACTIVITIES SPECIFIED IN § 2-904(C) OF THIS
17 SUBTITLE TO OFFSET THE INCREASE IN VEHICLE MILES TRAVELED GREENHOUSE
18 GAS EMISSIONS ASSOCIATED WITH THE PROJECT.

19 (2) THE MULTIMODAL TRANSPORTATION PROGRAM SHALL FOCUS ON
20 AREAS IN THE FOLLOWING ORDER OF PRIORITY:

21 (I) OVERBURDENED COMMUNITIES AND UNDERSERVED
22 COMMUNITIES IMPACTED BY THE MAJOR HIGHWAY CAPACITY EXPANSION PROJECT;

23 (II) AREAS WITHIN OR ASSOCIATED WITH AT LEAST ONE OF THE
24 COMMUNITIES IMPACTED BY THE PROJECT;

25 (III) OVERBURDENED COMMUNITIES AND UNDERSERVED
26 COMMUNITIES ACROSS THE STATE;

27 (IV) ~~OVERBURDENED COMMUNITIES AND UNDERSERVED~~
28 ~~COMMUNITIES IN THE~~ THE REGION IN WHICH THE MAJOR HIGHWAY CAPACITY
29 EXPANSION PROJECT IS LOCATED; AND

30 (V) ~~BENEFITS TO THE ENTIRE STATE~~ THE STATE AT LARGE.

31 (C) (1) THE MULTIMODAL TRANSPORTATION PROGRAM SHALL OFFSET
32 THE VEHICLE MILES TRAVELED GREENHOUSE GAS EMISSIONS ASSOCIATED WITH
33 THE MAJOR HIGHWAY CAPACITY EXPANSION PROJECT.

1 **(2) THE NET ~~VEHICLE MILES TRAVELED~~ GREENHOUSE GAS**
2 **EMISSIONS FROM THE PROJECT AND ITS ASSOCIATED MULTIMODAL**
3 **TRANSPORTATION PROGRAM SHALL ~~EQUAL ZERO OR A NUMBER LESS THAN ZERO~~ BE**
4 **ZERO OR A NEGATIVE NUMBER.**

5 **(D) THE DEPARTMENT SHALL CONSIDER BOTH THE MAJOR HIGHWAY**
6 **CAPACITY EXPANSION PROJECT AND THE MULTIMODAL TRANSPORTATION ~~OFFSET~~**
7 **PROGRAM AS PART OF ITS EVALUATION OF THE PROJECT UNDER § 2-103.7 OF THIS**
8 **TITLE.**

9 **(E) THE DEPARTMENT SHALL ~~FUND~~:**

10 **(1) FUND ELEMENTS OF THE MULTIMODAL TRANSPORTATION**
11 **PROGRAM CONCURRENTLY WITH FUNDING FOR THE CONSTRUCTION OF THE MAJOR**
12 **HIGHWAY CAPACITY EXPANSION PROJECT; OR**

13 **(2) DEFER THE MAJOR HIGHWAY EXPANSION CAPACITY PROJECT**
14 **UNTIL THE PROJECT MEETS THE OFFSETTING REQUIREMENTS FOR A MULTIMODAL**
15 **TRANSPORTATION PROGRAM UNDER THIS SUBTITLE.**

16 **2-904.**

17 **(A) (1) BEGINNING WITH THE CONSOLIDATED TRANSPORTATION**
18 **PROGRAM FOR FISCAL YEAR 2027 THROUGH FISCAL YEAR 2032 AND IN EACH**
19 **ANNUAL RELEASE THEREAFTER, THE DEPARTMENT SHALL EVALUATE MAJOR**
20 **CAPITAL PROJECTS INCLUDED IN THE CONSOLIDATED TRANSPORTATION**
21 **PROGRAM FOR THEIR IMPACT ON:**

22 **(I) GREENHOUSE GAS EMISSIONS; AND**

23 **(II) VEHICLE MILES TRAVELED PER CAPITA.**

24 **~~(2) IF THE NET IMPACT OF A MAJOR CAPITAL PROJECT IS AN~~**
25 **~~INCREASE IN GREENHOUSE GAS EMISSIONS, THE STATE SHALL FUND OFFSETTING~~**
26 **~~ACTIVITIES TO REDUCE THE NET GREENHOUSE GAS EMISSIONS TO ZERO OR A~~**
27 **~~NUMBER LESS THAN ZERO.~~**

28 **~~(3)~~ THE EVALUATION REQUIRED UNDER PARAGRAPH (1) OF THIS**
29 **SUBSECTION SHALL BE PUBLISHED FOR THE DRAFT CONSOLIDATED**
30 **TRANSPORTATION PROGRAM BY OCTOBER 1 EACH YEAR, AND WITH THE FINAL**
31 **CONSOLIDATED TRANSPORTATION PROGRAM EACH YEAR.**

1 (B) (1) BEGINNING WITH THE CONSOLIDATED TRANSPORTATION
 2 PROGRAM FOR FISCAL YEAR 2027 THROUGH FISCAL YEAR 2032 AND IN EACH
 3 ANNUAL RELEASE THEREAFTER, THE DEPARTMENT SHALL ACHIEVE, TO THE
 4 MAXIMUM EXTENT PRACTICABLE AND SUBJECT TO ~~THE STATE BUDGET~~
 5 APPROPRIATIONS, A PROGRAM WHOSE IMPACT ON GREENHOUSE GAS EMISSIONS ~~IS~~
 6 ~~CONSISTENT WITH, AND MAKES~~ AND PROGRESS TOWARD ACHIEVING GREENHOUSE
 7 GAS REDUCTION TARGETS ARE, OVER THE CONSOLIDATED TRANSPORTATION
 8 PROGRAM PERIOD, CONSISTENT WITH THE STATE'S CARBON POLLUTION
 9 ~~REDUCTION PLAN OVER THE CONSOLIDATED TRANSPORTATION PROGRAM PERIOD~~
 10 THE PROJECTED GREENHOUSE GAS EMISSION REDUCTIONS MODELED FOR ROADS
 11 IN MARYLAND'S CLIMATE POLLUTION REDUCTION PLAN: MODELING APPENDIX.

12 (2) THE DEPARTMENT ~~MAY~~ SHALL FUND OFFSETTING ACTIVITIES TO
 13 MAKE THE CONSOLIDATED TRANSPORTATION PROGRAM MORE CONSISTENT WITH
 14 THE GREENHOUSE GAS EMISSION REDUCTION GOALS UNDER THE ~~STATE'S CARBON~~
 15 ~~POLLUTION REDUCTION PLAN OR TO INCREASE PROGRESS TOWARD THOSE GOALS~~
 16 DEPARTMENT'S 2023 CLIMATE POLLUTION REDUCTION PLAN AND THE TARGETS
 17 ESTABLISHED IN SUBSECTION (D) OF THIS SECTION.

18 (C) THE OFFSETTING ACTIVITIES REQUIRED UNDER SUBSECTIONS (A) AND
 19 (B) OF THIS SECTION ARE ACTIVITIES THAT:

20 (1) DEMONSTRABLY CREATE CONSISTENT, LONG-TERM REDUCTIONS
 21 IN GREENHOUSE GAS EMISSIONS OR VEHICLE MILES TRAVELED;

22 (2) PRIORITIZE OVERBURDENED AND UNDERSERVED COMMUNITIES;

23 (3) ARE ELIGIBLE FOR FUNDING UNDER SUBSECTION (A) OR (B) OF
 24 THIS SECTION; AND

25 ~~(3)~~ (4) INCLUDE:

26 (I) PARKING REDUCTION INITIATIVES;

27 (II) ACTIVE TRANSPORTATION;

28 (III) TRANSPORTATION TRANSIT-ORIENTED DEVELOPMENT
 29 AND TRANSPORTATION DEMAND MANAGEMENT STRATEGIES;

30 (IV) LOW-TRAVEL-DEMAND COMMERCIAL AND RESIDENTIAL
 31 DEVELOPMENT AND OTHER LAND USE CHANGES;

32 (V) ROADWAY PRICING;

1 (VI) TELECOMMUTING;

2 (VII) PUBLIC TRANSIT SERVICE IMPROVEMENTS AND
3 EXPANSION;

4 (VIII) MICRO-MOBILITY, INCLUDING THROUGH THE USE OF
5 ADAPTIVE AND INCLUSIVE LOW-SPEED VEHICLES FOR PEOPLE WITH DISABILITIES;

6 (IX) ACCESSIBLE TRANSPORTATION IMPROVEMENTS THAT
7 COMPLY WITH THE AMERICANS WITH DISABILITIES ACT AND PEDESTRIAN
8 IMPROVEMENTS FOR PEOPLE WITH DISABILITIES;

9 (X) ALTERNATIVE ENERGY GENERATION SOLAR ENERGY
10 GENERATION ON PROPERTY CONTROLLED BY THE DEPARTMENT; AND

11 (XI) OTHER ACTIVITIES IDENTIFIED BY THE DEPARTMENT OR
12 THE U.S. DEPARTMENT OF TRANSPORTATION TO REDUCE TRANSPORTATION
13 EMISSIONS TO REDUCE VEHICLE MILES TRAVELED.

14 (D) TO ACHIEVE THE REQUIREMENTS UNDER THIS SECTION, THE
15 DEPARTMENT SHALL SET ~~ANNUAL~~:

16 (1) ANNUAL STATEWIDE DECLINING GREENHOUSE GAS EMISSION
17 REDUCTION TARGETS THAT INCORPORATE ASSUMPTIONS ABOUT THE USE OF
18 ELECTRIC VEHICLES IN THE STATE; AND

19 (2) ANNUAL REGIONAL DECLINING GREENHOUSE GAS EMISSION
20 REDUCTION TARGETS THAT:

21 (I) ARE SET AT AN AMOUNT THAT WHEN MET AND TAKEN
22 COLLECTIVELY FOR ALL REGIONS WOULD ACHIEVE THE REQUIREMENTS SPECIFIED
23 IN § 2-903(C)(2) OF THIS SUBTITLE AND THE STATEWIDE TARGETS SET UNDER ITEM
24 (1) OF THIS ITEM; AND

25 (II) INCORPORATE ASSUMPTIONS ABOUT THE USE OF ELECTRIC
26 VEHICLES IN THE STATE.

27 (E) IN EVALUATING THE CONSOLIDATED TRANSPORTATION PROGRAM'S
28 IMPACT ON GREENHOUSE GAS EMISSIONS AND VEHICLE MILES TRAVELED, THE
29 DEPARTMENT SHALL:

30 (1) ESTABLISH THE BASELINE TOTAL GREENHOUSE GAS EMISSIONS
31 ATTRIBUTABLE TO SURFACE TRANSPORTATION IN THE STATE FOR THE
32 CONSOLIDATED TRANSPORTATION PROGRAM PERIOD;

1 (2) CONSIDER THE DIRECT AND INDUCED DEMAND IMPACTS OF
2 ~~HIGHWAY CAPACITY EXPANSION PROJECTS AND TRANSIT~~ MAJOR CAPITAL
3 PROJECTS ON VEHICLE MILES TRAVELED PER CAPITA AND GREENHOUSE GAS
4 EMISSIONS;

5 (3) CONSIDER THE DIRECT CLIMATE BENEFITS OF INVESTMENTS IN:

6 (I) TRANSIT OPERATIONS, INCLUDING LOCALLY OPERATED
7 TRANSIT SYSTEMS;

8 (II) TRANSIT-ORIENTED DEVELOPMENT AND
9 TRANSPORTATION DEMAND MANAGEMENT, INCLUDING LAND DEVELOPMENT
10 DESIGNED TO REDUCED TRAVEL DEMAND;

11 (III) PEDESTRIAN AND BICYCLE INFRASTRUCTURE;

12 (IV) ELECTRIFICATION OF STATE VEHICLES;

13 (V) VEHICLE CHARGING INFRASTRUCTURE; AND

14 (VI) ~~ALTERNATIVE ENERGY GENERATION~~ SOLAR ENERGY
15 GENERATION ON PROPERTY CONTROLLED BY THE DEPARTMENT; AND

16 (4) COMPARE THE PROJECTED GREENHOUSE GAS EMISSIONS TO THE
17 TARGET EMISSIONS ESTABLISHED IN SUBSECTION ~~(C)~~ (D) OF THIS SECTION TO
18 DETERMINE WHETHER THE CONSOLIDATED TRANSPORTATION PROGRAM
19 ACHIEVES THE EMISSIONS TARGETS.

20 (F) IN EVALUATING WHETHER THE CONSOLIDATED TRANSPORTATION
21 PROGRAM MEETS GREENHOUSE GAS EMISSION GOALS, THE DEPARTMENT MAY NOT
22 CONSIDER STATE OF GOOD REPAIR ACTIVITIES AND ACTIVITIES THAT ARE SOLELY
23 ~~FOR~~ SYSTEM PRESERVATION ACTIVITIES.

24 **2-905.**

25 (A) THE SECRETARY SHALL:

26 (1) ESTABLISH A PROCESS TO PERFORM CAPACITY EXPANSION
27 IMPACT ASSESSMENTS;

28 (2) ESTABLISH A PROCESS FOR CONSIDERING PROGRESS MADE
29 TOWARD MEETING THE TARGETS SPECIFIED IN § 2-904(D) OF THIS SUBTITLE;

1 **(3) ESTABLISH A PROCESS FOR DEVELOPING A MULTIMODAL**
2 **TRANSPORTATION PROGRAM UNDER § 2-903 OF THIS SUBTITLE, INCLUDING A**
3 **METHOD FOR CONSIDERING THE DIRECT AND INDUCED DEMAND IMPACTS OF A**
4 **MAJOR HIGHWAY CAPACITY EXPANSION PROJECT; AND**

5 **(4) PUBLISH ON THE DEPARTMENT'S WEBSITE:**

6 **(I) THE PROCESSES ESTABLISHED UNDER ITEMS (2) AND (3) OF**
7 **THIS SUBSECTION; AND**

8 **(II) ANY MULTIMODAL TRANSPORTATION PROGRAM**
9 **DEVELOPED UNDER § 2-903 OF THIS SUBTITLE.**

10 ~~**(2) REQUIRE THE USE OF AN IMPACT ASSESSMENT IN THE**~~
11 ~~**DETERMINATIONS REQUIRED UNDER §§ 2-903 AND 2-904 OF THIS SUBTITLE; AND**~~

12 ~~**(3) IMPLEMENT THE REQUIREMENTS UNDER THIS SECTION,**~~
13 ~~**INCLUDING BY ESTABLISHING:**~~

14 ~~**(I) ANY NECESSARY POLICIES, PROCEDURES, MANUALS, AND**~~
15 ~~**TECHNICAL SPECIFICATIONS;**~~

16 ~~**(II) PROCEDURES TO PERFORM AN IMPACT ASSESSMENT THAT**~~
17 ~~**PROVIDES FOR THE DETERMINATIONS REQUIRED UNDER §§ 2-902 AND 2-903 OF**~~
18 ~~**THIS SUBTITLE;**~~

19 ~~**(III) CRITERIA FOR IDENTIFICATION OF A CAPACITY EXPANSION**~~
20 ~~**PROJECT; AND**~~

21 ~~**(IV) RELATED DATA REPORTING FROM LOCAL UNITS OF**~~
22 ~~**GOVERNMENT ON LOCAL MULTIMODAL TRANSPORTATION SYSTEMS AND LOCAL**~~
23 ~~**PROJECT IMPACTS ON GREENHOUSE GAS EMISSIONS AND VEHICLE MILES**~~
24 ~~**TRAVELED.**~~

25 ~~**(B) AN ANALYSIS UNDER A CAPACITY EXPANSION IMPACT ASSESSMENT**~~
26 ~~**SHALL INCLUDE ESTIMATES RESULTING FROM A PROJECT OR PORTFOLIO OF**~~
27 ~~**PROJECTS FOR THE FOLLOWING:**~~

28 ~~**(1) GREENHOUSE GAS EMISSIONS OVER A PERIOD OF 20 YEARS;**~~

29 ~~**(2) A NET CHANGE IN VEHICLE MILES TRAVELED FOR THE AFFECTED**~~
30 ~~**NETWORK; AND**~~

~~(3) IMPACTS TO STATE HIGHWAYS AND RELATED IMPACTS TO LOCAL ROAD SYSTEMS, ON A LOCAL, REGIONAL, OR STATEWIDE BASIS AS APPROPRIATE.~~

~~(C) THE ANALYSIS AND ESTIMATES SPECIFIED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE DETERMINED USING THE BEST AVAILABLE DATA AND MODELING TOOLS, SUCH AS:~~

~~(1) THE NATIONAL CENTER FOR SUSTAINABLE TRANSPORTATION'S INDUCED TRAVEL CALCULATOR;~~

~~(2) THE STATE HIGHWAY INDUCED FREQUENCY OF TRAVEL CALCULATOR;~~

~~(3) THE CAMBRIDGE SYSTEMATICS TRANSPORTATION EFFICIENCY AND CARBON REDUCTION TOOL; OR~~

~~(4) ANY OTHER IMPACT ASSESSMENT TOOL USED FOR MEASURING INDUCED DEMAND FOR GRADE SEPARATION PROJECTS.~~

~~(D)~~ (B) IN FISCAL YEAR ~~2025~~ 2026, THE DEPARTMENT SHALL ALLOCATE FUNDING FOR THE IMPLEMENTATION AND DEVELOPMENT OF STATEWIDE AND REGIONAL TRAVEL DEMAND MODELING RELATED TO THE REQUIREMENTS OF THIS SECTION, INCLUDING INDUCED DEMAND AND LAND USE EFFECTS FROM TRANSPORTATION INVESTMENTS.

8-102.

(a) It is the policy of this title to promote an efficient and economical transportation system.

(b) The Department [of Transportation] and the [State Highway] Administration may not proceed to the final project planning phase unless it has been determined that the objective of the proposed project cannot be reasonably achieved through:

(1) Improvements in highway maintenance and safety;

(2) Projects that modify existing highways but provide for minimal relocation or new highway construction; and

(3) Improvements in, or adoption of, transit alternatives, including mass transit alternatives.

(C) THE DEPARTMENT AND THE ADMINISTRATION SHALL ISSUE A REPORT PRIOR TO PROCEEDING TO THE FINAL PROJECT PLANNING PHASE THAT DOCUMENTS:

1 **(1) THE EVALUATION OF THE ALTERNATIVES IDENTIFIED IN**
2 **SUBSECTION (B) OF THIS SECTION; OR**

3 **(2) A DETERMINATION THROUGH OTHER REQUIRED PLANNING**
4 **DOCUMENTS.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.