

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 858

(Senator Henson)

Finance

Environment and Transportation

State Public Transit Service and Stations - Exclusion for Assault and Bodily Injury

This bill requires the Maryland Transit Administration (MTA), by June 1, 2025, in consultation with specified entities, to convene a workgroup to create a rider code of conduct and implement a comprehensive internal safety program to strengthen protections for MTA operators and passengers, as specified. Until the rider code of conduct is adopted and the comprehensive internal safety program is implemented, a person who is alleged by a public transit operator to have committed an assault or other intentional act causing bodily injury to a public transit operator or a passenger while the person is on board a State public transit service or at a State public transit service station may be prohibited from using a State public transit service or entering a State public transit service station, under guidelines and subject to an appeals process established by MTA. **The bill takes effect June 1, 2025.**

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase by \$18,800 in FY 2025 and by \$131,200 in FY 2026. Revenues are not affected.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	18,800	131,200	0	0	0
Net Effect	(\$18,800)	(\$131,200)	\$0	\$0	\$0

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

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

Small Business Effect: None.

Analysis

Bill Summary:

Definitions and Limitations

“State public transit service” means any bus service, train service, light rail service, and subway service, if operated by MTA or another State agency. “Public transit operator” means an individual who is (1) employed by MTA, the Washington Metropolitan Area Transit Authority (WMATA), or a political subdivision and (2) engaged in providing public transportation services, including bus service, train service, light rail service, and subway service. “Public transit operator” includes a transit station manager and 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 MTA; (2) a private entity that provides public transit service; and (3) an entity that provides transit service under a transportation compact (*i.e.*, service provided by WMATA).

The bill’s provision that authorizes a person who is alleged to have committed an assault or other intentional act causing bodily injury to a public transit operator or a passenger, as specified, to be prohibited from using a State public transit service or entering a State public transit service station (which terminates when MTA adopts the rider code of conduct and implements the comprehensive internal safety program), does not increase the duty of care for MTA 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.

Workgroup Requirements

By June 1, 2025, MTA, in consultation with WMATA, the Joint Safety Committee, and operator union representatives, must convene a workgroup to create a rider code of conduct and implement a comprehensive internal safety program to strengthen protections for MTA operators and passengers through clear safety protocols, strengthened safety policies, and improved risk mitigation measures. The workgroup:

- must address consequences for violations in MTA facilities that must 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;
- may not require a criminal conviction as a prerequisite to a ban on public transit service usage; and
- must 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.

By October 1, 2025, the workgroup must report its findings and recommendations to MTA and specified committees of the General Assembly. After issuing its report, the workgroup must continue to assess the effectiveness of the proposed code of conduct and internal safety program and recommend ongoing improvements.

Current Law:

Public Transit – Generally

MTA is a modal unit within the Maryland Department of Transportation (MDOT), and it operates a comprehensive transit system throughout the Baltimore-Washington metropolitan area, including more than 50 local bus lines in Baltimore and other services, such as the light rail, Baltimore Metro subway, commuter buses, MARC trains, and mobility/paratransit vehicles. Aside from the District of Columbia transit system, MDOT and MTA are generally the agencies responsible for the construction and operation of transit lines in the State.

Additionally, some State institutions of higher education provide shuttle services that may meet the bill's definition of a State public transit service. For example, the University of Maryland operates the [Shuttle-UM](#) service.

Annual Report on Assaults on Public Transit Operators

MTA is required to submit an annual report on assaults on public transit operators. The report must include the following information for the immediately preceding 12 months: (1) for each assault on a public transit operator, the nature of the assault, the mode of transit where the assault occurred, the location of the assault, whether police were involved in responding to the assault, and the outcome of any investigation into the assault, as specified; (2) a comparison of the aggregate data compiled pursuant to item (1) with at least two other states with similar transit systems or populations; and (3) a review of current transit industry best practices to prevent and mitigate assaults on public transit operators. By December 1 each year, MTA must submit the report to each local executive authority, the State's Attorney for each county, and specified committees of the General Assembly.

“Public transit operator” means an individual who is (1) employed by MTA, WMATA, or a political subdivision and (2) engaged in providing public transportation services, including bus service, train service, light rail service, and subway service. The term includes a transit station manager.

State Expenditures: In the execution of its duties, MDOT and MTA often engage expert consultants to handle research, evaluations, studies, and staffing duties, and MTA anticipates engaging a consultant to staff the workgroup and assist in developing and implementing the rider code of conduct and comprehensive internal safety program. Therefore, TTF expenditures increase by an estimated \$18,800 in fiscal 2025 (due to the bill's June 1, 2025 effective date) and by \$131,200 in fiscal 2026 for consultant services. MTA can handle workgroup staffing duties in future fiscal years using existing budgeted resources.

Additional Comments: MTA is required to convene the workgroup by June 1, 2025, which is also the bill's effective date.

Additional Information

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

Designated Cross File: HB 1144 (Delegate Addison, *et al.*) - Environment and Transportation.

Information Source(s): Maryland Department of Transportation; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; University System of Maryland; Morgan State University; Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2025
js/lgc Third Reader - April 4, 2025
Revised - Amendment(s) - April 4, 2025
Revised - Other - April 4, 2025

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