

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 302
(Delegate Grammer)
Environment and Transportation

Maryland Transportation Authority - Patapsco River Toll Bridge - Design

This bill requires the Maryland Transportation Authority (MDTA) to design and locate the entrances, exits, and the associated roads of the new bridge over the Patapsco River that will replace the collapsed Francis Scott Key Bridge to ensure that a vehicle that will not cross the bridge is not required to pay a toll.

Fiscal Summary

State Effect: Nonbudgeted expenditures for MDTA increase by an estimated \$700,000 in FY 2027 only for an additional environmental impact analysis. MDTA finances are significantly affected to the extent the bill results in project delays and/or any loss of federal funding and due to foregone toll revenues once the new bridge is operational, as discussed below; however, the timing and extent of any such impacts are unknown.

Local Effect: The bill does not directly affect local government operations or finances.

Small Business Effect: Minimal direct effect.

Analysis

Current Law: Since 1971, MDTA has been responsible for constructing, managing, operating, and improving the State's toll facilities (for example, the Chesapeake Bay Bridge, the former Francis Scott Key Bridge, and the Governor Harry W. Nice Memorial/Senator Thomas "Mac" Middleton (Nice/Middleton) Bridge) and for financing new revenue-producing transportation projects. MDTA is a nonbudgeted State agency, meaning that its budget is not subject to the General Assembly's appropriation process.

For major transportation projects, the National Environmental Policy Act (NEPA) requires a range of alternatives to be considered and the environmental impacts of each alternative to be analyzed. This environmental impact statement is required prior to the commitment of federal funds to any major project or prior to any action taken by a federal agency that might cause a significant impact on the environment. Some of the basic steps in this process include a public scoping process, data collection, analysis of policy alternatives, and preparation of draft and final documents. The process involves numerous federal, state, and local partners.

State Fiscal Effect: Nonbudgeted expenditures for MDTA increase by an estimated \$700,000 in fiscal 2027 to conduct the additional NEPA analysis required to adjust the design for the replacement bridge project. Adjusting the design is likely to result in project delays and consequently, an increase in total project costs. Federal funds for the project could also be affected. Additionally, once the new bridge is fully operational, nonbudgeted revenues for MDTA decrease significantly from foregone toll revenues. The following sections include additional detail regarding the bill's fiscal implications for MDTA.

National Environmental Policy Act Project Classification

In July 2024, the Federal Highway Administration (FHWA) issued a [Categorical Exclusion classification](#) and [NEPA approval](#) for the replacement bridge project. The classification means that FHWA has determined that the project does not individually or cumulatively have a significant effect on the human environment and, as a result, neither an environmental assessment nor an environmental impact statement is required for the project. MDTA advises that this classification requires the reconstruction of the new bridge to occur within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location of the original bridge.

Prior to the collapse of the bridge, vehicles on the Inner Loop of Interstate 695 that needed to access Broening Highway were required to pay a toll even though they did not need to cross the bridge; the entryway to the highway was located beyond the toll gantry where tolls were required to be paid. MDTA advises that modifying the existing ramps and/or toll gantry placements would be considered a modification, requiring an additional NEPA analysis. MDTA estimates the cost of the additional NEPA analysis at \$700,000. Although NEPA analyses can sometimes take multiple years to complete, for purposes of this analysis, it is assumed that the costs of the additional analysis are borne fully in fiscal 2027.

Project Delays

The redesign of the replacement bridge and the additional NEPA analysis necessitated by the bill is anticipated to result in project delays, postponing and increasing the costs of the project due to inflation. The timing and extent of any such delays depend on how MDTA

modifies the current project plan to meet the bill's requirements and the subsequent NEPA analysis undertaken pursuant to the bill and, therefore, cannot be reliably estimated at this time.

Federal Funds and Toll Revenues

According to MDTA, federal funds for the project could be affected if the design of the new bridge, including approaches to the bridge, deviates from the original footprint. Any such impact cannot be reliably estimated in advance.

As noted above, prior to the collapse of the Francis Scott Key Bridge, certain vehicles were required to pay tolls even though they did not use the bridge, and the replacement bridge is currently planned to conform to the same design and location as the original bridge, as required by FHWA under the Categorical Exclusion classification for the project. Accordingly, by requiring MDTA to design the replacement bridge so that a vehicle that will not use the bridge is not required to pay a toll, MDTA's nonbudgeted revenues decrease significantly once the new bridge is fully operational and tolls would otherwise be collected from those vehicles in the absence of the bill. However, any such impact cannot be reliably estimated at this time.

Additional Comments: On March 26, 2024, the Francis Scott Key Bridge collapsed after being struck by a container vessel. Updates regarding the replacement of the bridge can be found [here](#).

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 679 of 2025.

Designated Cross File: None.

Information Source(s): Maryland Department of Transportation; Federal Highway Administration; U.S. Environmental Protection Agency; Department of Legislative Services

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