Maryland Department of Transportation Fiscal 2025 Budget Overview

Department of Legislative Services Office of Policy Analysis Annapolis, Maryland

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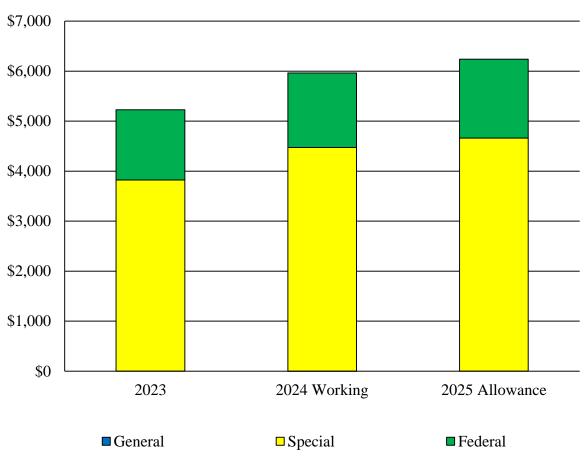
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Executive Summary

This analysis provides an overview of the status of the six-year Transportation Trust Fund (TTF) forecast, including revenue and spending projections, as well as a summary of the entire fiscal 2025 budget for the Maryland Department of Transportation (MDOT).

Budget Summary



Fiscal 2025 Budget Increases \$272.3 Million, or 4.6%, to \$6.2 Billion (\$ in Millions)

Note: The fiscal 2024 impacts of statewide salary adjustments appear in the Statewide Account in the Department of Budget and Management (DBM), and adjustments are not reflected in this agency's budget. The fiscal 2025 impacts of the fiscal 2024 statewide salary adjustments appear in this agency's budget. The fiscal 2025 statewide salary adjustments are not included in this agency's budget. Fiscal 2025 has been reduced to reflect reductions contingent on passage of legislation.

Key Observations

- While the COVID-19 pandemic impacts on the department have largely receded, transit ridership continues to be well below prepandemic levels. Furthermore, federal COVID-19 assistance is exhausted in the fiscal 2024 budget, and the need to backfill this funding with State dollars is contributing to declining resources available to the capital program.
- A combination of revenue increases and spending cuts to operating, local aid, and the capital program was used to align programmed spending in the *Consolidated Transportation Program* (CTP) with available resources. For fiscal 2025, a one-time dedication of \$150 million in general funds will allow some of the spending reductions to be restored. However, ongoing savings is assumed in the forecast for the years beyond fiscal 2025, which means these general funds do not address the long-term problem.
- The I-695 work zone crash in March 2023 that resulted in the deaths of six roadway workers has brought renewed focus on improving roadway safety.

Operating Budget Recommended Actions

1. Add annual language requiring notification of changes to the capital program.

J00 Maryland Department of Transportation Fiscal 2025 Budget Overview

Transportation Trust Fund Overview

The TTF is a nonlapsing special fund that provides funding for transportation. It consists of tax and fee revenues, operating revenues, bond proceeds, and fund transfers. MDOT issues bonds backed by TTF revenues and invests the TTF fund balance to generate investment income. The Maryland Transit Administration (MTA), the Motor Vehicle Administration (MVA), the Maryland Port Administration (MPA), and the Maryland Aviation Administration (MAA) generate operating revenues that cover a portion of their operating expenditures.

The tax and fee revenues include motor fuel taxes, rental car sales taxes, titling taxes, vehicle registration fees, a portion of the corporate income tax, and other miscellaneous motor vehicle fees. A portion of these revenues is credited to the Gasoline and Motor Vehicle Revenue Account (GMVRA), the balance of which is used as the basis for calculating the amount of local aid to be provided through mandated capital appropriations. The funds retained by the TTF support the capital program, debt service, and operating costs.

COVID-19 Impacts

From fiscal 2020 through 2024, MDOT received just over \$1.9 billion in federal COVID-19/stimulus funding to help mitigate the impacts of the pandemic. **Exhibit 1** shows funding by mode and fiscal year. Although the majority of the funding was used in the operating budget, this freed up MDOT special funds that were then used to support the capital program. The need to backfill the loss of these federal dollars in the operating budget has contributed to the reduced special fund availability for MDOT's capital program.

Fiscal 2020-2024 (\$ in Millions)						
Operating	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	Working <u>2024</u>	<u>Total</u>
Operating Maryland Aviation Administration	\$75.1	\$22.1	\$4.1	\$0.1	\$0.0	\$101.3
Maryland Transit Administration	260.5	¢22.1 272.3	527.5	369.9	121.0	1,551.2
Motor Vehicle Administration	0.0	0.1	0.0	0.0	0.0	0.1
State Highway Administration	0.0	85.0	47.0	0.0	0.0	132.0
The Secretary's Office	0.0	0.0	40.0	0.0	0.0	40.0
Subtotal	\$335.6	\$379.4	\$618.6	\$370.0	\$121.0	\$1,824.7
Capital						
Maryland Aviation Administration	\$12.6	\$0.0	\$0.0	\$0.0	\$0.0	\$12.6
Maryland Transit Administration	0.0	0.0	106.3	0.0	0.0	106.3
Subtotal	\$12.6	\$0.0	\$106.3	\$0.0	\$0.0	\$118.9
Total	\$348.2	\$379.4	\$725.0	\$370.0	\$121.0	\$1,943.6

Exhibit 1 Federal COVID-19/Stimulus Funding by Unit Fiscal 2020-2024 (\$ in Millions)

Source: Maryland Department of Transportation; Department of Legislative Services

Fiscal 2023 TTF Revenue Closeout

As shown in **Exhibit 2**, the TTF ended fiscal 2023 with a fund balance of \$822 million, an amount \$274 million higher than the \$548 million projected balance. The higher ending balance results from the continued spend-down of federal COVID-19/stimulus aid. Revenues were a net \$175 million higher than projected with overattainment in corporate income tax revenue accounting for over one-third of the additional revenues. Expenditures were a net \$99 million lower than projected with higher spending than planned for departmental operations more than offset by capital spending decreases due to cash flow requirements.

Exhibit 2
Fiscal 2023 Transportation Trust Fund Closeout
(\$ in Millions)

	Projected	<u>Actual</u>	<u>Variance</u>
Starting Fund Balance	\$579	\$579	\$0
Revenues			
Motor Fuel Taxes	\$1,344	\$1,303	-\$41
Titling Taxes	1,026	1,028	2
Sales Tax – Rental Vehicles	30	41	11
Corporate Income, Registrations, and Miscellaneous			
Motor Vehicle Administration Fees	942	1,020	78
MDOT Operating Revenues (MAA, MPA, MTA)	411	413	2
Federal COVID-19/Stimulus Funding	340	340	0
Transfers In/Out	177	229	52
Other Receipts and Adjustments	43	113	70
Bond Proceeds and Premiums	0	0	0
Deductions – Other Agencies	-83	-82	2
Total Revenues	\$4,230	\$4,405	\$175
Uses of Funds			
MDOT Operating Expenditures	\$2,298	\$2,320	\$22
MDOT Capital Expenditures	1,209	1,081	-128
MDOT Debt Service	480	480	0
Highway User Revenue	274	280	6
Total Expenditures	\$4,261	\$4,162	-\$99
Ending Balance	\$548	\$822	\$274

MAA: Maryland Aviation Administration MDOT: Maryland Department of Transportation MPA: Maryland Port Administration MTA: Maryland Transit Administration

Note: Numbers may not sum to total due to rounding.

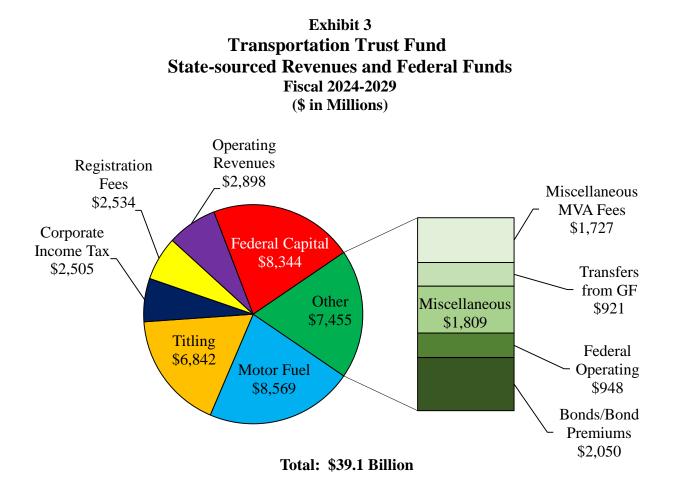
Source: Maryland Department of Transportation; Department of Legislative Services

Fiscal 2024 Year-to-date Revenue Attainment

Fiscal 2024 revenue attainment through September 2023 from the TTF's three largest State revenue sources – motor fuel taxes (MFT), titling taxes, and vehicle registration fees – was nearly \$19 million lower than projections based on five-year average attainment rates. MFT attainment was \$20.4 million lower than expected, and registration fees were \$4.4 million lower. This underattainment was slightly offset by \$6 million more than expected from titling taxes. If revenue attainment continues at the same pace for the remaining three quarters of the year, collections will fall about \$105 million short of projections.

Fiscal 2024 through 2029 Revenues

Exhibit 3 shows that the TTF's three largest revenue sources in the fiscal 2024 to 2029 forecast period are MFTs, federal capital assistance, and titling taxes, which collectively represent almost 61% of total projected revenue. In support of the capital program, MDOT is projecting \$2.1 billion in bond proceeds and bond premiums, representing 5.2% of total revenues. Additionally, the TTF forecast anticipates \$921 million in general fund transfers over the six-year forecast. These general fund transfers include already appropriated funds being shown in the year of expenditure as well as anticipated future appropriations for the dedicated capital grant for the Washington Metropolitan Area Transit Authority (WMATA).



GF: general funds MVA: Motor Vehicle Administration

Note: Does not include \$418.5 million in general obligation bond proceeds for Maryland Department of Transportation capital projects, which do not flow through the Transportation Trust Fund.

Source: Maryland Department of Transportation, Fiscal 2024-2029 *Transportation Trust Fund Forecast,* January 2024; Department of Legislative Services

Six-year Transportation Trust Fund Forecast Summary

Exhibit 4 shows the TTF forecast summary that includes the fiscal 2023 actual and the fiscal 2024 to 2029 projections. It lists opening and closing balances, revenue and expenditure projections, debt outstanding at the end of the year, the net income debt service coverage ratio, and a summary of capital program funding by source.

Exhibit 4 Transportation Trust Fund Forecast Summary Fiscal 2023-2029 (\$ in Millions)

	Actual <u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	Total <u>2024-2029</u>
Opening Fund Balance	\$579	\$822	\$636	\$325	\$400	\$400	\$400	
Closing Fund Balance	\$822	\$636	\$325	\$400	\$400	\$400	\$400	
Net Revenues								
Taxes and Fees	\$3,310	\$3,497	\$3,552	\$3,624	\$3,689	\$3,723	\$3,788	\$21,874
Operating and Miscellaneous	1,000	727	794	921	881	803	840	4,966
Subtotal	\$4,310	\$4,224	\$4,347	\$4,545	\$4,570	\$4,526	\$4,628	\$26,840
Bond Proceeds	\$0	\$0	\$155	\$450	\$545	\$490	\$410	\$2,050
General Fund Transfers in	229	367	52	0	167	167	167	920
Fund Balance Increase/Use	-243	186	311	-75	0	0	0	422
Total Net Revenues	\$4,296	\$4,777	\$4,865	\$4,920	\$5,282	\$5,183	\$5,205	\$30,232
Expenditures								
Debt Service	\$480	\$426	\$433	\$427	\$449	\$469	\$499	\$2,703
Operating Budget	2,455	2,645	2,800	2,877	3,061	3,152	3,239	17,774
Purple Line Availability Payments	0	0	0	0	37	53	54	144
State Capital (Including State Aid)	1,360	1,706	1,632	1,616	1,736	1,509	1,413	9,612
Total Expenditures	\$4,296	\$4,777	\$4,865	\$4,920	\$5,282	\$5,183	\$5,205	\$30,232
Debt								
Debt Outstanding	\$3,297	\$3,005	\$2,850	\$2,994	\$3,217	\$3,372	\$3,420	
Debt Service Coverage: Net Income	3.7	4.2	3.5	3.2	3.2	2.6	2.2	
Capital Summary								
State Capital	\$1,079	\$1,371	\$1,236	\$1,266	\$1,379	\$1,155	\$1,053	\$7,459
State Aid – Capital Grants	281	335	396	350	357	355	361	2,152
Net Federal Capital (Cash Flow)	931	1,244	1,436	1,428	1,414	1,475	1,347	8,344
Other Funds	557	438	552	582	248	196	181	2,197
Total Capital Expenditures	\$2,848	\$3,388	\$3,620	\$3,626	\$3,398	\$3,180	\$2,941	\$20,153

Note: Numbers may not sum to total due to rounding.

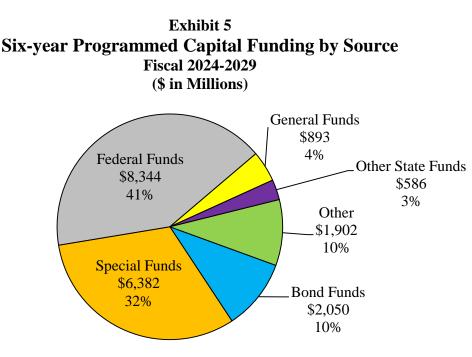
Source: Maryland Department of Transportation, Fiscal 2024-2029 *Transportation Trust Fund Forecast,* January 2024; Department of Legislative Services

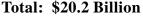
Revenues are first used to pay debt service and then to cover the department's operating expenses. Remaining revenues are used for the capital program, which is also funded through the sale of bonds, federal aid, and, since fiscal 2020, general fund transfers from the Dedicated Purpose Account (DPA) to cover all or a portion of the WMATA dedicated capital grant.

Over the six-year forecast period, Consolidated Transportation Bond (CTB) proceeds and premiums are projected to comprise just over 21% of TTF special funds available for capital. Debt outstanding at the end of fiscal 2023 totaled nearly \$3.3 billion. At the end of fiscal 2029, debt outstanding is projected to total just over \$3.4 billion. Bond covenants require MDOT to maintain a net income to maximum future debt service ratio of at least 2.0, and the department has an administrative practice of maintaining the ratio at no less than 2.5. As shown in Exhibit 4, the net income debt service coverage ratio is highest in fiscal 2024 at 4.2 but declines through the remaining years of the forecast and ends at 2.2 in fiscal 2029, breaching the minimum level the department has as an administrative practice.

Six-year Capital Program

Exhibit 5 shows six-year funding of the capital program by source. Federal and special funds comprise just over 73% of six-year funding. State-source funds make up just over 49% of total six-year funding.





Source: Maryland Department of Transportation, Fiscal 2024-2029 Consolidated Transportation Program; Department of Legislative Services

Programmed spending in the 2024 CTP, which covers fiscal 2024 to 2029, totals \$20.2 billion. Programmed spending for the five years that overlap the 2023 CTP (fiscal 2024 to 2028) totals \$17.2 billion, a decrease of \$19 million compared to the 2023 CTP, as shown in **Exhibit 6**.

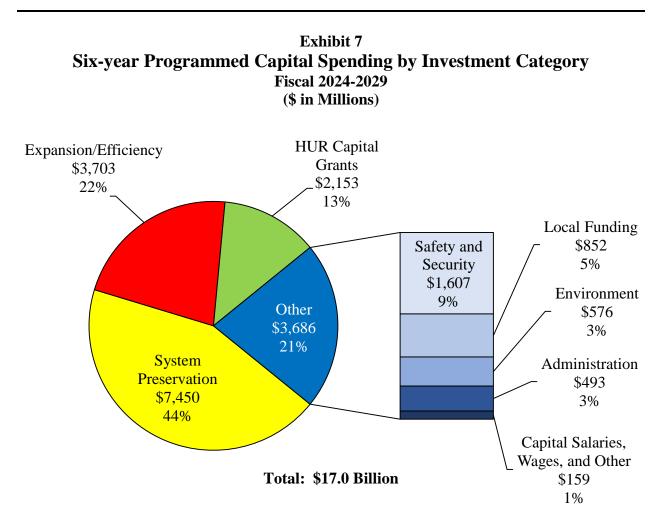
Exhibit 6 Capital Transportation Program Comparison January 2023 vs. January 2024 Fiscal 2024-2028 (\$ in Millions)

	January <u>2023</u>	January <u>2024</u>	<u>Change</u>
Secretary's Office	\$112	\$162	\$50
Motor Vehicle Administration	82	84	2
Maryland Aviation Administration	899	1,058	160
Maryland Port Administration	1,195	1,496	302
Maryland Transit Administration	3,587	3,878	291
Washington Metropolitan Area Transit Authority	2,412	2,618	206
State Highway Administration	6,952	6,128	-824
State Aid – Highway User Revenue	1,994	1,792	-203
Fiscal 2024-2028 Total	\$17,234	\$17,215	-\$19
Funds			
Special Funds	\$8,064	\$7,114	-\$949
Federal Funds	6,858	6,997	139
General Fund Transfer	900	723	-174
Other Funds	1,361	1,792	431
Other State Funds	52	586	534
Fiscal 2024-2028 Total Funds	\$17,234	\$17,215	-\$19

Note: Numbers may not sum to totals due to rounding. Other Funds include federal funds received directly by the Washington Metropolitan Area Transit Authority.

Source: Maryland Department of Transportation; Department of Legislative Services

Exhibit 7 shows six-year spending by investment category, excluding the capital grants for WMATA. System preservation accounts for nearly 44% of programmed spending.

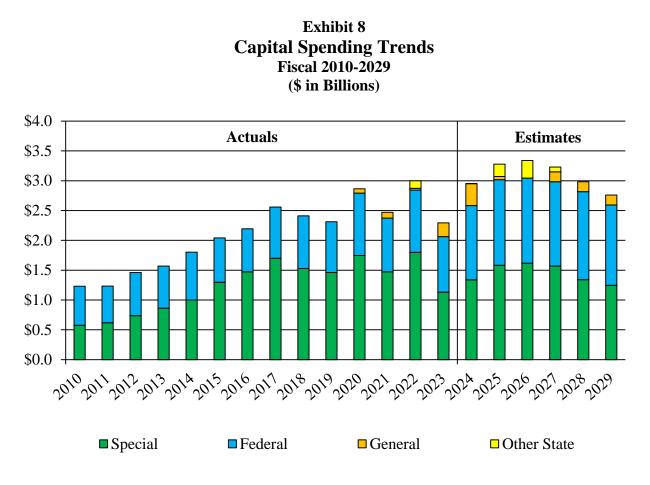


HUR: Highway User Revenue

Note: Excludes capital grants totaling \$3.2 billion to the Washington Metropolitan Area Transit Authority, categorized as Local Funding in order to avoid skewing other category percentages under which this funding would fall were it not a grant to a non-Maryland system.

Source: Maryland Department of Transportation, Fiscal 2024-2029 Consolidated Transportation Program; Department of Legislative Services

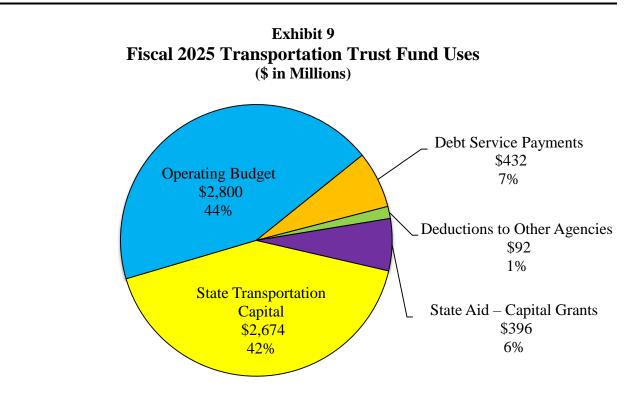
Exhibit 8 shows the actual capital spending, excluding other funds that do not flow through the budget by year from fiscal 2010 to 2023 and planned capital spending through fiscal 2029. Combined State and federal capital spending is projected to exceed \$3 billion for the first time ever in fiscal 2025 and peak during the forecast in fiscal 2026 at just under \$3.4 billion. Capital spending is projected to decline between fiscal 2027 through 2029 primarily due to the availability of special funds.



Source: Maryland Department of Transportation; Department of Legislative Services

Budget Overview

Exhibit 9 shows all expenditures from the TTF by category for fiscal 2025, with expenditures totaling just under \$6.4 billion. The State capital program (excluding State aid capital grants) accounts for 42% of TTF spending with departmental operations comprising an additional 44%. The remainder of TTF expenditures cover debt service payments, State aid capital grants, and deductions to other State agencies.



Total: \$6.4 Billion

Note: The chart includes special funds from the Transportation Trust Fund, federal funds, and general funds budgeted in the Dedicated Purpose Account to provide a portion of the funds for the operating grant to the Washington Metropolitan Area Transit Authority (WMATA). It excludes \$552 million in other funds for the capital program and includes operating contingencies. The operating and capital amounts have been reduced to reflect contingent reductions. Other Funds can include airport revenue bonds, loans from the Maryland Transportation Authority, passenger facility charges, customer facility changes, local county participation, and federal funding received directly by WMATA.

Source: Maryland Department of Transportation, *Financial Forecast*, January 2024; Department of Legislative Services

Proposed Budget

Exhibit 10 shows the operating and capital budgets along with the amounts budgeted for debt service and State aid capital grants. The exhibit includes the fiscal 2023 actual through the fiscal 2025 allowance. The allowance has been adjusted to include the \$150 million general fund appropriation to the DPA to support WMATA operations. These general funds free up an equal amount of TTF special funds, which will be used to restore reductions that were made to or planned for MDOT's fiscal 2025 budget (See Issue 1 of this analysis).

Exhibit 10 Transportation Budget Overview Fiscal 2023-2025 (\$ in Thousands)						
	Actual <u>2023</u>	Working App. <u>2024</u>	Allowance <u>2025</u>	\$ Change 2024-2025	% Change 2024-2025	
Operating						
Secretary's Office	\$100,374	\$112,615	\$109,837	-\$2,778	-2.5%	
WMATA	458,547	475,284	639,488	164,204	34.5%	
State Highway Administration	321,589	358,487	351,032	-7,455	-2.1%	
Port Administration	51,700	54,381	52,848	-1,533	-2.8%	
Motor Vehicle Administration	218,922	232,744	225,502	-7,242	-3.1%	
Maryland Transit Administration	1,078,309	1,128,478	1,125,161	-3,317	-0.3%	
Aviation Administration	225,428	227,443	236,247	8,805	3.9%	
Subtotal	\$2,454,869	\$2,589,432	\$2,740,117	\$150,685	5.8%	
Debt Service	\$480,461	\$426,454	\$432,151	\$5,697	1.3%	
State Aid – Mandated Capital Grant	\$280,260	\$334,270	\$396,000	\$61,730	18.5%	
Capital						
Secretary's Office	\$46,748	\$67,287	\$36,664	-\$30,623	-45.5%	
WMATA	258,117	350,157	353,234	3,077	0.9%	
State Highway Administration	996,693	1,189,966	1,191,830	1,864	0.2%	
Port Administration	120,429	220,380	353,922	133,542	60.6%	
Motor Vehicle Administration	22,777	34,810	21,809	-13,001	-37.3%	
Maryland Transit Administration	482,357	606,280	645,413	39,133	6.5%	
Aviation Administration	85,521	146,199	216,417	70,218	48.0%	
Subtotal	\$2,012,642	\$2,615,080	\$2,819,290	\$204,210	7.8%	

Total of All Funds

	Actual <u>2023</u>	Working App. <u>2024</u>	Allowance <u>2025</u>	\$ Change 2024-2025	% Change 2024-2025
General Fund	\$0	\$900	\$150,000	\$149,100	16,566.7%
Special Fund	3,822,500	4,472,473	4,661,617	189,144	4.2%
Federal Fund	1,405,731	1,491,863	1,575,940	84,077	5.6%
Grand Total	\$5,228,232	\$5,965,235	\$6,387,557	\$422,321	7.1%

WMATA: Washington Metropolitan Area Transit Authority

Note: Numbers may not sum to total due to rounding. The fiscal 2024 impacts of statewide salary adjustments appear in the Statewide Account in the Department of Budget and Management (DBM), and adjustments are not reflected in this agency's budget. The fiscal 2025 impacts of the fiscal 2024 statewide salary adjustments appear in this agency's budget. The fiscal 2025 statewide salary adjustments are centrally budgeted in DBM and are not included in this agency's budget. The fiscal 2025 allowance accounts for contingent reductions. The \$150 million in the Dedicated Purpose Account in fiscal 2025 is included in the operating funding for WMATA.

Source: Governor's Fiscal 2024 Budget Books; Department of Legislative Services

MDOT's total fiscal 2025 allowance of \$6.4 billion is an increase of \$422 million (7.1%) from the current year working appropriation.

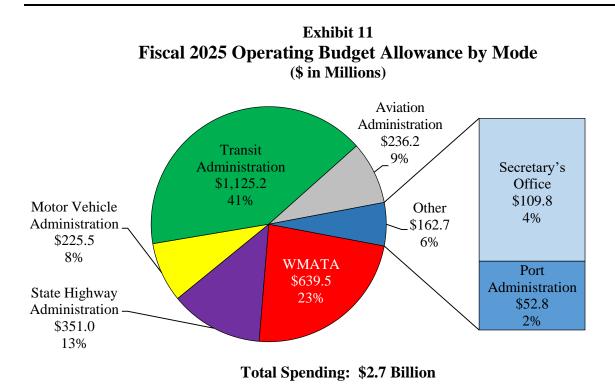
Operating Budget Summary

MDOT's fiscal 2025 operating budget allowance (including debt service) is nearly \$3.2 billion, an increase of \$156.4 million (5.2%) over the current year working appropriation. Approximately 86% of the operating allowance is used for the operating expenses of each of the modes with debt service accounting for the remaining 14% of the allowance.

Fiscal 2025 Proposed Budget

Operating Programs

The fiscal 2025 allowance for the modal operating budgets totals nearly \$2.7 billion, an increase of \$150.7 million (5.8%) over the fiscal 2024 working appropriation. **Exhibit 11** shows the fiscal 2025 operating budget allowance by mode. Transit spending, the combined operating budget allowances for MTA and WMATA, represents the largest share of the MDOT operating budget at just over 64% of spending for all modes.



WMATA: Washington Metropolitan Area Transit Authority

Note: The Transportation Trust Fund Financial plan includes \$60 million in modal contingencies that are not included in the allowance. This funding, if needed, is added during the fiscal year by budget amendment.

Source: Governor's Fiscal 2025 Budget Books; Department of Legislative Services

Personnel

As shown in **Exhibit 12**, the number of regular positions increases by 121 in the allowance to 9,178.5, while the number of contractual full-time equivalents remains unchanged at 115.0. Interagency transfers in the allowance move 8 filled positions from the Secretary's Office (TSO) to other units. MTA has 108 new positions, created to improve transit services in the Baltimore region, and 1 of the transferred positions from TSO. The 13 new positions in MAA represent firefighter positions at Martin State Airport transferred from the Military Department.

Exhibit 12

Regular and Contractual Full-time Equivalents Operating and Capital Programs Fiscal 2023-2025					
	Actual <u>2023</u>	Working App. <u>2024</u>	Allowance <u>2025</u>	Change <u>2024-2025</u>	% Change <u>2024-2025</u>
Regular Positions					
Secretary's Office	321.5	325.5	317.5	-8.0	-2.5%
State Highway Administration	2,956.5	2,955.5	2,956.5	1.0	0.0%
Port Administration	212.0	210.0	216.0	6.0	2.9%
Motor Vehicle Administration	1,706.5	1,706.5	1,706.5	0.0	0.0%
Transit Administration	3,366.5	3,365.5	3,474.5	109.0	3.2%
Aviation Administration	507.5	494.5	507.5	13.0	2.6%
Total Regular Positions	9,070.5	9,057.5	9,178.5	121.0	1.3%
Contractual Positions					
Secretary's Office	10.1	17.0	17.0	0.0	0.0%
State Highway Administration	37.4	68.0	68.0	0.0	0.0%
Port Administration	1.1	5.0	5.0	0.0	0.0%
Motor Vehicle Administration	4.5	7.0	7.0	0.0	0.0%
Transit Administration	11.0	16.0	16.0	0.0	0.0%
Aviation Administration	4.0	2.0	2.0	0.0	0.0%
Total Contractual Positions	68.0	115.0	115.0	0.0	0.0%

Source: Department of Budget and Management

Debt Service

The fiscal 2025 allowance for debt service payments is \$432.2 million, an increase of \$5.7 million (1.3%) over the fiscal 2024 working appropriation. The fiscal 2025 allowance reflects debt service on currently outstanding debt (there are no debt issuances planned for fiscal 2024)

and the planned issuance of \$155 million in fiscal 2025. At the end of fiscal 2025, debt outstanding on the department's CTBs will total nearly \$2.9 billion, which is within the statutory cap of \$4.5 billion. The MDOT forecast indicates that debt service coverage ratios will remain above its administrative minimum target level, which is higher than the minimum allowed in its bond covenants, until the final year of the forecast (fiscal 2029) when it dips below its administrative minimum target level of 2.5 times net income but remains above the 2 times net income minimum allowed under its bond covenants.

State Aid – Mandated Capital Grants

Prior to fiscal 2020, local governments shared in a portion of the tax and fee revenues that are deposited into the GMVRA, commonly referred to as Highway User Revenue (HUR). The local share has varied over time, but from fiscal 2009 to 2019, the local share of HUR was 9.6% of the GMVRA with MDOT retaining 90.4% of revenues to support its operating and capital budgets. Chapters 330 and 331 of 2018 converted this local aid from a share of the GMVRA revenues to mandated capital grants based on a percentage of the total GMVRA and also increased the amount that local governments would receive to an amount equivalent to 13.5% of the GMVRA for fiscal 2020 to 2024. This change increased MDOT's bonding capacity since it now retains all GMVRA revenue. Chapter 240 of 2022 establishes 15.6% of the GMVRA as the new base for local governments beginning in fiscal 2024 and provides temporary increases to 18% in fiscal 2025 and 20% in fiscal 2026 and 2027. The Budget Reconciliation and Financing Act (BRFA) of 2024, as introduced, contains a provision reducing the local share to 15.6% for fiscal 2026 and 2027 that would reduce the funding received by local governments by roughly \$200 million over the two years.

Exhibit 13 shows the mandated capital grant amounts for fiscal 2023 through 2025. The fiscal 2025 mandated capital grant funding of \$395.9 million is \$61.2 million (18.3%) higher than the fiscal 2024 working appropriation.

Exhibit 13 State Aid – Highway User Revenue Capital Grants Fiscal 2023-2025 (\$ in Millions)

	Actual <u>2023</u>	Working <u>2024</u>	Allowance <u>2025</u>	<u>Change</u>
Baltimore City	\$172.9	\$203.8	\$241.9	\$38.1
Counties	66.7	79.4	94.6	15.2
Municipalities	41.7	51.5	59.4	7.9
Total	\$281.2	\$334.7	\$395.9	\$61.2

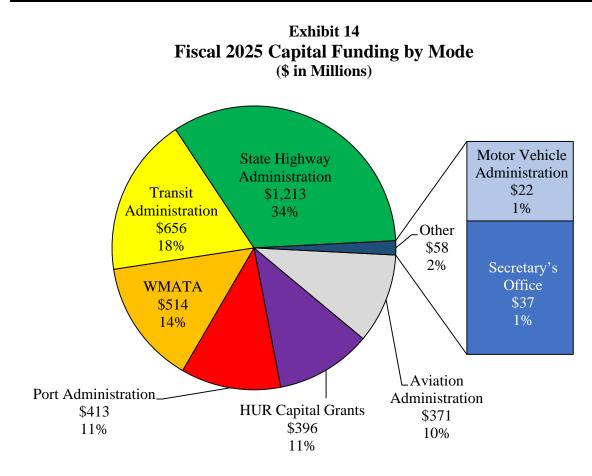
Note: Numbers may not sum to totals due to rounding.

Source: Governor's Fiscal 2025 Budget Books

PAYGO Capital Budget Summary

Fiscal 2025 Capital Budget

Exhibit 14 shows the MDOT fiscal 2025 capital budget by mode. Including other funds that do not flow through the MDOT budget, fiscal 2025 capital spending is projected at \$3.6 billion, an increase of \$234 million (6.9%) over capital spending programmed for the current year. Federal funds comprise a majority of the increase.





HUR: Highway User Revenue WMATA: Washington Metropolitan Area Transit Authority

Source: Maryland Department of Transportation, 2024-2029 Consolidated Transportation Program; Department of Legislative Services

First-year Construction and Design Funding

Chapters 27 and 563 of 2022 require the CTP, beginning with the January 2023 CTP, to include tables listing projects receiving first-year funding for design or construction either in the budget year or the current year (if the funding was not shown in the budget year in the prior year CTP). **Exhibit 15** shows the total first-year funding by mode.

Exhibit 15 First-year Funding for Design and Construction by Transportation Business Unit Fiscal 2024-2025 (\$ in Thousands)

	Total <u>Programmed</u>	State <u>Funds</u>	Federal <u>Funds</u>	Other <u>Funds</u>	State Only <u>Total</u>	State-only <u>Current Year</u>	State-only <u>Budget Year</u>
Maryland Aviation A	Administration						
Construction	\$112,166	\$20,771	\$85,655	\$5,740	\$14,832	\$6,668	\$8,164
Design	9,285	1,608	5,941	1,736	1,302	502	800
Subtotal	\$121,451	\$22,379	\$91,596	\$7,476	\$16,134	\$7,170	\$8,964
Maryland Port Adm	inistration						
Construction	\$288,866	\$161,370	\$66,702	\$60,794	\$96,061	\$16,847	\$79,214
Design	3,884	3,884	0	0	3,884	2,112	1,772
Subtotal	\$292,750	\$165,254	\$66,702	\$60,794	\$99,945	\$18,959	\$80,986
Maryland Transit A	dministration						
Construction	\$33,949	\$16,994	\$13,251	\$3,704	\$10,798	\$5,290	\$5,508
Design	41,122	29,666	10,755	701	22,681	14,185	8,496
Subtotal	\$75,071	\$46,660	\$24,006	\$4,405	\$33,479	\$19,475	\$14,004
State Highway Admi	nistration						
Construction	\$25,000	\$0	\$10,000	\$15,000	\$0	\$0	\$0
Design	24,591	2,310	15,189	7,092	134	20	114
Subtotal	\$49,591	\$2,310	\$25,189	\$22,092	\$134	\$20	\$114
The Secretary's Offi	ce						
Construction	\$13,078	\$13,078	\$0	\$0	\$13,078	\$4,208	\$8,870
Design	1,754	1,754	0	0	1,754	252	1,502
Subtotal	\$14,832	\$14,832	\$0	\$0	\$14,832	\$4,460	\$10,372
Total	\$553,695	\$251,435	\$207,493	\$94,767	\$164,524	\$50,084	\$114,440

Source: Maryland Department of Transportation, 2023-2028 Consolidated Transportation Program; Department of Legislative Services

This information may be helpful in identifying opportunities to defer lower priority capital projects before they begin in order to generate capacity to add funding for legislative spending priorities. The specific project listings used to create the summary in Exhibit 15 will be included in the individual administration budget analyses.

Caution should be exercised when considering delaying specific projects. Many MDOT capital projects are funded from a mix of State, federal, and nongovernmental sources. While the State funds made available by deferring a project can easily be used for another transportation purpose, federal and other funds are generally restricted by specific project, and there could be significant challenges to repurposing those funds.

Other Funds

The CTP lists "Other Funds" as a fund source for some projects. Generally, the "other funds" designation denotes funding that does not flow through the State budget. Traditional examples of other funds are passenger and customer facility charges at the Baltimore/Washington International Thurgood Marshall Airport, Maryland Transportation Authority (MDTA) loans, county participation, private funds, and federal funds received directly by WMATA. The CTP includes some nontransportation State-source funds in the other funds category, notably the general obligation bonds used for the Howard Street Tunnel project, the dedicated capital grant to WMATA, and the Greenbelt Metro interchange on the Capital Beltway. **Exhibit 16** lists the projects in the CTP receiving other funds totaling \$589.1 million in fiscal 2025.

Exhibit 16				
Other Funds				
Fiscal 2025				
(\$ in Thousands)				

Project	Funding Source	<u>Amount</u>
Maryland Aviation Administration		
Concourse A/B Connector and Baggage Handling System	Revenue Bonds	\$106,784
Residential Sound Mitigation Program	Passenger Facility Charge	2,784
Expand Group V Aircraft Parking Position	Passenger Facility Charge	2,418
Snow Equipment	Passenger Facility Charge	6,004
Concourse A/B Bag Claim 0-5 Reconfiguration	Passenger Facility Charge	9,726
Concourse E Baggage Handling System Expansion	Passenger Facility Charge	9,731
Integrated Airport Security System	Passenger Facility Charge	1,440
Checkpoint D Expansion	Passenger Facility Charge	4,298
Electrical Substations Reconstruction	Passenger Facility Charge	10,335
Consolidated Rental Car Facility Electrical Infrastructure for EV	Customer Facility Charge	1,000
Subtotal – Maryland Aviation Administration		\$154,519

<u>Project</u>	Funding Source	Amount
Maryland Port Administration		
Upgrades to Howard Street Tunnel	CSX	\$32,017
Upgrades to Howard Street Tunnel	GO Bonds	20,000
Seagirt Electrification, Runway Beams, Striping	Ports America Chesapeake	5,396
Intermodal Container Transfer Facility Rail Modernization Project	Ports America Chesapeake	1,640
Subtotal – Maryland Port Administration		\$59,053
Maryland Transit Administration		
Purple Line – UMCP Bike Path	UMCP	\$1,747
Agency Fare Systems Next Generation Planning and Implementation	Certificates of Participation	7,614
Freight – Worton Track Safety	Private Railroads	94
Purple Line – MoCo Incentives	Montgomery County	100
BUS East-West Priority Corridor	Baltimore City	200
MARC Martin State Airport Improvements	Amtrak	460
MARC Martins Yard Power Switch	Amtrak	229
Freight – Warner Street Highway Rail Grade Crossing	Baltimore City	144
Mondawmin Hub	Baltimore City	40
Subtotal – Maryland Transit Administration		\$10,628
Washington Metropolitan Area Transit Authority		
System Performance	Direct Federal Funds	\$161,024
Governor's Capital Dedicated Funding	GO Bonds	167,000
Subtotal – Washington Metropolitan Area Transit Authority		\$328,024
State Highway Administration		
Reimbursable Projects	Various Localities	\$15,000
MD 3 – from Waugh Chapel Rd to MD 32	Anne Arundel County	72
MD 2 – from US 50 to Arnold Rd	Anne Arundel County	70
I-95/I-495, Capital Beltway (Greenbelt Metro)	GO Bonds (2023)	21,500
MD 210 – from MD 228 to I-95/I-495	Prince George's County	250
Subtotal – State Highway Administration		\$36,892
Total – Other Funds		\$589,117

EV: electric vehicles GO: general obligation UMCP: University of Maryland, College Park Campus

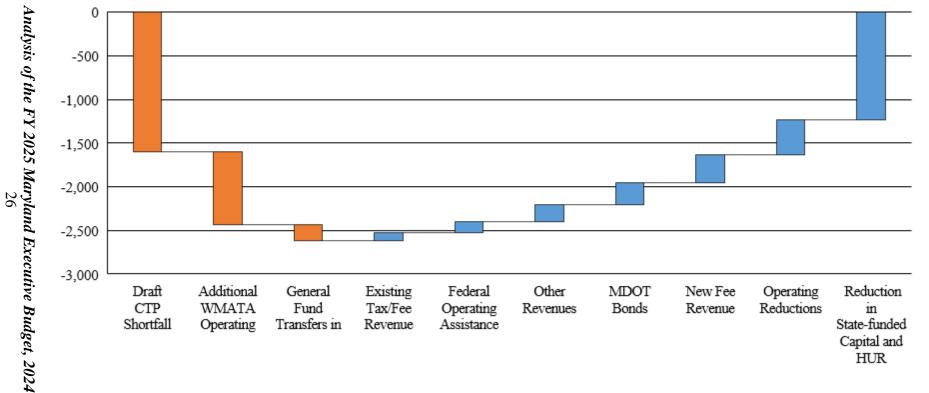
Source: Maryland Department of Transportation; Department of Legislative Services

Issues

1. The January 2024 Consolidated Transportation Program Aligns Programmed Spending with Available Funding

Unlike the draft 2024 CTP released in September 2023, which had \$2.1 billion more in spending over the six years than the amount of funding projected to be available, the 2024 CTP issued in January 2024 aligns spending with available funding. Between fiscal 2024 and 2028, the five years of the 2024 CTP that overlap with the 2023 CTP, the shortfall between spending and revenues totaled \$1.6 billion. Additional operating spending to help WMATA address its fiscal 2025 fiscal shortfall, combined with decreased general fund support for the TTF, required approximately \$2.6 billion in combined revenue increases and spending cuts to bring CTP spending within available resources. **Exhibit 17** shows how this was accomplished.

Exhibit 17 Eliminating the CTP Shortfall Fiscal 2024-2028 (\$ in Millions)



CTP: *Consolidated Transportation Program* HUR: Highway User Revenue MDOT: Maryland Department of Transportation WMATA: Washington Metropolitan Area Transit Authority

Source: Maryland Department of Transportation; Department of Legislative Services

In December 2023, MDOT released an update on the CTP indicating that it would be brought into balance through a combination of fee increases, and spending reductions.

Fee Increases

MDOT has the authority to increase certain cost recovery fees via administrative and regulatory action. The 2024 TTF Financial Forecast assumes \$81 million per year beginning in fiscal 2025 in additional revenue from fee increases. MDOT advises the fee increases will occur within MVA (\$40 million), MAA (\$30 million), and MPA (\$11 million).

Spending Reductions

In December, MDOT announced various spending reductions to help address the CTP shortfall. Operating reductions of 8% to each modal administration's fiscal 2025 operating budget were planned, which would generate savings of \$184 million and ongoing savings of \$170 million each year thereafter. These savings were to be achieved by:

- eliminating commuter bus service, ridership for which remains at less than 35% of prepandemic levels;
- reducing MARC Brunswick daily trips to West Virginia from three to one;
- reducing operating assistance for Locally Operated Transit Systems (LOTS) by 40%;
- reducing in-service hours and service locations for MVA by closing offices on Saturdays, eliminating extended Thursday hours, and permanently closing two limited-service branch offices (Walnut Hill and Parkville);
- reducing roadway sweeping, mowing, litter pickup, drainage maintenance, curb and gutter repair, and guardrail replacement; and
- reducing funding for various repair and maintenance, information technology subscriptions and support, and janitorial service contracts throughout MDOT.

MDOT also proposed freezing the rate for HUR grants at the fiscal 2024 level (15.6%). Under current law, the local share of the GMVRA is scheduled to increase to 18% in fiscal 2025 and 20% for fiscal 2026 and 2027 before reverting to the base rate of 15.6%. Reducing the local share increases capital funding for MDOT's capital program. Keeping the local share at 15.6% would reduce the total grant amounts going to local governments by \$52 million in fiscal 2025 and approximately \$100 million each year in fiscal 2026 and 2027. Legislation is required to make these adjustments.

Reduced operating spending and increased fee revenue was not sufficient to support the level of capital spending included in the September draft CTP. The final step to balancing the CTP

was reducing the capital program itself. The December update summarized reductions by mode with the majority of the reductions occurring in the State Highway Administration (SHA) (including HUR which is funded through SHA). The SHA reductions comprised:

- \$438 million from major expansion projects by removing construction funding from all major expansion projects to be advertised after calendar 2023;
- \$142 million from minor expansion projects by reducing funding levels for these programs by 85%;
- \$651 million from funds that maintain SHA assets, including roads and bridges, by reducing funding levels for these programs by 13%; and
- \$245 million from HUR grants by maintaining the local share of transportation revenues at 15.6% throughout the six-year forecast period.

Fiscal 2025 Reprieve

With the release of the fiscal 2025 budget, Governor Wes Moore announced that the budget included \$150 million in general funds as one-time funding to help relieve pressure on the TTF. This funding restores some of the operating reductions for fiscal 2025 (including fully restoring funding for LOTS), allows the HUR rate to increase in fiscal 2025, and restores some reductions to the capital budget. **Exhibit 18** summarizes the reductions and restorations to the operating budget and the restorations made to the capital budget.

Exhibit 18 Reductions and Restorations Fiscal 2025 (\$ in Thousands)

	Reductions	Restorations	Ongoing <u>Reductions</u>
Operating			
Maryland Aviation Administration	-\$20,440	\$2,800	-\$17,640
Maryland Port Administration	-4,571	233	-4,338
Maryland Transit Administration	-98,000	62,000	-36,000
Motor Vehicle Administration	-15,107	4,425	-10,682
State Highway Administration	-30,522	8,172	-22,350
The Secretary's Office	-9,700	3,350	-6,350
Operating Subtotal	-\$178,340	\$80,980	-\$97,360

	Reductions	Restorations	Ongoing <u>Reductions</u>
Capital (Restorations Only)			
Maryland Transit Administration		\$15,000	
State Highway Administration		2,000	
Highway User Revenue Grants		52,486	
Capital Subtotal		\$69,486	
Grand Total	-\$178,340	\$150,466	-\$97,360

Source: Maryland Department of Transportation; Department of Legislative Services

The decision to provide the general fund relief was made after the MDOT budget was largely finalized, and only the restoration of funding for HUR grants is included in the allowance. The remaining restorations will need to be included in a supplemental budget. Detail on the reductions and restorations will be included in each of the modal budget analyses.

The Reprieve Is Temporary

The TTF financial forecast in fiscal 2026 and beyond assumes savings from the reductions being restored in fiscal 2025. Consequently, absent ongoing savings of equal magnitude or offsetting revenue increases, the reductions planned for fiscal 2025 will need to be made in fiscal 2026. The statutory changes needed to implement the proposed HUR rate reduction in fiscal 2026 and 2027 is included in the BRFA of 2024 (SB 362/HB 352).

The Secretary should brief the committees on which fees will be increased, the reductions that are not being restored in fiscal 2025, and whether the items restored in fiscal 2025 are likely to be reduced in the fiscal 2026 budget.

2. I-695 Work Zone Crash Spurs Increased Efforts to Prevent Roadway Fatalities

The March 2023 crash in a work zone on I-695 that resulted in the deaths of six roadway workers contributed to the increase in the number of traffic-related fatalities in calendar 2023 from the previous year and underscored the need for increased efforts if Maryland hopes to make progress on the Vision Zero goal of having zero vehicle-related deaths or serious injuries on roadways by calendar 2030.

Governor's Work Zone Safety Work Group

In response to the I-695 work zone crash, the Governor created the Work Zone Safety Work Group, chaired by the Lieutenant Governor and including transportation experts in government and the private sector, with the charge of making recommendations that would enhance work zone safety and protect roadway workers and law enforcement personnel from harm. The workgroup released its report in November 2023 containing recommendations related to changing driver behavior and to improving the safety of roadway operations. Recommendations aimed at changing driver behavior include education and public awareness campaigns and increased enforcement of traffic law violations. Roadway operations recommendations include better training and certification for road work contractors, increased use of buffer lanes in work zones, updates to SHA's Work Zone Inspection program to include guidance with more focus on Maintenance of Traffic inspection protocols and criteria, and MDOT reviews at project design.

Three workgroup recommendations will require legislation to implement:

- expand the use of automated speed enforcement by authorizing the use of unmanned cameras and different types of technology and employment strategies;
- increase the citation amount for speeding in a work zone from \$40 (currently the lowest speed camera citation amount in the nation); and
- create a memorial site to honor and remember workers killed while performing their jobs in Maryland highway work zones.

With the release of the workgroup recommendations, the Administration announced the immediate adoption of the recommendations to increase the presence of Maryland State troopers in work zones and implanting a new work zone safety campaign in schools through the Maryland State Department of Education.

Ongoing Road Safety Efforts

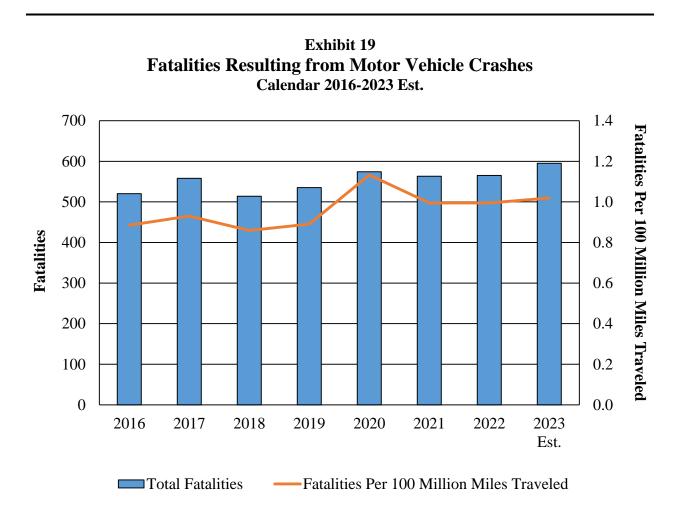
Many of the Governor's Work Zone Safety Work Group recommendations build upon and enhance work being done to improve roadway safety. Given the continued upward trend of motor vehicle crashes resulting in fatalities, the Maryland Highway Safety Office (MHSO) within MVA has increased efforts to promote public awareness and encourage motorists and road users to travel more safely. As a coordinating office, MHSO works collaboratively across agencies, including MDOT, the Maryland State Police (MSP), other State agencies, federal partners, and local governments to implement highway safety and educational initiatives.

The Maryland Strategic Highway Safety plan guides these efforts according to four cornerstones: enforcement; engineering; education; and emergency medical services. MHSO leads with various educational campaigns and, in conjunction with SHA, engineering improvements to State facilities. MHSO works with federal partners to disseminate messaging and

best practices and has supported 15 counties and Baltimore City in developing local highway safety plans.

Fatal Crash Dashboard

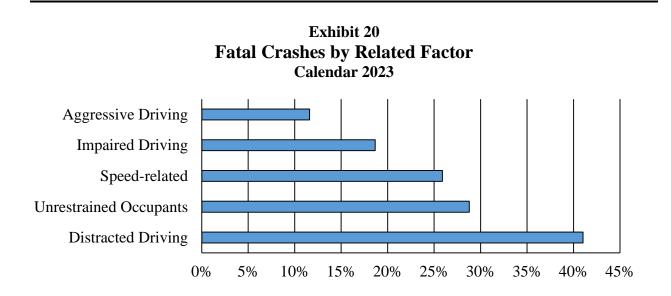
A primary objective of MHSO is to increase public awareness regarding trends in motor vehicle crashes. In April 2023, MHSO launched the Fatal Crash Dashboard, an interactive online tool to view data concerning fatal motor vehicle crashes in the State since calendar 2016. As shown in **Exhibit 19**, the number of crashes resulting in a fatality has trended upward, reaching nearly 600 in calendar 2023. From calendar 2016 to 2023, the number of fatal crashes increased at an average annual rate of 1.9%.



Note: Data current as of January 17, 2024. Data is derived from the investigating officer report and the Automated Crash Reporting System and may change as crash investigations continue.

Source: Maryland Highway Safety Office; Maryland State Police; Department of Legislative Services

The MHSO education campaigns emphasize that "Every Crash is Preventable." Data supports that conscious driver and road user choices contribute to the majority of crashes, including crashes resulting in fatalities. During investigations, MSP identifies factors related to motor vehicle crashes, including distraction, impairment, speed, unrestrained occupants, and aggressive driving. As seen in **Exhibit 20**, distraction was associated with the largest share of fatal crashes in calendar 2023, followed by unrestrained occupants and speed. Related factors are not mutually exclusive. For the calendar 2016 through 2023 period, distracted driving is associated with the most fatal crashes, followed by speed. This preliminary data is derived from the Automated Crash Reporting System and may change as investigations continue.



Note: Data current as of January 17, 2024. Data is derived from the investigating officer report and the Automated Crash Reporting System and may change as crash investigations continue.

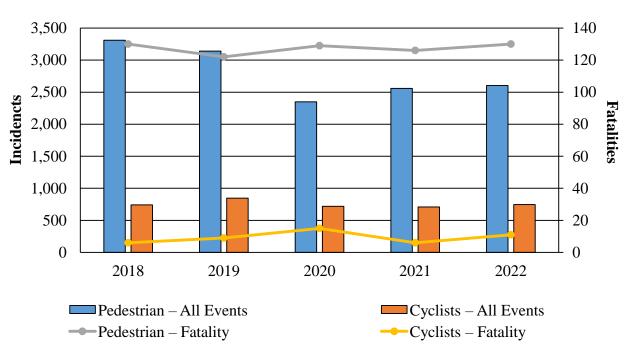
Source: Maryland Highway Safety Office; Maryland State Police; Department of Legislative Services

Safety of Vulnerable Road Users

The safety of pedestrians and bicyclists, known as vulnerable road users, is of particular concern given their greater susceptibility to serious injury or death. From calendar 2018 through 2022, cyclists were involved in 0.7% of all crashes statewide but accounted for 2% of injuries and 1.9% of fatalities. During the same period, pedestrians were involved in 3% of all crashes but accounted for 8% of injuries and 23% of fatalities.

Narrative in the 2023 *Joint Chairmen's Report* requested TSO and MVA to submit a report on recent trends and policy efforts to address bicycle and pedestrian safety on Maryland's roadways. The report summarized initiatives that address these issues and included data on pedestrian and bicycle incidents by jurisdiction.

As shown in **Exhibit 21**, total pedestrian and cyclist-involved crash events have remained fairly stable in recent years. However, the number of fatalities, particularly for cyclists, spiked in calendar 2020. After a drop in calendar 2021, calendar 2022 fatalities for vulnerable road users have neared or eclipsed the calendar 2020 high.





Source: Maryland Highway Safety Office; Department of Legislative Services

In April 2022, MHSO elected to undergo a comprehensive pedestrian and bicycle safety program assessment facilitated by regional staff of the National Highway Traffic Safety Administration (NHTSA). The final report included 59 expert recommendations for improvement with 21 identified as priorities.

In May 2023, SHA released the State's first pedestrian action plan. The report, which is available on SHA's website, identifies areas of need throughout the State that resulted from a prioritization process in consultation with stakeholders and members of the public.

MDOT should comment on (1) the status of efforts to implement the recommendations of the Governor's Work Zone Safety Work Group and (2) progress to implement the priority recommendations identified in the NHTSA report to enhance safety for vulnerable road users.

3. TRAIN Commission Submits Interim Report

The Maryland Commission on Transportation Revenue and Infrastructure Needs (TRAIN Commission) was established by Chapter 455 of 2023 to review and make recommendations on transportation funding, funding needs, transportation project prioritization and selection processes, and a host of issues affecting these areas. The commission is comprised of representatives from State and local governments, transit, cycling, and environmental advocacy groups, business groups, transportation industry, and labor. The commission is required to submit an interim report on its findings and recommendations by January 1, 2024, with a final report due by January 1, 2025.

The commission met five times between August and December 2023 and made the following recommendations in its interim report:

- 1. that the General Assembly consider during the 2024 legislative session options to collect additional revenue to help account for the loss of revenue to the TTF from the increased adoption of electric vehicles (EV) and/or plug-in hybrid vehicles;
- 2. that for EV fees, MVA explore different fee amounts or payment options for low-income individuals;
- 3. that the General Assembly consider requiring MDTA to adjust toll rates, including on out-of-state E-Z Passes, to maximize toll revenues to generate new revenue to support projects in Maryland's broader transportation system outside of MDTA;
- 4. that MDOT develop a new draft capital project prioritization process to present to the commission during the 2024 interim with the goal of implementing the new prioritization process for the 2026-2031 CTP;
- 5. that the prioritization process have performance metrics related to safety, accessibility and mobility, climate change and the environment, equity, economic factors, and land use and that the prioritization process addresses a enumerated list of factors; and
- 6. that in developing a prioritization process, MDOT should standardize local priority letters, create a process to provide comments to local governments related to request projects, and always present a balanced draft CTP in September prior to the local road show.

The interim report indicates that discussion had only started on many of the issues with which the commission was tasked to examine.

The Secretary should discuss the status of the recommendations made by the TRAIN Commission that pertain to MDOT and outline what the department would like to see result from the work of the commission in 2024.

Operating Budget Recommended Actions

1. Add the following language:

Provided that it is the intent of the General Assembly that projects and funding levels appropriated for capital projects, as well as total estimated project costs within the Consolidated Transportation Program, shall be expended in accordance with the plan approved during the legislative session. The department shall prepare a report to notify the budget committees of the proposed changes in the event that the department modifies the program to:

- (1) add a new project to the construction program or development and evaluation program meeting the definition of a "major project" under Section 2-103.1 of the Transportation Article that was not previously contained within a plan reviewed in a prior year by the General Assembly and will result in the need to expend funds in the current budget year; or
- (2) change the scope of a project in the construction program or development and evaluation program meeting the definition of a "major project" under Section 2-103.1 of the Transportation Article that will result in an increase of more than 10% or \$1,000,000, whichever is greater, in the total project costs as reviewed by the General Assembly during a prior session.

For each change, the report shall identify the project title, justification for adding the new project or modifying the scope of the existing project, current year funding levels, and the total project cost as approved by the General Assembly during the prior session compared with the proposed current year funding and total project cost estimate resulting from the project addition or change in scope.

Further provided that notification of project additions, as outlined in paragraph (1) above; changes in the scope of a project, as outlined in paragraph (2) above; or moving projects from the development and evaluation program to the construction program shall be made to the General Assembly 45 days prior to the expenditure of funds or the submission of any contract for approval to the Board of Public Works.

Explanation: This annual budget bill language requires the department to notify the budget committees of proposed changes to the transportation capital program that will add a new project that was not in the fiscal 2024 to 2029 Consolidated Transportation Program (CTP) or will increase a total project's cost by more than 10%, or \$1 million, due to a change in scope. Reports are to be submitted with the draft and final versions of the CTP with each using the 2024 session CTP as the basis for comparison. In addition, notification is required as needed throughout the budget year if certain changes to projects are made.

Information Request	Author	Due Date
Capital budget changes from one CTP version to the next	Maryland Department of Transportation (MDOT)	With draft CTP With final CTP
Capital budget changes throughout the year	MDOT	45 days prior to the expenditure of funds or seeking Board of Public Works approval