



Maryland Chapter

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Committee: Environment and Transportation
Testimony on: HB 292 - "Toll Roads, Highways, and Bridges – Local Government Consent Required - Expansion"
Position: Favorable with Amendment
Hearing Date: February 13, 2020

The Maryland Chapter of the Sierra Club urges a favorable with amendment report on HB 292. This bill would expand to all counties a prohibition on state agencies constructing a toll road, toll highway, or toll bridge without the express consent of a majority of the governments of the affected counties. The proposed amendment to the bill would clarify the language about affected counties and county approval, but we will leave determination of the actual wording of the amendment to House and Senate sponsors.

At present, only nine counties in the eastern part of Maryland are able to join together and prohibit the state from constructing a toll road, toll highway, or toll bridge affecting their jurisdictions. There is no reasonable justification for continuing this inequity and not granting that same privilege to the remaining 15 counties (including the City of Baltimore) that together constitute 66% of the land in the state and 92.5% of the population. Either all counties should have equal authority in this regard or none should have it. We support all of the counties having this authority for the following reasons.

It is an effective way for the state to give counties an equal voice in deciding whether to approve construction of proposed state toll roads, toll highways, and toll bridges that might negatively impact local environmental, cultural, or historic resources, or might conflict with a county's vision for future growth.

Passage of this bill would give each county a seat at the table with the Maryland Department of Transportation (MDOT) in the planning and development process when future toll road, highway, and bridge projects are being considered that would affect their jurisdiction. Governor Hogan's controversial and ill-advised plan to add four toll lanes to I-495 and I-270, which was conceived and announced without consulting any of the affected counties, well illustrates what can happen when MDOT makes decisions on its own without consulting affected jurisdictions.

With public-private partnerships (P3) involving long-term contracts becoming a more common way for states to pay for constructing major transportation projects with tolls, this bill would protect counties from P3 projects that might adversely affect them and limit their ability to implement their preferred local transportation options for 50 years or more because of the length of many P3 state contracts.

In summary, this bill as amended would ensure all counties are treated equitably and have a seat at the table when decisions are made regarding toll projects that affect their jurisdictions. We urge the Committee to issue a favorable report on this legislation with the specified clarifying amendment.

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Founded in 1892, the Sierra Club is America's oldest and largest grassroots environmental organization. The Maryland Chapter has about 70,000 members and supporters, and the Sierra Club nationwide has more than 800,000 members.