

February 12, 2020

The Honorable Delores G. Kelley
Chair, Finance Committee
Miller Senate Office Building, 3E
11 Bladen Street
Annapolis, MD 21401

RE: Opposition of Senate Bill 285 (State Highway Administration - Highway Work Permits - Pedestrian Access (Pedestrian Access Act of 2020))

Dear Chairwoman Kelley:

The Maryland Building Industry Association (MBIA), representing 100,000 employees of the building industry across the State of Maryland, opposes Senate Bill 285 (State Highway Administration - Highway Work Permits - Pedestrian Access (Pedestrian Access Act of 2020)).

This measure requires an entity doing work within 2 miles of WMATA or MTA rail or transit stations to maintain pedestrian access at the work site. 2 miles is a large swath of land, especially since a 2 mile radius means a 4 mile diameter. It is reasonable to assume that bikers may travel that distance on a regular basis, but 2 miles is too far for most pedestrians.

This measure also requires the State Highway Administration (SHA) adopt regulations for the design and maintenance of pedestrian access, including details like the standards for sidewalks, dimensions for sidewalk sheds, lighting in and around sidewalk sheds, specifications for storage of supplies, and how to maintain bike lanes.

These are very specific design decisions that are best left to contractors on the ground. Projects are unique and have different requirements and design needs; such decisions are not susceptible to broad rulemaking and should be made on a case-by-case basis instead. The local jurisdictions have the ability to negotiate these requirements.

MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Senate Finance Committee Members