

BaltimoreCounty_FAV_SB0285

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Position: FAV



JOHN A. OLSZEWSKI, JR.
County Executive

CHARLES R. CONNER III, ESQ.
Chief Legislative Officer

KIMBERLY S. ROUTSON
Deputy Legislative Officer

JOEL N. BELLER
Assistant Legislative Officer

BILL NO.: **SB 285**

TITLE: State Highway Administration - Highway Work Permits -
Pedestrian Access (Pedestrian Access Act of 2020)

SPONSOR: Senator Lee

COMMITTEE: Finance

POSITION: **SUPPORT**

DATE: February 12, 2020

Baltimore County **SUPPORTS** Senate Bill 285 – State Highway Administration - Highway Work Permits - Pedestrian Access (Pedestrian Access Act of 2020). This bill would require that a person who has obtained a highway work permit and performs this work within two miles of certain transit stations maintain pedestrian access at the work site.

Pedestrian safety and public transit access are priorities for Baltimore County, and this legislation would further both of those policy objectives. Commutes that are interrupted by highway construction discourage commuters from utilizing public transit or walking to work. Safety hazards can arise when pedestrians walk on the side of the road or use alternative routes not intended for pedestrian traffic. Workers who cannot afford a car are disproportionately affected by these interruptions, as they have no alternative to get to work.

SB 285 mitigates these risks by ensuring that highway construction projects maintain pedestrian access at the work site, eliminating the impediment to the flow of foot traffic for commuters who wish to walk or utilize public transit.

Accordingly, Baltimore County requests a **FAVORABLE** report on SB 285. For more information, please contact Chuck Conner, Chief Legislative Officer, 443-900-6582.

Central MD Transit Alliance_FAV_SB285

Uploaded by: CMTA, CMTA

Position: FAV

Board of Directors:

Central Maryland Transportation Alliance

Chair James L. Shea

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President and CEO, The Baltimore Urban League

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President & CEO, Baltimore Community Foundation

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Principal, DSP Policy Advocates

Laurie Schwartz

President, Waterfront Partnership of Baltimore, Inc.

Jane Shaab

Executive Director UM BioPark, University of Maryland, Baltimore

Greg Smith

Associate Director of Transportation Services, The Johns Hopkins University

Scot Spencer

Assoc. Dir. for Advocacy & Influence, The Annie E. Casey Foundation

Gina Stewart

Executive Director, BWI Business Partnership

C. William "Bill" Struever

Managing Director, Cross Street Partners

Brian Walter

Group Vice President, M&T Bank

Michele Whelley

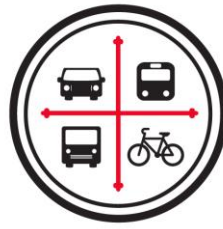
President and CEO, Economic Alliance of Greater Baltimore

Scott Wilkinson

Founder and CEO, AlphaVu

Caryn York

CEO, Job Opportunities Task Force



Transportation Alliance

February 12, 2020

Testimony on SB 285 – *Pedestrian Access Act* Finance

Position: Favorable

The Central Maryland Transportation Alliance supports SB 285.

In order to reduce traffic, reduce pollution, and promote physical activity, State and local governments have adopted policies to encourage Marylanders to walk or ride bikes in communities near transit stations. However, when construction projects impact the right of way, time, cost, and regulatory pressures can make bicyclists and pedestrians an afterthought. SB 285 provides clear rules to ensure maintenance of safe routes for those on foot or on bikes in communities near transit.

We encourage a favorable report.

Lee_FAV_SB285

Uploaded by: Senator Lee, Senator Lee

Position: FAV

SUSAN C. LEE
Legislative District 16
Montgomery County

MAJORITY WHIP

Judicial Proceedings Committee

Joint Committee on
Cybersecurity, Information Technology,
and Biotechnology

Chair Emeritus
Maryland Legislative Asian American
and Pacific Islander Caucus

President Emeritus
Women Legislators of the
Maryland General Assembly, Inc.



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11 Bladen Street, Room 223
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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 12, 2020

Senate Finance Committee

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

Senate Bill 285 is a bill for my constituents who have been very frustrated with construction in Downtown Bethesda closing sidewalks without providing adequate temporary alternative routes for pedestrians. This bill simply requires the State Highway Administration (SHA) to maintain pedestrian access when it issues access permits within 2 miles of a transit station. This bill also mandates bike lane access be maintained during lane closures and that temporary walkways comply with the Americans with Disabilities Act (ADA) standards. The purpose is to ensure the safety of walkers and bikers when sidewalks undergo maintenance.

The Friends of White Flint has some suggested amendments that are worth discussing to limit the distance to one mile from a WMATA or MARC rail or transit station and to make sure bike lane requirements are not intrusive or expensive. Meanwhile, the City of Takoma Park views the legislation as written as “just common sense.”

Pedestrian safety should be a top priority in Maryland. When our roads and sidewalks under construction, pedestrians are made more vulnerable. We should protect pedestrian safety with policy initiatives like this legislation. We believe SB 285 will help ensure the safety of pedestrian traffic, and allow the efficient and successful construction of our infrastructure to continue.

For these reasons, we respectfully request a favorable report on SB 285, and are open to discussing the amendments offered by the Friends of White Flint.

TakomaPark_FAV_SB285

Uploaded by: Stewart, Kate

Position: FAV



CITY OF TAKOMA PARK, MARYLAND

SB 285 Support

Finance Committee

February 2020

SB 285: Pedestrian Access Act of 2020

Contact: Kate Stewart, Mayor

Kates@takomaparkmd.gov

We in the City of Takoma Park strongly support efforts to increase pedestrian safety and secure access to public transit during construction on state highways.

The City of Takoma Park has many state highways and extensive experience living through construction on these roads. Currently, with construction of the Purple Line underway, we are seeing firsthand the difficulties and dangers pedestrians face navigating a work zone to access public transportation.

Requiring pedestrian access at work sites that are within two miles of Washington Metropolitan Area Transit Authority rail services or transit stations or Maryland Transit Administration transit stations, including Maryland Area Regional Commuter (MARC) stations; and requiring the State Highway Administration to adopt certain regulations governing pedestrian access in areas subject to a highway work permit is just common sense. It is unfortunate that such common sense legislation is needed, but based on the City's experiences working with contractors and others who perform work on state highways, accommodating and ensuring the safety of pedestrians is not their top priority.

As we change and make improvements to our highways, it is also imperative that we do not discourage or make accessing public transportation dangerous. Our top priority needs to be on pedestrian safety.

In sum, the City of Takoma Park strongly supports SB285 and urges a favorable vote.

SB285_FAV_TakomaPark

Uploaded by: Wilkerson, Alice

Position: FAV



CITY OF TAKOMA PARK, MARYLAND

SB 285 Support

Finance Committee

February 12, 2020

SB 285: Pedestrian Access Act of 2020

Contact: Kate Stewart, Mayor

Kates@takomaparkmd.gov

We in the City of Takoma Park strongly support efforts to increase pedestrian safety and secure access to public transit during construction on state highways.

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As we change and make improvements to our highways, it is also imperative that we do not discourage or make accessing public transportation dangerous. Our top priority needs to be on pedestrian safety.

In sum, the City of Takoma Park strongly supports SB285 and urges a favorable vote.

NAIOP_FWA_SB285

Uploaded by: Ballentine, Tom

Position: FWA



February 12, 2020

The Honorable Delores G. Kelly, Chair
Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, MD 21401

Support w Amendment: SB – 285 – SHA Highway Work Permits – Pedestrian Access

Dear, Chair Kelly and Committee Members:

The NAIOP Maryland Chapters represent more than 700 companies involved in all aspects of commercial, industrial and mixed-use real estate. Our members operate throughout the state; many are part of organizations with national and international experience managing complex construction projects in urban environments. This experience highlights the imperative of prioritizing pedestrian safety around construction sites and the challenges it presents.

The issues raised in SB 285 are broad and are also currently the subject of a bill currently being considered by the Montgomery County Council. We would like the opportunity to look at best practices from other jurisdictions to bring this state bill and the council legislation into agreement so that there may be some consistency between local and state roads.

We believe the approach needs to ensure safety while also considering logistics and the sequence of construction in congested urban areas. By way of example, among the issues we would like to consider are how to address:

1. Safe, alternative pathway
2. Storage of construction materials and use of the right-of-way
3. Use of curb and travel lanes
4. Application to existing permits
5. Geographic scope
6. Convenience parking

Sincerely;

A handwritten signature in blue ink, appearing to read "T.M. Ballentine". The signature is fluid and cursive, written over a light blue horizontal line.

Tom Ballentine, Vice President for Policy
NAIOP Maryland Chapters -*The Association for Commercial Real Estate*

cc: Senate Finance Committee Members
Nick Manis – Manis, Canning Assoc.

Friends of White Flint_FWA_SB285

Uploaded by: FWF, FWF

Position: FWA



Testimony on the Pedestrian Access Act

Friends of White Flint is a nonprofit organization composed of property owners, businesses, and residents, all working together to transform the Pike District/White Flint area into a walkable, transit-oriented, vibrant community.

Friends of White Flint, in general, supports the legislation entitled the "Pedestrian Access Act." We believe that the State Highway Administration (SHA) ought to maintain pedestrian access when it issues access permits in areas close to a transit station. We wholeheartedly agree with the intent of this bill, which is to ensure that pedestrian and bicycle access be maintained around construction in areas where we encourage Marylanders to walk or ride bikes, such as around transit stops.

Our suggested amendments to the bill would be as follows:

- 1) Two miles around a WMATA or MARC rail or transit station

We believe a more appropriate standard would be one mile or half a mile.

- 2) Bike lane requirements

We want to make sure preserving bike lanes is neither intrusive nor expensive and does not require merging bicyclists and adjacent traffic into a shared lane of traffic.

Please accept this testimony in favor of the Pedestrian Access Act. We hope it will enable pedestrians and bicyclists to continue to walk to and from transit during construction, a laudable and attainable goal.

Amy Ginsburg
Executive Director

Amy.Ginsburg@WhiteFlint.org

ICSC_FWA_SB285

Uploaded by: Sidh, Sushant

Position: FWA



February 11, 2020

The Honorable Dolores Kelly
Chair, Senate Finance Committee
3rd Floor, Miller Senate Office Building
Annapolis MD 21401

RE: Senate Bill 285
Position: Favorable with Amendment

Dear Chair Kelly and Members of the Senate Finance Committee:

The International Council of Shopping Centers (ICSC) is the trade organization representing the shopping center industry. Worldwide, the organization maintains almost 70,000 members. In Maryland, ICSC represents the interests of almost 1,900 shopping centers in every county and municipality in the State.

The provisions of Senate Bill 285 seek to improve access for pedestrians and bicyclists traveling to and from metro stations during work improvement on State Highways. ICSC has always been a leading proponent of transit-oriented development. While we agree with the goal of the legislation in maintaining access during necessary intervals of road construction we also maintain reservations about certain requirements that seem over reaching and could possibly lead to operators delaying improvements that ultimately benefit broader communities.

Specifically, the 2-mile radius seems rather burdensome given the geographic area that a permit holder seeking to improve a State Highway would be responsible to cover. Typically, when referring to access to transit-oriented development, ½ mile is the standard.

Suggested amendment – reduce the 2-mile area to ½ mile.

ICSC members also maintain concerns with the bike lane mandates contained within the bill. Requiring lanes to be shifted and or narrowed to accommodate bike lanes could be cost prohibitive given the “permittee” is attempting to make an improvement that ultimately benefits the larger community.

ICSC would prefer a more extensive discussion on bike lane requirements.

ICSC would also ask that the term “Maryland Regional Transit Administration Transit Stations” (page 2, line 11 of the bill) be clarified to exclude local bus stops so as to ensure the reach and application of the bill is not overly-broad and unintentionally burdensome.

Thank you for your consideration, please contact Sushant Sidh at 410-268-3099 for additional information.

MBIA_UNF_SB285

Uploaded by: Enten, Bob

Position: UNF

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

MAA_Oppose_SB 285

Uploaded by: Klinefelter, Marshall

Position: UNF

CHAIRMAN:
Rob Scrivener
VICE CHAIRMAN
Brian Russell



SECRETARY:
David Slaughter
TREASURER:
Jeff Graf
PRESIDENT:
G. Marshall Klinefelter

February 12, 2020

Senator Delores G. Kelley, Chair
Finance Committee
3 East Miller Office Building
11 Bladen Street
Annapolis, Maryland 21401

OPPOSE

Re: **SENATE BILL 285 – STATE HIGHWAY ADMINISTRATION – HIGHWAY WORK PERMITS – PEDESTRIAN ACCESS (PEDESTRIAN ACCESS ACT OF 2020)**

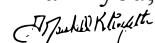
Dear Chairwoman Kelley and Committee Members:

The Maryland Asphalt Association is comprised of 18 producer members representing more than 47 production facilities, 21 contractor members, 24 consulting engineer firms and 39 other associate members. We proactively work with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

SB 285 would require workers within the construction and transportation industry to apply for an additional permit for business within two miles of any Washington Metropolitan Area Transit Authority rail service or transit station, or Maryland Transit Administration transit station. This requirement is unnecessary and will cause undue financial and performance hardship on organizations such as ours. During the permitting process, it is already standard practice for contractors to provide adequate pedestrian access in areas where construction or maintenance work is permitted. Passage of this bill would require contractors to essentially repeat this portion of the permitting process, doubling costs, which will affect project costs and potentially change the ability to execute build outs. Frivolous duplication of the permitting process will delay projects, which will prove a great disservice to Maryland commuters who have to work around construction sites longer than originally anticipated. For these reasons, we strongly believe this bill will have a significantly harmful impact to the State of Maryland.

We appreciate you taking the time to address this important issue and we respectfully urge an unfavorable report on Senate Bill 285.

Thank you,



Marshall Klinefelter

President

Maryland Asphalt Association

MTBMA_Oppose_SB 285

Uploaded by: Sakata, Michael

Position: UNF



MTBMA

MARYLAND TRANSPORTATION BUILDERS
AND MATERIALS ASSOCIATION

February 12, 2020

Senator Delores G. Kelley, Chair
Finance Committee
3 East Miller Office Building
11 Bladen Street
Annapolis, Maryland 21401

OPPOSE

Re: **SENATE BILL 285 – STATE HIGHWAY ADMINISTRATION – HIGHWAY
WORK PERMITS – PEDESTRIAN ACCESS (PEDESTRIAN ACCESS ACT OF
2020)**

Dear Chairwoman Kelley and Committee Members:

The Maryland Transportation Builders and Materials Association (“MTBMA”) has been and continues to serve as the voice for Maryland’s construction transportation industry since 1932. Our association is comprised of 200 members. MTBMA encourages, develops, and protects the prestige of the transportation construction and materials industry in Maryland by establishing and maintaining respected relationships with federal, state, and local public officials.

SB 285 would require workers within the construction and transportation industry to apply for an additional permit for business within two miles of any Washington Metropolitan Area Transit Authority rail service or transit station, or Maryland Transit Administration transit station. This requirement is unnecessary and will cause undue financial and performance hardship on organizations such as ours. During the permitting process, it is already standard practice for contractors to provide adequate pedestrian access in areas where construction or maintenance work is permitted. Passage of this bill would require contractors to essentially repeat this portion of the permitting process, doubling costs, which will affect project costs and potentially change the ability to execute build outs. Frivolous duplication of the permitting process will delay projects, which will prove a great disservice to Maryland commuters who have to work around construction sites longer than originally anticipated. For these reasons, we strongly believe this bill will have a significantly harmful impact to the State of Maryland.

We appreciate you taking the time to address this important issue and we respectfully urge an unfavorable report on Senate Bill 285.

Thank you,

Michael A. Sakata

Michael Sakata

President and CEO

Maryland Transportation Builders and Materials Association