
January 29, 2020

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

Re: *Letter of Opposition – Senate Bill 229 – Toll Roads, Highways, and Bridges – County Government Consent Requirement – Expansion*

Dear Chair Kelley and Committee Members:

The Maryland Department of Transportation (MDOT) opposes Senate Bill 229, as it could impede progress on projects that aim to provide meaningful congestion relief for major metropolitan areas across the state. The bill has the potential to irreparably damage Maryland's reputation as a national leader in delivering innovative infrastructure projects.

Three examples of the type of impact this legislation could have on regional projects that will provide meaningful congestion relief:

First, the Traffic Relief Plan, a project designed to free Marylanders from traffic congestion along the I-495 and I-270 corridors through the proposed I-495 & I-270 Public Private Partnership (P3) Program. This P3 Program provides congestion relief in the National Capital Region (NCR), at no net cost to the state, with the fundamental objective to deliver this project while significantly minimizing impacts outside of the existing right-of-way. Without this solution in the NCR, local roads will continue to be over burdened with more traffic as travelers use apps like Waze to look for options to get to their destinations quicker making the local roads less safe for pedestrians and bicyclists. Failure to address congestion in our major metropolitan regions in the state will severely hamper transit options as well.

This legislation will also limit the State's ability to partner with neighboring jurisdictions on major road and bridge projects to address multi-jurisdictional needs through regional cooperation, such as Governor Larry Hogan's and Governor Ralph Northam's bi-state announcement for a Capital Beltway Accord, which will replace the aging American Legion Bridge with a new, unified bridge.

The practical implication of enacting Senate Bill 229 is that Marylanders in the NCR will continue to be stuck in traffic for the foreseeable future. Maryland simply does not have funding available to provide the kind of meaningful congestion relief without the proposed Traffic Relief Plan. In addition to the forgone project cost of \$9-11 billion financed by the private sector, MDOT will need to invest \$1.7 billion in maintenance and rehabilitation cost over the next twelve years simply to maintain the existing roadways on I-495 and I-270 in Montgomery and Prince George's counties alone.

Failure to address the capacity problem facing this region also ignores the direct cost to Marylanders each day in wasted time and fuel as well as the negative impact of air quality on the environment. The current cost of congestion in Maryland is \$1.3 billion annually, a 33% increase since just 2013. The cost of congestion will continue to rise and compound, costing the State's economy and reducing our competitiveness in attracting top businesses. Failure of this project to move forward will also result in significant lost job opportunities for Marylanders and loss of a substantial investment in the minority contracting community.

The State of Virginia is moving forward with the Capital Beltway Accord by modernizing and extending their facilities to the Maryland border. If this legislation were to pass, it would signal to businesses and hard-working Maryland families that the economic, political, and neighborly environment is better across the Potomac. Without the Traffic Relief Plan, due to the lack of State funding, the American Legion Bridge cannot be addressed and Maryland will continue to be a bottleneck along I-495 subjecting residents living in the NCR Region to stifling traffic jams for many years to come. For the project at hand, passage would jeopardize the ability of the State to engage local, national, and international expertise and labor to deliver congestion relief to the greater Washington Metropolitan Area to greatly improve the quality of life for many Marylanders.

Second, a Chesapeake Bay Crossing study is being conducted by the Maryland Transportation Authority (MDTA) and is currently in the Tier 1 National Environmental Policy Act (Bay Crossing Study). The Bay Crossing Study will result in the identification of a preferred corridor alternative to address congestion at the Chesapeake Bay Bridge and the evaluation of its financial feasibility. Should a corridor be selected as the optimal location for a new Chesapeake Bay Crossing, the MDTA would be prohibited from constructing a new bridge absent the written consent of the counties within the corridor. This could have a significant fiscal impact to the agency given the costs that have already been expended for the current National Environmental Policy Act (NEPA) study and the costs associated with conducting a new NEPA study to identify an alternative location. In the interim, the existing congestion and safety concerns at the Chesapeake Bay Bridge would remain.

Finally, the Express Toll Lane (ETL) network on I-95 north of Baltimore. The current ETLs have been immensely successful. Two lanes were added in each direction at the I-95/I-895 junction in Baltimore City to just north of the White Marsh Boulevard MD 43 interchange. The I-95 ETL was opened to the public in December 2014. Since the opening of the ETL section, traffic operations and safety on this section of I-95 has improved greatly. This section of I-95 appeared on the 2014 Maryland State Highway Mobility Report as one of the top 30 congested highway segments, but it has not been on the top 30 list since the ETL opened. The ETL has improved customer service during both the AM and PM peak hours with a reduction in travel time and an increase in reliability for this section of I-95. While the ETLs add capacity through a series of video tolling gantries, all existing lanes remained free and traffic flow (speed of flow) in the free lanes increased significantly. The Maryland Transportation Authority announced on June 15, 2018 a \$1.1 billion project that will add two northbound express toll lanes in the center of the highway from just beyond current end point to just north of the Route 24 interchange in Abingdon, a distance of about 10 miles. Construction on the ETL northbound extension began in 2019. Public update meetings for the program were held on August 5 and 6 of 2019. The project is expected to be open to traffic by the end of 2023 to MD 152, with the full extension to north of MD 24 open to traffic by the end of 2026.

Senate Bill 229 would negatively impact one county's ability to address their transportation needs over an adjoining county's objection of that need. This unnecessarily pits one county against another and could potentially create an unfriendly and unwarranted environment. Passage of this legislation may also prevent regional transportation solutions, leaving growing localized congestion. Counties would be left on their own to deal with transportation issues within their borders if neighboring counties do not agree with proposed solutions.

The Maryland Department of Transportation respectfully requests the Committee grant Senate Bill 229 an unfavorable report.

Respectfully submitted,

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