
February 22, 2021

Budget and Taxation Committee
Miller Senate Office Building, 3 West
Annapolis, MD 21401

Finance Committee
Miller Senate Office Building, 3 East
Annapolis, MD 21401

**SB 843, I-495 and I-270 Public-Private Partnership – Partnership Agreement – Requirements
(Maryland Department of Transportation Promises Act of 2021) (Support)**

Testimony for February 24, 2021

Jane Lyons, Maryland Advocacy Manager

Chair Guzzone, Chair Kelley, Vice Chair Feldman, Vice Chair Rosapepe, and senators, thank you for the opportunity to provide testimony on SB 843, the Maryland Department of Transportation (MDOT) Promises Act of 2021. Please accept these comments on behalf of the Coalition for Smarter Growth, the leading organization in the D.C. region advocating for walkable, bikeable, inclusive, transit-oriented communities as the most sustainable and equitable way to grow and provide opportunities for all.

We urge you to support SB 843, which would hold state officials accountable to the promises they made to Marylanders regarding their proposal to expand the Capital Beltway (I-495) and I-270. This includes requirements that:

- at least 10 percent of the toll revenue remaining after construction costs be transferred to the impacted localities to fund transit projects;
- workers must be paid the prevailing wage;
- buses may use the express toll lanes without charge;
- the American Legion Bridge have separate pedestrian and bike lanes;
- prohibit MDOT from using state funds to acquire land prior to the Board of Public Works approval of the P3 agreement; and
- prohibit MDOT from awarding a contract unless the private concessionaire agrees to a community benefit agreement.

Thus far, MDOT has not provided any guarantee that it will see-through on these important project elements – one of the most critical being a provision to help fund transit projects. This can be contrasted with P3 transportation projects in other states, such as Virginia, where transit is guaranteed a certain amount of money per year, rather than after all \$11 billion has been paid back to the private concessionaire.

To be clear, the provisions in SB 843 are not enough to offset the negative impacts on the environment, neighborhoods, and social equity that will result from this proposed highway expansion. The promises laid out SB 843 are very limited concessions as part of an unpopular and unnecessary proposed highway expansion, but it is nonetheless important to hold MDOT accountable for the promises made to Maryland residents. P3 projects have historically evaded the level of scrutiny and accountability that public projects are required to meet, and this has come at a great cost to taxpayers.

For these reasons, we urge you to support SB 843. Thank you for your consideration.