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Testimony on SB 843
I-495 and I-270 Public-Private Partnership Agreement Requirements
(Maryland Department of Transportation Promises Act of 2021)
Budget & Taxation Committee

Position: Favorable

I offer this testimony in the context of my forty years of engineering experience in the private and federal sectors, including over two decades as advisor to the Inspector General, US Department of Transportation, and my pro bono service on the Montgomery County Transportation Policy Task Force from 2000 to 2002.

This bill would put into statute the promises that MDOT Secretary Slater made regarding the I-495 and I-270 expansion. Since the Governor announced his plans to expand these corridors, a number of promises were made that were later retracted. Some of the retracted promises include essential taxpayer protections, for example: that all reasonable alternatives to building the toll lanes would be fairly evaluated, that no taxpayer dollars will be used on the project, and that the project would not take any homes or businesses.

The bill specifies that the Board of Public Works may not approve a P3 agreement for the I-495 and I-270 P3 project unless the agreement contains the important promises that Secretary Slater made. Examples of the bill provisions that restore those promises follow:

- No funding from taxpayers will be used to subsidize the project
- A federally compliant final environmental impact statement will be delivered before MDOT asks the Board of Public Works to approve any contract
- Data used to estimate traffic congestion relief, set tolls and inform other matters will be shared with the local government planners.
- No homes will be purchased before construction contracts are approved
- The project concessionaire will be required to initiate a community benefits agreement

I urge the committee to report favorably on this important legislation.