
March 8, 2022

The Honorable Maggie McIntosh
Chair, House Appropriations Committee
121 House Office Building
Annapolis, MD 21401

Re: Letter of Information – House Bill 1055 – Transportation – Student Transportation – Transit Buses and Carpooling

Dear Chair McIntosh and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on House Bill 1055 but offers the following for the Committee’s information.

House Bill 1055 would require the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) to provide both tangible and digital transit passes to any middle and high school students in Baltimore City and would prohibit any restrictions on the passes. The MDOT MTA would also be required to allow any person who appears to be under the age of 22 to ride the bus without a pass and further requires the MDOT MTA bus operators to stop for pregnant individuals, mothers with young children, and students. The legislation also mandates the purchase of 100 new buses for the MDOT MTA’s fleet each year between FY23 and FY26, and a \$1 per hour wage increase for operators each year between FY23 and FY27. Finally, House Bill 1055 establishes a carpool incentive program administered by the MDOT.

Currently, the MDOT MTA provides free transit services to Baltimore City Public School System (BCPSS) students. The Student Smart Card allows students to take up to four trips per school day and may be used on regular school days only, Monday through Friday, from 5:00am to 8:00pm. Smart cards are not valid on weekends, BCPSS recognized holidays, or other days when schools are closed. Each trip allows students 120 minutes of unlimited transfers. This is a pass on the student ID, which is a blank white CharmCard specifically programmed for BCPSS and printed with Student ID information furnished by BCPSS. These services should not be construed as “school bus service” as this practice is in violation of federal regulations and is banned by the Federal Transit Administration (FTA).

Under House Bill 1055, the MDOT MTA would be prohibited from placing any restrictions on these passes, including those described above, and would be required to provide both physical and digital IDs to students. The MDOT MTA does not have access to a Baltimore City School database to determine eligibility and any access to such a database raises concerns regarding the sharing of a minors’ personally identifiable information (PII). The MDOT MTA does not have the equipment or resources to mass produce the high volume of photo identification cards required to support every student in Baltimore City.

House Bill 1055 also calls for the establishment of a carpool incentive program; however, the MDOT funds and partners with Commuter Connections, the transportation demand management organization which covers both the Washington and Baltimore regions. Additionally, there is currently a school carpool program in place called SchoolPool, which is a part of Commuter Connections' services. SchoolPool is an on-demand service to assist parents residing in the same neighborhoods to connect with each other to form carpools, walking, and biking groups to and from school. Commuter Connections manages a registration portal and database of participating schools and families.

The MDOT MTA has launched CharmPass, a mobile app for customers, that requires the user to have a smart phone to access a pass product through the app. Accounts in CharmPass do not incorporate photo identification or specify the school of enrollment to enforce ridership eligibility. It is important to note that the MDOT MTA would also have to provide these passes to any student in Baltimore City, not just those enrolled in Baltimore City Public schools. Providing these passes to other private school institutions in Baltimore City would require establishing individual contractual agreements with each institution.

House Bill 1055 also mandates that transit buses stop for pregnant individuals, mothers with young children, and individuals who appear under 22 years of age. It is not clear if this legislation intends for operators to stop at a designated bus stop, or if it would require an operator to stop along other areas of the route. All MDOT MTA bus operators are trained to stop at every bus stop where a patron is waiting and are trained to use discretion when identifying eligibility based on age. Further, MDOT MTA buses have capacity requirements, and it is unclear if an operator would be required to remove someone already on the bus to accommodate these additional riders if the bus is at full capacity. These requirements create safety, traffic, operational, and logistical challenges and may result in degradation to on-time performance.

House Bill 1055 requires the MDOT MTA to purchase an additional 100 buses for service in Baltimore City each year from 2023 to 2026, for a total of 400 additional buses. This represents more than a 50 percent increase in the MDOT MTA's core bus fleet and would require construction of at least two additional storage and maintenance facilities. Acquiring property and completing design, environmental review, permitting, and construction of new bus depots is, at minimum, a seven-year process. Without these facilities to accommodate the proposed increase in fleet size, it would be extremely challenging to store the buses, complete mandated preventive maintenance and inspections, daily washing, cleaning, and vaulting activities, and dispatch the fleet. Furthermore, the FTA mandates that transit agencies maintain a spare ratio of no more than 20 percent of the fleet size needed in peak service. As is standard in the industry, the MDOT MTA currently maintains a spare ratio close to the 20 percent limit. Additional buses added to the fleet, therefore, must be accompanied by a proportional increase in peak service to maintain compliance with this FTA mandate.

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The legislation also dictates that bus operators be given a \$1 per hour increase every year between FY 2023 and FY 2027. Wage rates for bus operators are subject to collective bargaining and establishes ATU Local 1300 as the bus operators' collective bargaining representative. Legislation that attempts to dictate wages interferes with both the State and the unions' ability to collectively bargain. Furthermore, the MDOT MTA's pay for bus operators is already among the highest in a group of comparable transit agencies. By legislating a set wage for bus operators, House Bill 1055 usurps the MDOT MTA's ability to engage in collective bargaining and conflicts with current law.

The Maryland Department of Transportation respectfully requests that the Committee consider this information while deliberating House Bill 1055.

Respectfully submitted,

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