

March 8, 2023

The Honorable Melony Griffith
Chair, Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis MD 21401

RE: Letter of Information – Senate Bill 682 – Chesapeake Bay Bridge - Safety Barriers

Dear Chair Griffith and Committee Members:

The Maryland Department of Transportation (MDOT) and the Maryland Transportation Authority (MDTA) take no position on Senate Bill 682 but offer the following information for the Committee’s consideration.

Senate Bill 682 requires the Maryland Transportation Authority (MDTA) to install and maintain safety barriers on the Chesapeake Bay Bridge. The term “safety barrier” is not defined in the legislation.

The MDTA is constantly evaluating options to enhance safety at not only the Bay Bridge, but at all facilities; in doing so, it is important to consider certain factors, such as structural feasibility and bridge design elements. Additionally, the MDTA Operations and Police staff are trained in providing safety and security support for all operations. The MDTA has previously investigated safety measures and has found that installing, maintaining, and replacing them along both east and westbound spans, which are subject to weather and wind elements, are not viable solutions. It should be noted that some safety barriers, due to the weight and engineering impacts, may pose other challenges that need to be considered. For example, the main channel spans for navigation already limit the air draft available, restricting certain vessel types that can traverse the Port of Baltimore, and additional weight on the bridge would result in further deflections of the channel spans and infringement on navigation.

The MDTA is an independent authority and receives no revenues from the State, thus Senate Bill 682 represents an unfunded mandate upon the toll revenues of the MDTA. Current law grants the MDTA jurisdiction over the State’s tolling facilities with the authority to finance, construct, acquire, and operate such facilities. In support of such responsibility, MDTA has the power to set tolls and issue debt independent from the State. MDTA has pledged all of its toll revenues under a Trust Agreement with bondholders. Under the Trust Agreement, MDTA has covenanted to set certain rates and meet certain financial standards.

Senate Bill 682 would increase MDTA’s expenses and may negatively impact MDTA’s ability to meet its financial obligations under the Trust Agreement. Similarly, legislatively imposed unfunded mandates may raise concerns from bondholders or the rating agencies as such actions

The Honorable Melony Griffith
Page Two

limit MDTA's right to exercise its discretion over the use of its revenues and operation of its facilities. Other toll agencies, such as the Miami-Dade County Expressway Authority, have experienced bond rating downgrades due to similar interventions. A downgrade of MDTA's credit would lead to lower credit worthiness as well as higher financing rates for capital projects.

The Maryland Department of Transportation and the Maryland Transportation Authority respectfully request the Committee consider this information when deliberating Senate Bill 682.

Respectfully submitted,

Bradley Ryon
Manager, Government Relations
Maryland Transportation Authority
410-387-5253

Pilar Helm
Director of Government Affairs
Maryland Department of Transportation
410-865-1090