

## **Opposition to HB 84 – Transportation – Major Highway Capacity Expansion Projects and Impact Assessments (Transportation and Climate Alignment Act of 2025)**

**Overview:** This legislation requires additional impact assessments for major highway expansion projects over \$5 million, mandating costly mitigation plans if emissions or vehicle miles traveled (VMT) increase. While MTBMA supports responsible project assessments, we believe this bill is redundant and could create unnecessary delays and drive up costs and block important infrastructure projects from moving forward. The added steps would not effectively reduce emissions, would complicate approvals, and are in direct conflict with Governor Moore's focus on economic growth. A strong transportation system is about balance, and this bill is exactly the opposite of balance. MTBMA's position: **OPPOSE** 

## **Major Concerns:**

- The bill is unnecessary and redundant, as there are already multiple processes in place with NEPA and the CTP to assess GHG and VMT impacts, and adding burdensome new steps to an already complex approval process will only hinder essential infrastructure investments
- States like CA that enacted similar requirements have struggled with increased project delays and cost escalation, raising fears that this is just a backdoor way to kill needed projects
- VMT is the wrong metric to use in assessing transportation projects, as increased VMT is also strongly correlated with job growth, increased prosperity, and reduced congestion, all of which are good things that more investment in infrastructure can deliver
- With rising fuel economy, the link between VMT growth and increased GHG emissions continues to weaken, and COG/TPB data show little added benefit from restricting VMT
- The bill adds \$1.5 million in direct new costs to the Transportation Trust Fund over the next five fiscal years to implement the assessments PLUS, as the fiscal note states, *"Total project costs for major highway expansion projects and major capital projects may increase significantly"* as a result of the required offset programs, and that could add BILLIONS more in project costs, making major capacity expansion projects simply unaffordable
- A strong transportation system is vital for economic success, and this bill could hinder that, contradicting the State's economic growth agenda

## FAQs:

- 1. How does this legislation impact the project approval process? By requiring additional, redundant assessments of VMT impacts and requiring costly mitigation plans to offset any increase, the bill severely limits Maryland's ability to deliver needed projects. The bill applies to all expansion projects over \$5M, a limit so low it will apply to virtually all expansion projects, and could cost Maryland taxpayers billions of dollars in inflated project costs and delays.
- 2. Should VMT reduction be a primary performance metric for evaluating projects? <u>No.</u> Increased VMT is closely correlated with economic prosperity, reduced congestion, and improved travel times, all of which are good things. The problem is, some highway projects that reduce congestion can also result in slight increases in VMT on the specific highway segments that have been improved, even as total VMT on surrounding roads in the corridor may be reduced or remain unchanged. This bill does not account for such nuances and would penalize major congestion-relief projects by requiring costly mitigation in all cases. The point is that VMT (or per capita

VMT) should never be used as a primary performance metric at the project level. We are better off using the metrics widely recognized by industry experts for assessing project-level impacts: Peak-period travel time savings, increased person-throughput, and percent of congested VMT. Those give us a far better idea of the effectiveness of a project than a highly ambiguous metric like VMT.

- 3. Is restricting VMT growth an effective way to reduce Green House Gas (GHG) emissions? <u>No.</u> First, emissions per mile rise sharply in heavily congested conditions, even as VMT is reduced. More importantly, rising fuel economy has weakened the link between VMT growth and increased GHG emissions. Regional COG Transportation Planning Board data show clearly that continuing to advance electric vehicle adoption is a far more effective emission-reduction strategy, and their modeling shows very little additional benefit from restricting highway construction to reduce VMT growth. They modeled a scenario with no new highway capacity and VMT still increased 13.5% by 2050, while in that same scenario congestion grew 28% compared to the current long-range plan. So why would we delay needed projects that reduce congestion for no appreciable gain?
- 4. Have other states tried this approach, and what have been the results? <u>Yes.</u> Some states including California have enacted similar legislation as part of a national effort by anti-road interest groups to delay and drive up the costs of major highway projects. The results have been more major projects tied up in red tape and not being delivered. It's not a model we should follow.
- 5. Does adding capacity to our highway network reduce congestion? <u>Yes.</u> Highway opponents often claim that when we add new highway capacity it just fills up with new traffic, due to so-called "induced demand" effects, but this simply is not true. Induced demand effects are often wildly overstated, and we successfully "build our way out of congestion" all the time. In fact, there are many examples right here in our region, where adding new highway capacity resulted in dramatic and lasting reductions in congestion delays. Examples include the highly successful MD 200 (ICC), the Woodrow Wilson Bridge replacement, Virginia's I-495 Express Lanes, and many more. In every case, lasting improvements were realized and congestion delays were significantly reduced.
- 6. Is this bill consistent with the mobility goals in the Maryland Transportation Plan (MTP)? <u>No.</u> The MTP is a long-term plan for 2050 and includes a goal to: *"Minimize travel delays and improve reliability and quality"* and a key strategy to: *"Address congestion and bottlenecks on nationally and regionally significant corridors to facilitate access to major employment, freight, and activity centers."* Because it would effectively block some projects that do the most to address congestion, it is not consistent with the MTP and would undermine our long-term goals.