

## Testimony by Beth Osborne, Director of Transportation for America

### Transportation Investment Priorities Act of 2025

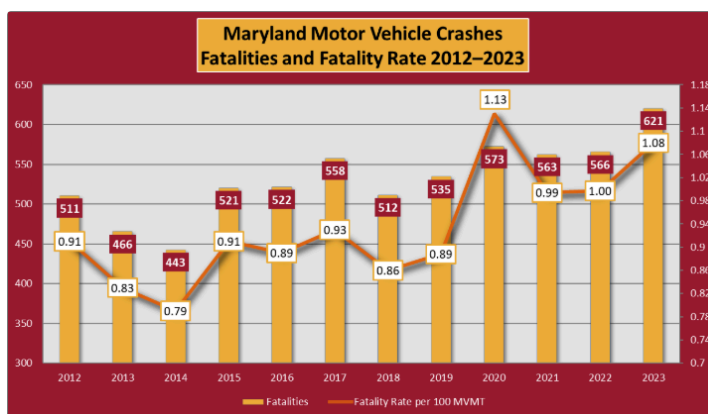
#### Hearing 1/29/2025 at 10:30 a.m.

Thank you for the opportunity to submit testimony about the Transportation Investment Priorities Act of 2025. With this approach, Maryland becomes a national leader in transportation. This legislation demands the state commit to delivering strong transportation outcomes to the people of Maryland.

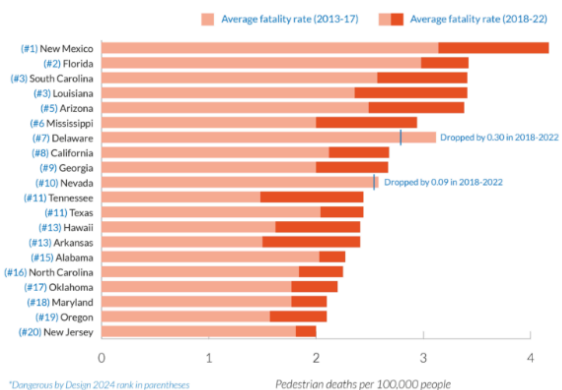
The tradition in the surface transportation program is one of bipartisan spending, somewhat evenly spread around for whatever project is next in line. With this approach, people are given promises of smoother commutes, safer roads, and repaired roads and bridges. While promises of better outcomes are made, no one checks to see if those promises were met and, if not, how the transportation agency could do better. In fact, the failure to reach promised objectives is often the excuse to put more funding into the same type of projects and programs that led to the poor results. The legislation before you would change that.

Transportation agencies promise their investments will produce safer roadways. But the United States is not doing well on transportation safety. The nation falls far behind all other developed nations by a good deal, surpassed only by Colombia and Costa Rica in the International Transport Forum.<sup>1</sup> In Maryland, roadway fatalities have gone from 511 and a rate of 0.91 fatalities per 100 MVMT to 621 fatalities and a rate of 1.08 fatalities per 100 MVMT in 2023.<sup>2</sup>

In terms of pedestrians, Maryland ranks 18th in the nation in terms of danger to pedestrians and is getting more dangerous.<sup>3</sup> In 2002, 24 percent of roadway fatalities were pedestrians (a much higher percentage than those who travel by walking), and 75 percent of those fatalities occurred on state roadways.



#### All but two of the top 20 are getting more deadly The most dangerous states are getting more deadly



<sup>1</sup> IRTAD Road Safety Annual Report 2024: <https://www.itf-oecd.org/road-safety-annual-report-2024>

<sup>2</sup> Zero Deaths Maryland: <https://zerodeathsmd.gov/resources/crashdata/>

<sup>3</sup> Dangerous by Design 2024: <https://smartgrowthamerica.org/dangerous-by-design/state-of-the-states/>

Many of the standards, procedures and tools departments of transportation (DOTs) use were originally developed for building Interstates and highways but today are applied to roadways of all kinds. The standard approach is designed to ensure that the maximum number of projected vehicles can move smoothly along the roadway at often inappropriately high speeds throughout its useful life (20 years or more). Anything that might interfere with that goal—narrowed lanes, more crossings, lower speed limits—require special procedures each time they are tried, even if they are necessary to improve safety. This is the case throughout the country. Interestingly, while this approach is meant to protect vehicle movements, it does not.

Departments of transportation promise that highway expansions will get traffic moving and

Urbanized area	Population growth	Freeway lane-miles growth	Growth in delay
Seattle, WA	40%	38%	154%
Memphis, TN	23%	74%	153%
Dallas, TX	67%	42%	152%
Wichita, KS	36%	61%	148%
Rochester, NY	17%	14%	147%
Tampa, FL	51%	108%	147%
Tulsa, OK	18%	66%	147%
Louisville, KY	36%	6%	146%
Baltimore, MD	24%	25%	145%
<b>TOTAL</b>	<b>32%</b>	<b>42%</b>	<b>144%</b>

have for over half a century. But after tens or hundreds of millions of dollars in spending and months of congestion caused by construction, things improve only for a little while. Then due to new travel and development encouraged by the expansion, traffic is worse than ever. Rinse and repeat. As a result, even though highway expansion kept up with population growth in the Baltimore area between 1993 and 2017, congestion increased 144 percent.<sup>4</sup> Similar results were found in all of the largest 100 metro areas, with congestion getting worse in areas with falling populations.

Clearly highway capacity is not the only problem, but that is what our tools and procedures tell us. Transportation agencies across the country are working with old tools and are not expected to check their work. We need to better project the results of investments and check to see what actually happens.

In this way, the Transportation Investment Priorities Act of 2025 would put Maryland in the lead for better accountability and results. Under this Act, Maryland would clearly state to its public statewide priorities and align its transportation spending with them:

- safety;
- accessibility & mobility;
- climate change & the environment;
- social equity;
- economic competitiveness; and
- sustainable land use/demand management.

It is not only that Maryland would be prioritizing the transportation projects that do the most to further those state priorities. Under this bill, Maryland is quantifying the sort of outcomes that most in the transportation industry dismiss as too difficult to measure and, as a result, make a lower priority. Those include outcomes that are fundamental to transportation, like getting people to jobs, but have never been projected or measured. Outcomes that improve the economy for everyone, such as increasing the productivity of land that support the

<sup>4</sup> Congestion Con: <https://t4america.org/wp-content/uploads/2020/03/Congestion-Report-2020-FINAL.pdf>

transportation project and jobs access to disadvantaged communities. And outcomes that address the future of the state and the communities we leave to our children, like reducing emissions that impact the climate and public health.

This is what it means to be a leader: to try things before anyone else and to figure out how to accomplish new things so that others can follow. With the Transportation Investment Priorities Act, Maryland would move beyond the 1950s era approach to transportation performance management and lead the way in moving the performance of its investments and its transportation system towards the goals set for 2050.

Maryland DOT will also benefit. Through this Act, the DOT will show Marylanders clearly why the department prioritized the projects they are building and what people can expect from those investments. This may seem minor, but people are losing faith with governmental programs and promises and a trust funded program that is 1) unaccountable and 2) out of money is likely to lose that faith first. Under this program, Maryland DOT would not only measure projects by their impact on priority outcomes, but make the full prioritization procedure and the results public.

Before I came to Transportation for America, I spent five years (2009-2014) at the U.S. Department of Transportation (USDOT) serving as Deputy Assistant Secretary before being elevated to Acting Assistant Secretary. In those roles, I ran what was then known as the TIGER Discretionary Grant Program, later called BUILD and RAISE—a first of its kind competitive program where any governmental entity could seek funding directly from USDOT for any kind of surface transportation project, whether highway, transit, rail or active transportation (in fact, we preferred projects that did something for all modes). At first, people struggled to understand what we were doing. One applicant submitted over 60 applications for different portions of a highway expansion, none of which stood on their own nor made much sense in a competitive program.

In fairness, this was very different from what USDOT normally did. We set five priorities<sup>5</sup>: improve safety, state of repair, economic competitiveness, livability and environmental sustainability. USDOT received over 1500 applications in the first round of funding availability. We funded a little over 50. This trend repeated in subsequent rounds of the program. It was my job to explain to anyone who did not receive funding who wanted an explanation why they were unsuccessful and what they needed to do to increase their chance for funding in the following year. Over my time at USDOT, I sat for hundreds of these debriefings and helped people see how to tie their priorities to priority outcomes, seeing many come back the next round and win.

While saying “no” to almost everyone who applied for TIGER funding, it became the most popular program in the federal government, sometimes crashing Grants.gov due to the unusually high level of demand for those funds.

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<sup>5</sup> For the record, I believe 3-5 criteria/priorities to be ideal because most people cannot remember more than five priorities and, beyond 5, each criteria impacts the results less and less.

How could this be? So few successful applicants and so much popular demand for the program to continue? The answer is simple. People appreciated hearing a clear, outcome-based reason for how we chose projects. They not only understood why their project did not get chosen but how they could improve their project to get it funded. The process was clear and predictable. It wasn't about politics or power—it was about aligning their project with at least three of the priorities we explained in the program funding notice.

That is the kind of faith in Maryland DOT's decisionmaking the Assembly would be setting up by passing the Transportation Investment Priorities Act. It would allow state legislators to better support their constituents in developing great project ideas and explain how the funding they appropriated was being used.

Additionally, this legislation requires Maryland DOT to publish an annual Attainment Report, reporting on progress made in the priority areas. This is extremely important. Not only should a government agency do its best to project the benefits of investments and ensure those benefits are aligned with statewide priorities, but they should also check their work to ensure that the taxpayers got what was promised. Where projections are off, the state DOT should be honest about it and explain how they are going to improve the way they determine benefits. This way, not only would Maryland be leading the country in how they measure the performance of their transportation projects and system, but Maryland would also be setting itself up to continue to lead by discovering when and how current assumptions are off and finding more accurate and dependable data and models to use.

It is exciting to see the Maryland Assembly considering such an important piece of legislation. In my experience, holding our own agency accountable produces confidence, more support and better outcomes faster than one might expect. Transportation for America strongly supports the Transportation Investment Priorities Act and hopes the Assembly adopts it soon and puts Maryland DOT where it should be—leading the nation forward.