



March 23, 2026

The Honorable, Guy Guzzone, Chair  
 Senate Budget and Taxation Committee  
 Miller Senate Office Building, 3 West  
 Annapolis, Maryland 21401

**Unfavorable – HB 437 – Transportation Climate Alignment Act**

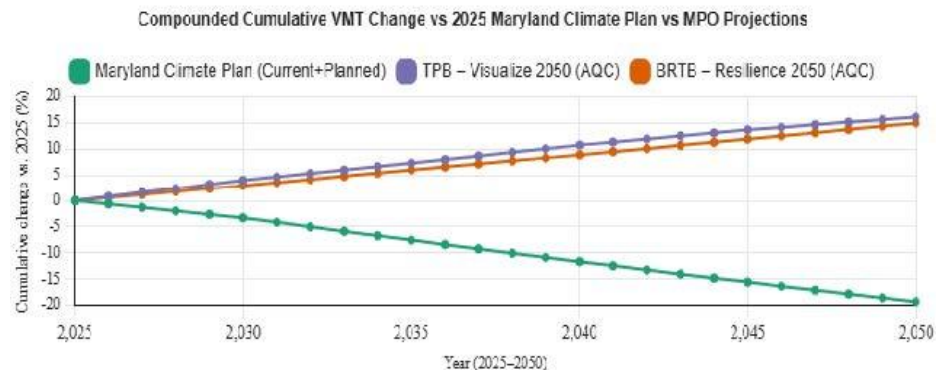
Dear Chair, Guzzone, and Committee Members:

The NAIOP Maryland Chapters represent approximately seven hundred companies involved in all aspects of commercial, industrial, and mixed-use real estate. On behalf of our member companies, I am writing to recommend your unfavorable report on HB 437 which would require (1) highway expansion projects to achieve net-zero or negative GHG emissions by offsetting vehicle emissions through expanded use of multimodal infrastructure such as bicycle lanes, pedestrian walkways, and transit service, and (2) require MDOT to align spending in the Consolidated Transportation Program (CTP) with the modeling assumption in the state’s Climate Pollution Reduction Plan.

**Rationale for NAIOP’s Opposition**

- **Approval of important highway projects would be contingent on massive and expensive transportation mode switching** sufficient to achieve “net-zero or negative” GHG emissions. Accomplishing net zero emissions for a large highway project would require massive and sustained shifts in miles traveled from automobiles to bicycles, pedestrian, and transit. The investment in infrastructure necessary to support the mode switch would be extraordinarily expensive with no assurance that the public would be willing or able to shift modes of transportation to utilize the new facilities. This is a hard constraint, not a planning principle. The result will be that projects that cannot reach net-zero will not be built.
- **The bill may apply to more than 26 essential highway projects including top projects in the 2025 Priority Letters** for Baltimore, Howard, Prince George’s, and Anne Arundel County’s. Attached is a list of major highway projects that are likely subject to the provisions of HB 437. The list includes the MD 210 corridor interchanges in Prince George’s County, seven projects in Anne Arundel County, six in Howard County, and Baltimore County’s two top priorities – Dolfield Road Interchange and the I-695 Broening Highway Interchange. The project list has been submitted to MDOT to confirm the project eligibility for the exemptions in the bill. Please see [MDOT’s dashboard for the Priority Letters in each county](#).
- **HB 437 binds transportation spending and project selection to modeling assumptions in the Climate Reduction Plan** that, with the passage of time and recent events, are becoming outdated and out of reach. These assumptions would have an outsized influence over the future project mix and implementation of the CTP.

As illustrated in the graph to the right, beginning in 2025 there are wide gaps between the VMT assumptions in the climate model and those in the transportation plans of the MPO’s. Maryland’s climate modeling assumes reductions in VMT between 2025



and 2050. The forecasts of Baltimore Regional Transportation Board and The National Capital Region Transportation Planning Board anticipate increased VMT over the same time period. MDOT's Climate Plan indicates that reconciling MPO VMT to the Climate Plan VMT will require conversion of 4.725 billion miles of automobile trips to other modes by 2031. This gap is more than 15 times the ~297 million passenger miles per year provided by the Maryland Mass Transit Administration. The gap between the forecasts continues to grow every year and would require a ~45% reduction in VMT by 2050.

- **HB 437 has none of the local land use upzoning requirements that makes the Colorado law** work and that state does not impose a project specific net-zero requirement or require concurrent funding. Proponents assert HB 437 is similar to Colorado legislation that shifted transportation spending into five new Bus Rapid Transit Corridors. Colorado's transportation law is fundamentally different in structure, scope, intent, and feasibility. Colorado's statewide transportation rules are planning-based. The primary policy lever to mode switch is a requirement that local governments in Colorado enact high density upzoning near transit. Transit Oriented Communities must include at least seventy-five acres of transit area that permits development at a baseline average density of forty units per acre. This level of density supports frequent transit service and creates walkable communities. Density is the key to mixed use neighborhoods, achieving multimodal goals and reducing emissions from the transportation sector. That element is missing in HB 437. Other Transit Oriented Development bills being considered during this General Assembly session do not specify upzoning density or cover the size of areas necessary to mode switch as required by HB 437.
- **Colorado Does Not Tie Highway Project Approvals to Funding Multimodal Offsets** – HB 437 requires that MDOT fully fund multimodal offsets either before or concurrent with highway construction or defer the highway project. Colorado required counties and MPOs to upzone transportation corridors and adopted enforcement mechanisms for local zoning compliance but nothing comparable to the no-offsets-no-project veto over transportation capacity proposed in HB 437.

NAIOP believes Maryland should continue the managed expansion of multimodal transportation infrastructure and climate-conscious planning with an emphasis on integrated land use decision making. From our point of view, HB 437 does not have an essential land use connection, would codify spending requirements that will misuse public funds, contains preconditions that threaten cancellation of important road construction projects and ties future spending to dated climate plan modeling assumptions that clearly cannot be met on the timetable assumed when the plan was developed.

**For these reasons, NAIOP respectfully requests your unfavorable report on HB 437.**

Sincerely,



Tom Ballentine, Vice President for Policy

NAIOP – Maryland Chapters, *The Association for Commercial Real Estate*

cc: Budget and Taxation Committee Members  
Nick Manis – Manis, Canning Assoc.

**Road Projects potentially subject to SB 59** - SB 59 likely applies to 26 large highway projects.

Below is a preliminary county-by-county review of major highway capacity-expansion projects that could be subject to SB 59's project-level impact assessment and multimodal offset requirements.

SB 59 applies to projects  $\geq$  \$100M except those that, on or before June 30, 2026, meets any one of these conditions:

1. STIP: "was a part of the Statewide Transportation Improvement Program that received funding for construction"
2. CTP: "was funded for construction in the Consolidated Transportation Program"
3. NEPA: "completed the environmental review process under [NEPA]"

**Western Maryland**

**Garrett County**

- US 219 Corridor (remaining 8 miles build toward PA line) — \$77M funding commitments reported in November of 2022 for completion of MD's portion; multi-mile upgrade strongly suggests  $\geq$  \$100M when packaged for construction – funded - SB 59 likely does not apply.

**Frederick County**

- US 15/US 40 (I-70  $\rightarrow$  MD 26) inside widening + structures — ~\$156M - design underway; SB 59 likely does not apply.

**Capital Region (TPB – suburban MD)**

**Montgomery County**

- No SHA major widenings  $\geq$  \$100M are currently advancing in the CTP; I-270 ICM (ramp metering/ops) is not a capacity expansion. Future I-270 managed lanes concepts would likely exceed \$100M if revived.

**Prince George's County**

- MD 210 corridor, future interchanges (Palmer Rd/Livingston Rd; Old Fort Rd; etc.) — multiple major grade-separations anticipated; design underway for next location; construction not yet funded. Each would likely be  $\geq$  \$100M when advanced  $\rightarrow$  SB 59 likely applies.

(Historic reference: Kerby Hill/Livingston interchange, built earlier, cost \$82–\$115M; future nodes expected to be comparable or larger.)

## Southern Maryland (Calvert, Charles, St. Mary's)

### **Calvert & St. Mary's Counties (C-SMMPO)**

- MD 4 corridor + Governor Thomas Johnson Bridge replacement (MD 4/MD 235 interchange + 4-lane bridge) — top regional capacity priority; past planning ranges suggest \$600M–\$700M+ for a full replacement span; SB 59 would likely apply as the project advances.

### **Charles County**

- MD 5 corridor upgrades (Waldorf/SoMd) — long-standing priority corridor; elements advancing as complete streets and intersection projects. Could this exceed ≥ \$100M once scoped/funded. Would SB 59 apply?

## Central Maryland (BRTB area — Resilience 2050)

### **Anne Arundel County**

- MD 198 (MD 295 → MD 32) — \$275M widen 2→4 with median + bike/ped. SB 59 likely applies.
- I-97 (MD 32 → US 50/301) — \$450M widen 4→6 (managed/HOV). SB 59 likely applies.
- MD 2 (US 50 → MD 100) — \$205M widen 4→6; intersections/bike/ped. SB 59 likely applies.
- MD 214 (MD 424 → Shoreham Beach Rd) — \$236M widen 2→4; bike/ped. SB 59 likely applies.
- MD 175 (Reece Rd → MD 170) — \$277M widen 4→6; interchange/bike/ped. SB 59 likely applies.
- MD 177 (MD 2 → Lake Shore Dr) — \$223M widen 2→4. SB 59 likely applies.
- MD 295 (MD 100 → I-195) — \$393M widen 4→6 + new Hanover Rd interchange. SB 59 likely applies.

### **Baltimore County**

- I-695 @ Broening Hwy Interchange — \$147M partial interchange to serve Sparrows Point. SB 59 likely applies.
- I-795 (Owings Mills Blvd → Franklin Blvd) w/ Dolfield full interchange — \$155M widen 4→6 + new interchange. SB 59 likely applies.

## Baltimore City

- No new highway capacity expansions  $\geq$  \$100M in the LRTP; the big investments are system preservation/complete streets (e.g., US 40 deconstruction, Hanover/Potee corridor). (SB 59's project-level rule wouldn't apply to these.)

## Carroll County

- MD 97 (Bachmans Valley Rd  $\rightarrow$  MD 140) — \$202M widen + new interchange. SB 59 likely applies.
- MD 140 (Market St  $\rightarrow$  Sullivan Rd) — \$474M widen 6 $\rightarrow$ 8 + interchange/CFIs. SB 59 likely applies.
- MD 26 (MD 32  $\rightarrow$  Liberty Reservoir) — \$120M widen 4 $\rightarrow$ 6. SB 59 likely applies.

## Harford County

- MD 543 (MD 136  $\rightarrow$  I-95) — \$140M widen 2 $\rightarrow$ 4 + interchange upgrades. SB 59 likely applies. [
- MD 152 (US 1  $\rightarrow$  I-95) — \$103M capacity + bike/ped. SB 59 likely applies.
- MD 22 (MD 543  $\rightarrow$  I-95) — \$221M widen + HOV and transit priority. SB 59 likely applies.
- MD 24 (US 1 Bypass  $\rightarrow$  south of Singer Rd) — \$128M widen 4 $\rightarrow$ 6. SB 59 likely applies.
- MD 24 @ Singer Rd Interchange — \$182M grade-separation. SB 59 likely applies.
- US 1 (MD 152  $\rightarrow$  MD 147/US 1 Bus) — \$212M widen 4 $\rightarrow$ 6. SB 59 likely applies.
- US 1 Bypass (MD 147/US 1 Bus  $\rightarrow$  Hickory Bypass) — \$354M widen 2 $\rightarrow$ 4 + interchange work. SB 59 likely applies.

## Howard County

- MD 175/MD 108 (grade-separation) — \$102M. SB 59 likely applies.
- US 29 NB (Patuxent River Bridge  $\rightarrow$  Seneca Dr) — \$103M. SB 59 likely applies.
- MD 175 @ I-95 Interchange — \$196M. SB 59 likely applies.
- US 1 (Baltimore Co Line  $\rightarrow$  MD 175) — \$205M. SB 59 likely applies.
- US 1 @ MD 175 SPU — \$184M. SB 59 likely applies.
- US 1 Revitalization (MD 175  $\rightarrow$  Whiskey Bottom Rd) — \$166M. SB 59 likely applies.

## **Queen Anne's County**

- MD 18 (Kent Narrows Bay Bridge) — \$114M widen 2→4 + bike/ped/intersections. Does toll funded exemption apply?

## **Eastern Shore (other MPOs/counties)**

### **Cecil County (WILMAPCO)**

- No specific SHA ≥ \$100M highway expansion in CTP; could future US 40/I-95 area capacity packages exceed \$100M?

### **Kent, Caroline, Talbot, Dorchester**

- No active SHA ≥ \$100M highway expansion in CTP; programs skew toward preservation/spot/intersection work in current cycles.

### **Wicomico (S/WMPO)**

- No SHA ≥ \$100M expansion currently in the LRTP/TIP (focus on smaller resurfacing/bridge/complete streets).

### **Worcester**

- US 50 Ocean Gateway corridor improvements are in the CTP Project List under development; large, multi-segment packages - could these exceed ≥ \$100M when advanced?