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Aruna Miller
Lieutenant Governor
Kathryn Thomson
Acting Secretary

March 11, 2026

The Honorable Melissa Wells
Chair, Government, Labor, and Elections Committee
145 Lowe House Office Building
Annapolis, MD 21401

RE: Letter of Opposition – House Bill 1570 – State Government - Governmental Procedures - Development and Review of Standards

Dear Chair Wells and Committee Members:

The Maryland Department of Transportation (MDOT) respectfully opposes House Bill 1570 as it presents serious fiscal and operational impacts to the Department's ability to maintain a safe and efficient transportation network.

Generally, HB 1570 establishes requirements for standards developed by units of State government and requires the periodic review of those standards adopted by the units.

While Maryland continues to make strides in integrating artificial intelligence and machine learning, the bill creates an overly rigid and technically precarious requirement to run every internal and external standard through an algorithmic model. This mandate persists even when traditional peer-reviewed science, engineering standards, and established safety protocols are already sufficient and legally required. By forcing these decisions into an automated framework, the bill erodes the essential authority of accountable State decision-makers and creates a direct conflict with Transportation Article, § 2-102(b)(2), which charges the Secretary of Transportation with operational responsibility and the authority to establish, reorganize, or abolish procedures within the Department to ensure public safety and efficiency.

A primary concern for the Department is the risk HB 1570 poses to federal compliance and critical infrastructure funding. The State Highway Administration (SHA) and the Maryland Transportation Authority (MDTA) rely on standards dictated by the Federal Highway Administration (FHWA) or developed collaboratively through AASHTO. Compliance with HB 1570's may not be possible where federal standards are mandated, such as with National Bridge Inspection Standards. Any deviation from or delay in adopting these federal requirements could jeopardize hundreds of millions of dollars in federal transportation aid.

The mandate to utilize "decision-support algorithms" under Section (B)(7) also introduces significant legal and technical liability. Many sophisticated algorithms are proprietary "black boxes," meaning the Department may be legally unable to disclose the underlying logic of a

third-party software's conclusion, thereby undermining the bill's own goal of transparency. Shifting decision-making from licensed, accountable engineers to automated systems creates a dangerous liability vacuum - if an algorithm-approved safety standard fails, the legal and financial exposure to the State would be unprecedented. This risk is compounded by the bill's lack of an emergency process waiver. In the event of an infrastructure crisis or natural disaster, MDOT must be able to update standards instantly rather than consulting an algorithmic or third-party review process.

MDOT is concerned that the fiscal and operational complexities introduced by HB 1570 may inadvertently hinder the very efficiency and transparency the bill seeks to promote. Because the current language does not distinguish between minor internal updates and major regulatory changes, there is a significant risk of administrative delays that could impact daily operations. Furthermore, the mandatory reliance on outside consultants and unproven algorithmic models presents an unfunded fiscal challenge that could redirect essential resources away from our core mission of maintaining safe and reliable infrastructure. While we share the sponsor's goal of fostering a data-driven government, MDOT believes that preserving the expertise of our accountable professional engineers and maintaining our alignment with federal safety standards is the most sustainable path forward.

The Maryland Department of Transportation respectfully requests that the committee consider this information during its deliberations and grant House Bill 1570 an unfavorable vote.

Respectfully,

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