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MAYOR

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SB 0258

January 29, 2026

TO: Members of the Judicial Proceedings Committee
FROM: Nina Themelis, Director of Mayor's Office of Government Relations
RE: Senate Bill 0258 – Real Property - Dedication - Roads

POSITION: LETTER OF CONCERN

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **has concerns** with Senate Bill (SB) 0258.

SB 0258 outlines rules regarding the access, ownership, and maintenance of private roadways. It establishes that a private road which has been open to public travel for 20 years or more is considered offered for dedication for public use. Subsequently, the Bill would require the State or a jurisdiction which conducts or has conducted regular maintenance or repairs on said private road to accept its dedication for public use. In practice, jurisdictions would be required to take ownership of private roadways which are not access-restricted, provided that there are recorded instances of them performing maintenance on these roadways.

Baltimore City has worked with communities which own private roadways to perform basic maintenance and, on occasion, resurfacing of these roads. This is atypical and is generally reserved for communities which cannot afford to bring privately owned infrastructure to safe operating conditions. Requiring the City to take ownership of these roads, many of which are in poor condition, would further expand the City's already extensive deferred maintenance burden.

The potential for these involuntary roadway acquisitions raises several concerns. The issues of private utility ownership, Complete Streets and Code compliance, and other compliance concerns would need to be addressed on a case-by-case basis. Additionally, the legislation would conflict, wholly or in part, with Article 26, Subtitle 4 (Paving of Private Streets) and Article 26, Subtitle 31 (Dedicated Streets) of the City Code, disrupting the regular processes for the transfer of rights of way.

For the above stated reasons, the BCA respectfully requests review of the above concerns when considering SB 0258.