

SENATE BILL 880

R2

2lr1328
CF HB 656

By: **Senators Waldstreicher, Jackson, Smith, and Young**

Introduced and read first time: February 7, 2022

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Safe Access for All (SAFE) Roads Act of 2022**

3 FOR the purpose of requiring the Department of Transportation, under certain
4 circumstances, to recommend and implement certain design elements when
5 developing certain projects; requiring the Department to implement certain safety
6 improvements for certain projects; requiring the State Highway Administration to
7 conduct a certain analysis and study; requiring the Governor, for certain fiscal years,
8 to include in the annual budget bill certain appropriations for certain purposes; and
9 generally relating to pedestrian and bicycle rider safety.

10 BY adding to

11 Article – Transportation

12 Section 2–103.1(c–1) and 2–609

13 Annotated Code of Maryland

14 (2020 Replacement Volume and 2021 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Transportation**

18 2–103.1.

19 **(C–1) (1) THE DEPARTMENT, IN DEVELOPING ANY CONSTRUCTION OR**
20 **IMPROVEMENT PROJECT, OR POSTCONSTRUCTION PROJECT, PRESERVATION, OR**
21 **MAINTENANCE, SHALL RECOMMEND AND IMPLEMENT CONTEXT–DRIVEN DESIGN**
22 **ELEMENTS FOR PEDESTRIAN AND BICYCLE SAFETY CONSISTENT WITH:**

23 **(I) THE U.S. DEPARTMENT OF TRANSPORTATION FEDERAL**
24 **HIGHWAY ADMINISTRATION PROVEN SAFETY COUNTERMEASURES; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(II) THE STATE HIGHWAY ADMINISTRATION'S CONTEXT**
2 **DRIVEN GUIDE AND ASSOCIATED STRATEGIES.**

3 **(2) IF A NEW CONSTRUCTION OR IMPROVEMENT PROJECT IS**
4 **PROJECTED TO TAKE MORE THAN 12 MONTHS TO COMPLETE, THE DEPARTMENT**
5 **SHALL IMPLEMENT ALL POSSIBLE INCREMENTAL, NEAR-TERM SAFETY**
6 **IMPROVEMENTS IMMEDIATELY WHILE MAINTAINING EACH PROJECT'S PRIORITY**
7 **RANKING.**

8 **2-609.**

9 **(A) TO IMPROVE PEDESTRIAN AND BICYCLE RIDER SAFETY IN THE STATE,**
10 **THE STATE HIGHWAY ADMINISTRATION SHALL:**

11 **(1) CONDUCT AN ANALYSIS OF SITES, CORRIDORS, AND**
12 **INTERSECTIONS ACROSS THE STATE WITH PEDESTRIAN AND BICYCLE RIDER**
13 **CRASHES, FATALITIES, AND SIGNIFICANT INJURIES;**

14 **(2) CONDUCT A FULL STUDY OF ROAD CHARACTERISTICS THAT:**

15 **(I) DETERMINES WHICH FACTORS CREATE A PUBLIC SAFETY**
16 **RISK OR DANGER TO VULNERABLE ROAD USERS SUCH AS PEDESTRIANS AND**
17 **CYCLISTS;**

18 **(II) INCLUDES A NETWORK ANALYSIS THAT EXAMINES**
19 **VULNERABLE ROAD USERS' ORIGINS AND DESTINATIONS TO DETERMINE HIGH-RISK**
20 **AREAS WHERE ACCIDENTS COULD OCCUR;**

21 **(III) EXAMINES GAPS IN EXISTING SAFE INFRASTRUCTURE FOR**
22 **VULNERABLE ROAD USERS SUCH AS SHARED-USE PATHS, SIDEWALKS, BIKE**
23 **LANES, AND HIGH-RISK ROADWAY CROSSINGS;**

24 **(IV) RECOMMENDS ENGINEERING AND SAFETY IMPROVEMENTS**
25 **DESIGNED TO ELIMINATE PEDESTRIAN AND BICYCLE RIDER INJURIES AND**
26 **FATALITIES;**

27 **(V) DEVELOPS A BUDGET ESTIMATE AND TIMELINE FOR THE**
28 **IMPLEMENTATION OF EACH ENGINEERING AND SAFETY IMPROVEMENT; AND**

29 **(VI) IMPLEMENTS EACH ENGINEERING AND SAFETY**
30 **IMPROVEMENT;**

1 **(3) ENSURE THAT ALL ENGINEERING AND SAFETY IMPROVEMENTS**
2 **ARE CONSISTENT WITH THE VISION ZERO PROGRAM ESTABLISHED UNDER TITLE 8,**
3 **SUBTITLE 10 OF THIS ARTICLE AND THE IMPLEMENTATION STRATEGIES DESCRIBED**
4 **IN § 8-1005 OF THIS ARTICLE; AND**

5 **(4) CONSULT REGULARLY WITH THE BICYCLE AND PEDESTRIAN**
6 **ADVISORY COMMITTEE ESTABLISHED UNDER § 2-606 OF THIS SUBTITLE.**

7 **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR FISCAL**
8 **YEARS 2024 THROUGH 2028, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL**
9 **BUDGET BILL AN APPROPRIATION FOR THE STATE HIGHWAY ADMINISTRATION'S**
10 **SAFETY, CONGESTION RELIEF, HIGHWAY AND BRIDGES SYSTEM PRESERVATION**
11 **MINOR PROJECTS PROGRAM FOR THE FOLLOWING PURPOSES AND IN AT LEAST THE**
12 **FOLLOWING AMOUNTS:**

13 **(I) ADA RETROFIT – \$9,000,000;**

14 **(II) BICYCLE RETROFIT – \$10,000,000;**

15 **(III) SAFETY AND SPOT IMPROVEMENT – \$80,000,000;**

16 **(IV) SIDEWALK PROGRAM – \$10,000,000; AND**

17 **(V) TRAFFIC MANAGEMENT – \$60,000,000.**

18 **(2) FOR FISCAL YEARS 2025 THROUGH 2028, THE AMOUNTS**
19 **REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE INCREASED BY**
20 **10% EACH YEAR.**

21 **(C) ON OR BEFORE OCTOBER 1, 2022, THE STATE HIGHWAY**
22 **ADMINISTRATION SHALL REPORT ON:**

23 **(1) THE NUMBER OF OPEN STAFF POSITIONS IN THE STATE HIGHWAY**
24 **ADMINISTRATION BY TITLE AND DEPARTMENT AND THE EXTENT TO WHICH THESE**
25 **OPEN POSITIONS SLOW DOWN THE PROCESS OF IMPLEMENTING SAFETY**
26 **IMPROVEMENTS ONCE IMPROVEMENTS HAVE BEEN IDENTIFIED; AND**

27 **(2) INFORMATION ABOUT EMPLOYEES THAT PERFORM DIRECT**
28 **LABOR ON HIGHWAY AND ROAD SAFETY AND IMPROVEMENT PROJECTS FOR THE**
29 **STATE HIGHWAY ADMINISTRATION, INCLUDING THE FOLLOWING:**

30 **(I) WAGE, BENEFIT, AND COMPENSATION LEVELS;**

1 **(II) OPEN POSITIONS BY TITLE AND DEPARTMENT;**

2 **(III) TURNOVER RATES; AND**

3 **(IV) AN EXAMINATION OF HOW TURNOVER RATES AND OPEN**
4 **POSITIONS AFFECT HOW QUICKLY SAFETY IMPROVEMENTS CAN BE IMPLEMENTED.**

5 **(D) ON OR BEFORE JULY 1, 2023, AND JULY 1 EACH YEAR THEREAFTER,**
6 **THE STATE HIGHWAY ADMINISTRATION SHALL REPORT TO THE GOVERNOR AND, IN**
7 **ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL**
8 **ASSEMBLY ON THE FINDINGS OF AND IMPLEMENTATION OF SUBSECTION (A)(1) AND**
9 **(2) OF THIS SECTION.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
11 Assembly that the Maryland Department of Transportation maximize applications for and
12 access to federal funding that is or may become available for infrastructure for pedestrian
13 and bicycle safety.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
15 1, 2022.