

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 73

(Delegate R. Lewis)

Environment and Transportation

Judicial Proceedings

Baltimore City – Complete Streets and Safe Routes to School Programs –
Funding

This bill expressly authorizes Baltimore City to use any fines collected by Baltimore City as a result of violations from specified automated enforcement systems to be used to administer the systems. Any remaining funds must be used for (1) infrastructure and non-infrastructure activities eligible for funding under the State Highway Administration (SHA) Safe Routes to School Program, as specified and (2) public safety or transportation infrastructure improvements consistent with the purpose and goals of the State Complete Streets Program and the city’s Complete Streets Transportation System. The bill also requires the Maryland Department of Transportation (MDOT) to send its annual Complete Streets Program report to the Baltimore City Delegation.

Fiscal Summary

State Effect: The bill’s requirements can be handled using existing budgeted resources. Revenues are not affected.

Local Effect: The bill is not anticipated to materially affect Baltimore City operations or finances, as discussed below.

Small Business Effect: Minimal.

Analysis

Bill Summary: Baltimore City may recover the costs of implementing and administering fines collected by the city as a result of violations enforced by a traffic control signal monitoring system, a speed monitoring system not on Interstate 83 (I-83) (however, any

speed monitoring system is included upon the termination of Chapter 628 of 2021, as discussed below), a school bus monitoring camera, or a vehicle height monitoring system. The requirements for use of any remaining balance in Baltimore City are modified or repealed in favor of the more specific uses delineated in the bill. Use of any remaining funds on activities under the Safe Routes to School Program must be jointly agreed on by Baltimore City Public Schools and the Baltimore City Department of Transportation.

Current Law:

Complete Streets Program

Chapters 721 and 722 of 2018 established the Complete Streets Program as a competitive matching local grant program within MDOT. The Acts did not mandate a specific appropriation for the program; instead, the Acts required that funding be as provided by the Governor in the State budget. Under the program, a local government that develops a complete streets policy and is certified by MDOT may apply for matching grants to finance the design and planning of eligible projects. The stated purpose of the program is to encourage local governments to, among other things, adopt and utilize complete streets design elements in transportation projects. The stated goals of the program include, among other things, improving safety, reducing traffic congestion, promoting healthy communities, and providing health food and other alternatives, especially in food deserts (added by Chapters 571 and 572 of 2019).

Once certified by MDOT, a local government may apply for matching grants from the program. Grant funds may only be used for costs associated with the implementation of the complete streets policy, as specified, and the design and planning of eligible projects, which are specified projects that include the addition of or significant repair to facilities that provide access for users of multiple modes of transportation. Chapters 721 and 722 also established a workgroup to assist MDOT in developing and reviewing the regulations required to implement the program.

By December 31 of each year, MDOT must report to specified committees of the General Assembly on the status of any grant projects funded by the program and include a discussion of whether there is a need to reevaluate the program to ensure it is meeting its goals. The report must be made available on MDOT's website.

Baltimore City – Complete Streets Transportation System

Baltimore City's version of the [Complete Streets Program](#) broadly requires the Baltimore City Department of Transportation to construct a transportation system that enables access, mobility, economic development, attractive public spaces, health, and well-being for all people. The system must be designed and operated in ways that ensure

the safety, security, comfort, access, and convenience of all users of the streets, including pedestrians, bicyclists, public transit users, emergency responders, transporters of commercial goods, motor vehicles, and freight providers.

Safe Routes to School Program

SHA administers the [Safe Routes to School Program](#), which is a federal-funded, reimbursement program. Eligible sponsors (which may include community members and government entities) may apply for funding through the program to support infrastructure and non-infrastructure activities that encourage children to safely walk, bicycle, or roll to school. Federal funds allocated to the program must benefit elementary and middle school children in grades K-8 and must have a 20% cash match contribution.

Automated Enforcement Systems

State law authorizes local governments to use certain types of automated systems to enforce various traffic rules and laws. For example, red light cameras observe motor vehicles passing through intersections and take a picture of a motor vehicle's license plate when it is in the intersection after running a red light. Penalties for automated enforcement systems generally accrue directly to the local government operating the system. For speed monitoring systems and school bus monitoring cameras, the local government may recover the costs of implementing and administering the systems and cameras and must use the remaining funds for public safety purposes.

Specific to Baltimore City, fines collected as a result of vehicle height monitoring systems may be used to implement and administer the systems, but the remaining funds must be used for roadway improvements. Additionally, Chapter 628 of 2021 authorized Baltimore City to place two speed cameras on I-83 and requires fines from the cameras, after cost recovery, to be used exclusively for roadway improvements on I-83.

Local Expenditures: Baltimore City did not respond to a request for information regarding the fiscal effect of this bill. However, with respect to similar legislation considered during the 2020 session, Baltimore City advised that it already uses revenues from violations enforced by traffic control signal monitoring systems, speed monitoring systems, school bus monitoring cameras, and vehicle height monitoring systems to administer those systems. Thus, the bill's authorization to do so is clarifying and codifies current practice.

Under the bill, any remaining funds collected from those systems must be used as delineated in the bill. Under current law, the city is generally required to spend these funds on public safety and roadway improvements. Because public safety continues to be an authorized use of the funds under the bill, and because roadway improvements also likely

continue to be an eligible use of the funds under the bill, the bill is not anticipated to materially affect the city's operations or finances. Further, should another program cycle for the Safe Routes to School Program be announced, Baltimore City may use the funds for the required match.

Additional Information

Prior Introductions: HB 226 of 2021, a similar bill, passed the House and received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken. HB 107 of 2020, a similar bill, passed the House, as amended, and was referred to the Senate Judicial Proceedings Committee, but no further action was taken.

Designated Cross File: None.

Information Source(s): Maryland Department of Transportation; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - March 8, 2022
fnu2/ljm Third Reader - March 21, 2022

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