

Department of Legislative Services  
Maryland General Assembly  
2023 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 106 (Delegate Williams)  
Environment and Transportation and  
Appropriations

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**State Finance – Prohibited Appropriations – Magnetic Levitation Transportation System**

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This bill prohibits the State (or any unit or instrumentality of the State) from using any appropriation for a magnetic levitation (Maglev) transportation system located or to be located in the State. The bill does not apply to expenditures for the salaries of personnel assigned to review permits or other forms of approval for a Maglev transportation system. **The bill takes effect June 1, 2023.**

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**Fiscal Summary**

**State Effect:** No immediate effect. There are no current plans to appropriate funding for a Maglev system; however, the bill could have an effect on any future Maglev project.

**Local Effect:** No immediate effect.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** None directly relevant. For information on the status of Maglev transportation projects in the State, please see the **Appendix – Magnetic Levitation Transit Systems in Maryland.**

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## Additional Information

**Prior Introductions:** Similar legislation has been introduced within the last three years. See SB 359 and HB 326 of 2022; SB 188 and HB 63 of 2021; and SB 253 and HB 715 of 2020.

**Designated Cross File:** SB 50 (Senator Pinsky, *et al.*) - Budget and Taxation and Education, Energy, and the Environment.

**Information Source(s):** Maryland Department of Transportation; Baltimore and Prince George's Counties; Department of Legislative Services

**Fiscal Note History:** First Reader - January 19, 2023  
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Analysis by: Richard L. Duncan

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510

## **Appendix – Magnetic Levitation Transit Systems In Maryland**

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### *Magnetic Levitation Trains – Generally*

Unlike traditional steel wheel trains that travel along rails, magnetic levitation (Maglev) trains use superconducting magnets to levitate train cars. Magnets attached to the train interact with magnets along rails within a concrete guideway to propel the train. The U.S. Department of Energy (DOE) reports that a Maglev train can travel at speeds of up to 375 miles per hour with very little turbulence compared to steel wheel trains. DOE also notes that Maglev trains are safer than traditional trains; for example, traditional train derailments that result from cornering too quickly are nearly impossible. Several countries have implemented Maglev train systems, including Germany, Japan, and South Korea, and many others have explored the prospects of doing so.

### *History of Maglev in Maryland*

The federal Transportation Equity Act for the 21st Century (TEA-21), which was signed into law in 1998, authorized federal funding to implement a Maglev system in the United States. Funding through TEA-21 lapsed in 2003, and although the Act did not result in the implementation of a Maglev system, several states explored the costs and benefits of doing so. Maryland was particularly interested because a Maglev system could significantly reduce the travel time between Baltimore City and the District of Columbia.

The Maryland Department of Transportation (MDOT) began to devote funding to the development and evaluation of a Maglev system in fiscal 2001. At that time, the Federal Railroad Administration (FRA) and MDOT commenced the Environmental Impact Study (EIS) for the project, which is required by the National Environmental Policy Act.

The final EIS was never published, however, because State legislation enacted in 2003 and 2004 prohibited the funding of a Maglev project following the final report of the Task Force to Evaluate the Development and Construction of a Magnetic Levitation Transportation System. In its final report, which was issued in 2003, the task force noted that, among other challenges, a significant amount of funding would be required to implement a Maglev system in Maryland. As a result, during the 2003 session, the General Assembly prohibited spending any State funds to study, develop, or construct a Maglev system and required the enactment of legislation prior to any agreement to construct or operate such a system. During the 2004 session, these provisions were modified to prohibit any State or federal funding for any phase of a Maglev project after

July 1, 2005. The Budget Reconciliation and Financing Act of 2011, however, repealed these prohibitions.

*Current Status of Maglev in Maryland*

The Baltimore-Washington Superconducting Magnetic Levitation (SCMAGLEV) Project, which has been proposed by a private company, is a proposed Maglev train system between Baltimore City and the District of Columbia, with an intermediate stop at the Baltimore Washington International Thurgood Marshall Airport. In 2016, MDOT was awarded \$27.8 million by FRA to conduct the required EIS, and in January 2021, [the draft EIS](#) for the project was released. However, the environmental review and permitting process for the project has been put on hold by FRA, and there is no current timeline for the completion of that process. Additional information about the project can be found on the [Baltimore-Washington SCMAGLEV Project Website](#).