MARC KORMAN
Legislative District 16
Montgomery County

Appropriations Committee
Subcommittees
Capital Budget
Chair, Transportation and the Environment
Oversight Committee on Personnel

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

The Maryland House of Delegates
6 Bladen Street, Room 210
Annapolis, Maryland 21401
410-841-3649 · 301-858-3649
800-492-7122 *Ext.* 3649
Marc.Korman@house.state.md.us

Maryland Department of Transpiration Promises Act (HB 67)
Testimony of Delegate Marc Korman-Favorable

Thank you Mr. Chair, Mr. Vice Chair and members of the Environment and Transportation Committee. I come before you to present the Maryland Department of Transportation Promises Act (HB 67). The legislation was approved by this committee last year and passed the House, but not the Senate. The MDOT Promises Act will statutorily require the Administration to keep the promises they have made regarding the plans to widen I-270 and I-495 with toll lanes.

The proposed public-private-partnership will have a tremendous impact on our state. Past experience shows that the Department of Transportation does not always keep its promises and this legislation ensures that it will. For example, in May 2017, Governor Hogan officially announced plans for construction on the Harry Nice Memorial Bridge. In the announcement, Governor Hogan made a clear promise that the Bridge would have a separated bike path. However, the Administration subsequently backed off on that promise.

Perhaps more ominously, in January of 2020 Secretary Slater was before this Committee and I asked him, and I quote, "There will be no contract submitted to the Board of Public Works for the final award until the EIS is complete?" Secretary Slater replied, "yes." Fast forward one year and the EIS is not yet complete but MDOT has made clear that they plan to bring a phase developer contract to the Board of Public Works this spring. It is obvious that if we want MDOT to keep its commitments, we must put them in writing.

To be clear, the legislation does not reflect how I would improve or do the project. Rather, the Maryland Department of Transportation Promises Act simply codifies what the Hogan Administration has said they would do.

The legislation codifies the following promises that the Administration has already made:
1. At least 10% of toll revenue will be for transit.
2. Transit funds will be directed pursuant to Memorandums of Understanding between the county in which the toll facility is located and MDOT.
3. Transit system buses and other vehicles will be able to use the toll lanes for free.
4. The new American Legion Bridge shall have a separate bicycle and pedestrian lane or lanes.
5. No land acquisition will occur until after the Board of Public Works approves the P3 agreement.
6. The project must include a Community Benefits Agreement.
7. MDOT will share origin and destination data and traffic and revenue model data with County Departments of Transportation and the bi-county park and planning commission.

8. All public dollars spent thus far shall be repaid as part of the P3 agreement.
9. No additional public dollars shall be spent beyond those currently budgeted.
10. No P3 agreement will be submitted to the BPW until the Final Environmental Impact Statement is completed.
11. Changes to toll rates require public hearings in the county where the facility is located.
12. MDOT will conduct a transit study of the American Legion Bridge in concert with Virginia.
13. MDOT will undertake a monorail feasibility study.

Let me also add that MDOT has continued to make ambitious sounding promises with a list of commitments related to Bicycle and Pedestrian Connections; Regional Transportation Improvements; and Environmental Commitments and Enhancements, available here: https://495-270-p3.com/environmental/alternatives/rpa/ If this committee is interested in seeing MDOT keep its promises, I would recommend adding each of those to the bill as well.

I urge you to once again pass the Maryland Department of Transportation Promises Act to ensure that the Administration follows through on the commitments they have laid out.