

Chapter 611

(House Bill 56)

AN ACT concerning

Chesapeake Bay Bridge – Reconstruction Advisory Group and Transportation Facilities Projects ~~and Traffic Study~~

FOR the purpose of establishing the Chesapeake Bay Bridge Reconstruction Advisory Group; providing for the composition, chair, and staffing of the Advisory Group; specifying the terms of the members of the Advisory Group; prohibiting a member of the Advisory Group from receiving certain compensation, but authorizing the reimbursement of certain expenses; specifying the duties of the Advisory Group; requiring any entity that conducts a traffic capacity study pertaining to the Chesapeake Bay Bridge and certain surrounding highways to report its findings and recommendations to the Advisory Group; requiring the Advisory Group to report its activities and recommendations quarterly to the Maryland Transportation Authority; requiring the Advisory Group to report its findings and recommendations to the Governor and the General Assembly on or before a certain date each year; ~~requiring the State Highway Administration, in collaboration with the Maryland Transportation Institute, to conduct a study on traffic management; providing for the purpose of the study; requiring the Administration to study and make recommendations regarding certain matters; requiring the Administration to update the Advisory Group on the progress of the study quarterly; requiring the Administration to report its findings and recommendations to the Governor and the General Assembly on or before a certain date~~ providing that the Advisory Group is a public body and subject to certain provisions of law; specifying the terms of the initial members of the Advisory Group; *prohibiting the State or a reporting agency from transferring certain ownership, operation, or management of certain existing transportation facilities projects to a certain entity or issuing a certain notice of solicitation under certain circumstances; providing for the termination of certain provisions of this Act;* defining certain terms; making this Act an emergency measure; and generally relating to the Chesapeake Bay Bridge transportation facilities projects.

BY adding to

Article – Transportation

Section 4–211

Annotated Code of Maryland

(2015 Replacement Volume and 2019 Supplement)

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

Article – Transportation

4-211.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ADVISORY GROUP" MEANS THE CHESAPEAKE BAY BRIDGE RECONSTRUCTION ADVISORY GROUP.

(3) "CHESAPEAKE BAY BRIDGE" MEANS THE WILLIAM PRESTON LANE, JR. MEMORIAL CHESAPEAKE BAY BRIDGE AND PARALLEL CHESAPEAKE BAY BRIDGE.

(B) THERE IS A CHESAPEAKE BAY BRIDGE RECONSTRUCTION ADVISORY GROUP IN THE ~~AUTHORITY~~ DEPARTMENT.

(C) THE ADVISORY GROUP CONSISTS OF THE FOLLOWING MEMBERS:

~~(1) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;~~

~~(2) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;~~

~~(3) THE EXECUTIVE DIRECTOR OF THE AUTHORITY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND~~

~~(4) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:~~

~~(i) THREE MEMBERS WHO LIVE IN ANNE ARUNDEL COUNTY;~~

~~(ii) THREE MEMBERS WHO LIVE IN QUEEN ANNE'S COUNTY;~~

~~AND~~

~~(iii) TWO MEMBERS WHO ARE FAMILIAR WITH ISSUES FACED BY COMMUTERS WHO CROSS THE CHESAPEAKE BAY.~~

(1) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S DESIGNEE;

(2) THE STATE HIGHWAY ADMINISTRATOR, OR THE ADMINISTRATOR'S DESIGNEE;

(3) THE EXECUTIVE DIRECTOR OF THE AUTHORITY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(4) TWO CITIZEN MEMBERS APPOINTED BY THE ANNE ARUNDEL COUNTY COUNCIL;

(5) TWO CITIZEN MEMBERS APPOINTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY; AND

(6) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

(I) THREE CITIZEN MEMBERS WHO LIVE IN ANNE ARUNDEL COUNTY AND ARE FAMILIAR WITH ISSUES FACED BY COMMUTERS WHO CROSS THE CHESAPEAKE BAY BRIDGE; AND

(II) THREE CITIZEN MEMBERS WHO LIVE IN QUEEN ANNE'S COUNTY AND ARE FAMILIAR WITH ISSUES FACED BY COMMUTERS WHO CROSS THE CHESAPEAKE BAY BRIDGE.

(D) (1) THE TERM OF AN APPOINTED MEMBER IS 3 YEARS.

(2) THE TERMS OF THE APPOINTED MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE ADVISORY GROUP ON JULY 1, 2020.

(3) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) AN APPOINTED MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(E) FROM AMONG ITS MEMBERS, THE ADVISORY GROUP SHALL ELECT A CHAIR EACH YEAR.

(F) THE AUTHORITY SHALL PROVIDE STAFF FOR THE ADVISORY GROUP.

(G) A MEMBER OF THE ADVISORY GROUP:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE ADVISORY GROUP; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(H) THE ADVISORY GROUP SHALL:

(1) ~~HOLD MONTHLY MEETINGS~~ ADOPT BYLAWS;

~~(2) STUDY ISSUES ASSOCIATED WITH TRAFFIC ON:~~

~~(I) THE CHESAPEAKE BAY BRIDGE; AND~~

~~(II) U.S. ROUTE 50 BETWEEN THE SEVERN RIVER BRIDGE AND THE KENT NARROWS BRIDGE; AND~~

~~(3) MAKE RECOMMENDATIONS TO THE AUTHORITY REGARDING WAYS TO IMPROVE THE FLOW OF TRAFFIC ON:~~

~~(I) THE CHESAPEAKE BAY BRIDGE; AND~~

~~(II) U.S. ROUTE 50 BETWEEN THE SEVERN RIVER BRIDGE AND THE KENT NARROWS BRIDGE.~~

(2) PROVIDE THE AUTHORITY WITH AN INDEPENDENT, CITIZEN-INFORMED PERSPECTIVE ON THE AUTHORITY'S OPERATIONS AT THE CHESAPEAKE BAY BRIDGE; AND

(3) (I) ASSIST THE AUTHORITY IN:

1. ASSESSING POTENTIAL CONCERNS ABOUT ACTIVITY RELATING TO THE CHESAPEAKE BAY BRIDGE; AND

2. EDUCATING THE GENERAL PUBLIC ABOUT ACTIVITY RELATING TO THE CHESAPEAKE BAY BRIDGE; AND

(II) WORK COLLABORATIVELY WITH THE AUTHORITY AND PROVIDE PERTINENT INPUT RELATED TO TRAFFIC AND CUSTOMER SERVICE ISSUES.

(I) THE ADVISORY GROUP IS A PUBLIC BODY AND IS SUBJECT TO TITLE 3 OF THE GENERAL PROVISIONS ARTICLE.

~~(J)~~ (J) ANY ENTITY THAT CONDUCTS A TRAFFIC CAPACITY STUDY PERTAINING TO THE CHESAPEAKE BAY BRIDGE AND U.S. ROUTE 50 BETWEEN THE SEVERN RIVER BRIDGE AND THE KENT NARROWS BRIDGE INTERSTATE 97 AND MARYLAND ROUTE 404 SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE ADVISORY GROUP.

~~(K)~~ (K) (1) THE ADVISORY GROUP SHALL REPORT ITS ACTIVITIES AND RECOMMENDATIONS QUARTERLY TO THE AUTHORITY.

(2) ON OR BEFORE JULY 1, 2021, AND EACH JULY 1 THEREAFTER, THE ADVISORY GROUP SHALL REPORT ITS ACTIVITIES AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial appointed members of the Chesapeake Bay Bridge Reconstruction Advisory Group shall expire as follows:

- (1) four members in 2021;
- (2) ~~four~~ three members in 2022; and
- (3) ~~four~~ three members in 2023.

~~SECTION 3. AND BE IT FURTHER ENACTED, That:~~

~~(a) The State Highway Administration, in collaboration with the Maryland Transportation Institute, shall conduct a study on traffic technology and traffic management techniques used around the world to maximize traffic movement.~~

~~(b) The purpose of the study is to identify traffic technology and traffic management techniques that may be used to maximize the efficiency of traffic movement on U.S. Route 50 between the Severn River Bridge and the Kent Narrows Bridge and on the Chesapeake Bay Bridge.~~

~~(c) In conducting the study, the State Highway Administration shall:~~

~~(1) analyze the existing traffic conditions on U.S. Route 50 between the Severn River Bridge and the Kent Narrows Bridge and on the Chesapeake Bay Bridge;~~

~~(2) identify traffic technology and traffic management techniques used in cities, states, and countries to manage congestion and traffic effectively, including platooning, metering technology, and lane narrowing;~~

~~(3) explore the options for implementing traffic technology and traffic management techniques on U.S. Route 50 between the Severn River Bridge and the Kent Narrows Bridge and on the Chesapeake Bay Bridge; and~~

~~(4) develop recommendations on the feasibility of implementing, financing, and operating traffic technology and traffic management techniques on U.S. Route 50 between the Severn River Bridge and the Kent Narrows Bridge and on the Chesapeake Bay Bridge.~~

~~(d) (1) The State Highway Administration shall update the Chesapeake Bay Bridge Reconstruction Advisory Group on the progress of the study quarterly.~~

~~(2) On or before January 1, 2021, the State Highway Administration shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.~~

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) (1) In this section the following words have the meanings indicated.

(2) "Other agreement" includes a public-private partnership as defined in § 10A-101 of the State Finance and Procurement Article.

(3) "Private entity" has the meaning stated in § 10A-101 of the State Finance and Procurement Article.

(4) "Public-private partnership" has the meaning stated in § 10A-101 of the State Finance and Procurement Article.

(5) "Reporting agency" has the meaning stated in § 10A-101 of the State Finance and Procurement Article.

(6) (i) "Transportation facilities project" has the meaning indicated in § 4-101 of the Transportation Article.

(ii) "Transportation facilities project" includes the Thomas J. Hatem Bridge.

(iii) "Transportation facilities project" does not include the I-495 and I-270 P3 Program.

(b) Notwithstanding any other provision of law, the State or a reporting agency may not:

(1) transfer by sale, lease, or other agreement the full or partial ownership, operation, or management of an existing transportation facilities project to a private entity; or

(2) issue a public notice of solicitation for a public-private partnership for an existing transportation facilities project.

SECTION 4. ~~3.~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020 is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take

effect from the date it is enacted. Section 3 of this Act shall remain effective through the end of March 1, 2021, and, at the end of March 1, 2021, Section 3 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.