

HB0437/333423/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 437
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “to” insert “redesign or”; in line 16, after the semicolon insert “authorizing the Department to identify certain activities to mitigate certain greenhouse gas emissions;”; and in line 20, strike “2-905” and substitute “2-906”.

AMENDMENT NO. 2

On page 2, in line 30, after “(G)” insert “(1)”; after line 31, insert:

“(2) “MAJOR CAPITAL PROJECT” DOES NOT INCLUDE A TRANSPORTATION FACILITIES PROJECT.”;

and in line 32, after “(H)” insert “(1)”.

On page 3, in lines 1 and 4, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; after line 4, insert:

“(2) “MAJOR HIGHWAY CAPACITY EXPANSION PROJECT” DOES NOT INCLUDE A TRANSPORTATION FACILITIES PROJECT.

(I) “MULTIMODAL TRANSPORTATION PROGRAM” MEANS A PLAN THAT IDENTIFIES INVESTMENTS AND STRATEGIES TO FULLY OFFSET THE NET GREENHOUSE GAS EMISSIONS ASSOCIATED WITH THE PROPOSED MAJOR HIGHWAY CAPACITY EXPANSION PROJECTS IN THE CONSOLIDATED TRANSPORTATION PROGRAM.”;

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in lines 5 and 7, strike “(I)” and “(J)”, respectively, and substitute “(J)” and “(K)”, respectively; after line 10, insert:

“(L) “TRANSPORTATION FACILITIES PROJECT” HAS THE MEANING STATED IN § 4-101 OF THIS ARTICLE.”;

in lines 11 and 13, strike “(K)” and “(L)”, respectively, and substitute “(M)” and “(N)”, respectively; in line 25, strike “OR”; and in line 30, after “404” insert “; OR”

(3) IS A TRANSPORTATION FACILITIES PROJECT”.

On page 4, in line 3, after “PROJECT” insert “OR A TRANSPORTATION FACILITIES PROJECT THAT EXPANDS HIGHWAY CAPACITY”; and strike beginning with the first “AND” in line 4 down through “PROGRAM” in line 5.

On pages 4 and 5, strike in their entirety the lines beginning with line 6 on page 4 through in line 7 on page 5 and substitute:

“(B) THE DEPARTMENT SHALL INCORPORATE THE IMPACT ASSESSMENT OF THE MAJOR HIGHWAY CAPACITY PROJECT IN THE ANALYSIS OF THE CONSOLIDATED TRANSPORTATION PROGRAM UNDER § 2-904 OF THIS SUBTITLE.”.

On page 5, strike beginning with “EVALUATE” in line 11 down through “YEAR” in line 19 and substitute “REPORT ON:”

(I) THE RESULTS OF THE IMPACT ASSESSMENTS REQUIRED UNDER § 2-903 OF THIS SUBTITLE; AND

(II) THE NET EFFECT ON GREENHOUSE GAS EMISSIONS AND VEHICLE MILES TRAVELED PER CAPITA FOR THE MAJOR CAPITAL PROJECTS INCLUDED IN THE CONSOLIDATED TRANSPORTATION PROGRAM AND AN ACHIEVABLE TIMELINE TO COMPLETE THE REMAINING OFFSETTING ACTIVITIES.

(2) (I) THE REPORTING REQUIREMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE SATISFIED BY INCLUSION OF THE REPORT IN THE CONSOLIDATED TRANSPORTATION PROGRAM; AND

(II) A REPORT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PUBLISHED:

1. FOR THE DRAFT CONSOLIDATED TRANSPORTATION PROGRAM, BY OCTOBER 1 EACH YEAR; AND

2. WITH THE FINAL CONSOLIDATED TRANSPORTATION PROGRAM EACH YEAR”.

in line 21, strike “2028” and substitute “2030”; in the same line, strike “2033” and substitute “2035”; in line 27, strike “PROJECTED”; in the same line, strike “REDUCTIONS” and substitute “REDUCTION GOALS”; in line 28, after “PLAN” insert “.”; strike beginning with the colon in line 28 down through “SECTION” in line 33 and substitute:

“(2) IF THE DEPARTMENT DETERMINES BASED ON ITS EVALUATION THAT THE CONSOLIDATED TRANSPORTATION PROGRAM IS NOT PROJECTED TO MEET THE TRANSPORTATION GREENHOUSE GAS EMISSION REDUCTION TARGETS FOR THE PERIOD, THE DEPARTMENT SHALL:

(I) REDESIGN MAJOR CAPITAL PROJECTS WITH MULTIMODAL IMPROVEMENTS TO MEET THE TARGETS; OR

(II) FUND ELEMENTS OF A MULTIMODAL TRANSPORTATION PROGRAM.

(C) (1) THE MULTIMODAL TRANSPORTATION PROGRAM SHALL IDENTIFY THE OFFSETTING ACTIVITIES TO BRING A CONSOLIDATED TRANSPORTATION PROGRAM INTO ALIGNMENT WITH THE TARGETS ESTABLISHED IN SUBSECTION (E) OF THIS SECTION AND BEGIN IMPLEMENTATION DURING THE CONSOLIDATED TRANSPORTATION PROGRAM PERIOD.

(2) THE OFFSETTING ACTIVITIES MAY INCLUDE INVESTMENTS THAT BEGAN IMPLEMENTATION BEFORE THE CREATION OF THE MULTIMODAL TRANSPORTATION PROGRAM IF THOSE INVESTMENTS ARE NOT ALREADY OFFSETTING OTHER PROJECTS WITHIN THE CONSOLIDATED TRANSPORTATION PROGRAM.

(3) THE DEPARTMENT MAY NOT CONSIDER TRANSPORTATION FACILITIES PROJECTS FOR OFFSETTING ACTIVITIES”.

On page 6, in line 1, strike “(C)” and substitute “(D)”; in the same line, after “ACTIVITIES” insert “THAT MAY BE INCORPORATED INTO A MULTIMODAL TRANSPORTATION PROGRAM”; in lines 1 and 2, strike “SUBSECTIONS (A) AND (B)” and substitute “SUBSECTION (C)”; in line 5, after the semicolon insert “AND”; strike in their entirety lines 6 and 7; in line 8, strike “(4)” and substitute “(3)”; in line 24, strike “AND” and substitute:

“(XI) FERRIES;

(XII) ACTIVITIES THAT REDUCE VEHICLE MILES TRAVELED THAT ARE CONTAINED WITHIN THE LOCAL GOVERNMENT PRIORITY LETTERS; AND”;

and in line 25, strike “(XI)” and substitute “(XIII)”.

On pages 6 and 7, strike beginning with “(D)” in line 27 on page 6 down through “(II)” in line 10 on page 7 and substitute:

“(E) TO ACHIEVE THE REQUIREMENTS UNDER THIS SECTION, THE DEPARTMENT SHALL SET STATEWIDE DECLINING GREENHOUSE GAS EMISSION REDUCTION TARGETS FOR THE CONSOLIDATED TRANSPORTATION PROGRAM PERIOD THAT:

(1)”.

On page 7, in line 11, after “STATE” insert “;

(2) ARE CONSISTENT WITH THE PROJECTED GREENHOUSE GAS EMISSIONS REDUCTIONS MODELED FOR ROADS IN MARYLAND’S CLIMATE POLLUTION REDUCTION PLAN;

(3) ARE CONSISTENT WITH THE REDUCTIONS IN MARYLAND’S CLIMATE POLLUTION REDUCTION PLAN ATTRIBUTABLE TO PROJECT-BASED INVESTMENTS;

(4) ARE PROPORTIONATE TO THE SHARE OF VEHICLE MILES TRAVELED ON THE STATE’S ROADWAY NETWORK; AND

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(5) EXCLUDE PROJECTS EXEMPT UNDER § 2-902 OF THIS SUBTITLE”;

in line 12, strike “(E)” and substitute “(F)”; and in the same line, strike “IN” and substitute “SUBJECT TO SUBSECTION (E) OF THIS SECTION, IN”.

On page 8, in line 5, strike “(F)” and substitute “(G)”; in line 7, after “CONSIDER” insert “:

(1)”;

in line 8, after “ACTIVITIES” insert “;AND”

(2) PROJECTS THAT ARE EXEMPT UNDER § 2-902 OF THIS SUBTITLE”;

in line 14, strike “§ 2-904(D)” and substitute “§ 2-904(E)”; in line 16, strike “§ 2-903” and substitute “§ 2-904”; in line 21, strike “AND”; in line 23, strike “§ 2-903” and substitute “§ 2-904”; in the same line, after “SUBTITLE” insert “;AND”

(III) THE GREENHOUSE GAS EMISSIONS AND VEHICLE MILES TRAVELED IMPACTS OF MAJOR HIGHWAY CAPACITY EXPANSION PROJECTS”;

in line 25, strike “AND REGIONAL”; and after line 28, insert:

“2-906.

IF THE REQUIREMENTS UNDER § 2-904 RESULT IN A DEFERRAL OF A MAJOR HIGHWAY CAPACITY EXPANSION PROJECT, THE SECRETARY MAY WAIVE THE REQUIREMENTS IF THE DEFERRAL WOULD MATERIALLY HARM THE STATE’S:

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- (1) ECONOMIC GROWTH OR COMPETITIVENESS;
- (2) DOCUMENTED HOUSING NEEDS;
- (3) TRANSPORTATION DEMAND TIED TO POPULATION AND LAND
USE;
- (4) ABILITY TO SUPPORT CRITICAL EMPLOYMENT CENTERS;
- (5) FREIGHT CORRIDORS;
- (6) RESPONSE TO AN EMERGENCY; OR
- (7) OTHER KEY ECONOMIC ASSETS.”.

On page 9, after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Department shall continue its pilot evaluation of the greenhouse gas and vehicle miles traveled impacts for the Fiscal Year 2027 through Fiscal Year 2032 Consolidated Transportation Program.”;

and in line 16, strike “2.” and substitute “3.”.