



HB 389: State Highways - Sidewalks and Bicycle Pathways - Maintenance and Repair
House Appropriations Committee
Washington Area Bicyclist Association – FAVORABLE

February 28, 2024

Chair Barnes and Committee Members,

The Washington Area Bicyclist Association (WABA) and the undersigned organizations support HB 389, repealing the requirement that a political subdivision maintain and repair sidewalks and bicycle pathways constructed, in accordance with Maryland statutes, along Maryland state highways.

This bill is very straight-forward. It simply strikes two sentences from State Code's Transportation Article, which currently unnecessarily involves local jurisdictions in what would otherwise be a state data- and policy-driven decision. Current code is an impediment to implementation of state roadway-safety policy. HB 389 will remove the impediment.

What is Maryland policy? The State Highway Administration adopted a Complete Streets policy over a decade ago and recommitted in March 2023 to implementing context guide design elements in all capital projects. The two approaches, Complete Streets and Context Driven, typically call for sidewalk and bike lane creation, consistent with a Safe System approach as promoted by the US Dept. of Transportation. But implementation is complicated by the maintenance issue that HB 389 would address.

State data makes clear the need for change. The General Assembly passed Maryland's Vision Zero law in 2019. Maryland experienced 574 road deaths the next year, in 2020, including 129 pedestrians killed and 15 bicyclists. We experienced 601 road fatalities last year, in 2023, including 155 pedestrians and, again, 15 bicyclists. Maryland is not meeting our state's Vision Zero commitment. We have made no progress.

HB 389 will remove an impediment to implementation of state roadway-safety policy by creating state-road maintenance flexibility.

The Maryland Dept. of Transportation's 2050 Maryland Bicycle and Pedestrian Master Plan observes that "Complicating the maintenance issue, state law and policies restrict the State of Maryland from providing maintenance assistance Revisiting and updating the Maryland code to remove the maintenance responsibility from local jurisdictions was encouraged [during stakeholder engagement] to provide a more equitable responsibility of asset management."

HB 389 will not impose a new tax or fee on Maryland residents and businesses. It will not disrupt the State Highway Administration's existing maintenance agreements with local governments, nor will it affect the SHA's ability to negotiate similar agreements going forward.

If the General Assembly enacts HB 389 and cross-filed SB 514, we will expect sidewalk and bikeway creation progress. Three Prince George's County examples are the Greenbelt East Trail on MD 193, Washington, Baltimore & Annapolis Trail extension on MD 703, and Rhode Island Avenue Trolley Trail extension along US 1 from Hyattsville to the Washington DC border.

This testimony singles out Prince George's County because Prince George's County experienced 129 road deaths in 2023 – by far the worst in the state – including 39 pedestrian and three bicyclist deaths. Statewide, 155 pedestrians and 15 bicyclists were killed on Maryland roads in 2023. Maryland's state roads, in Prince George's County and throughout the state, are our most dangerous roads, with most traffic lanes and the highest traffic speeds and unsafe pedestrian crossings.

By enacting SB 514/HB 389, the General Assembly will advance Maryland toward meeting our Vision Zero commitment – Transportation Secretary Paul Wiedefeld last year pledged “unwavering dedication” – to eliminating all traffic fatalities and severe injuries on Maryland roadways by 2030.

The undersigned organizations urge a Favorable HB 389 committee report and General Assembly enactment.

Thank you for the opportunity to testify on this legislation.

Supported by:

Bicycle Advocates For Annapolis And Anne Arundel County (BikeAAA)

Bike Howard County (Bike HoCo)

Bike Maryland

Coalition for Smarter Growth

East Coast Greenway Alliance

Frederick Bicycle Coalition

Friends of the Greenbelt East Trail

Washington Area Bicyclist Association

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