

HB0067/600817/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 67  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “a” insert “phase”; in line 7, strike the second “the” and substitute “a”; in line 8, after “agreement” insert “for the Program”; and in line 12, after “data;” insert “requiring the Department to execute a certain memorandum of understanding with certain counties;”.

AMENDMENT NO. 2

On page 3, in line 18, after “(4)” insert ““PHASE DEVELOPER” MEANS AN ENTITY THE DEPARTMENT SELECTS TO MANAGE PREDEVELOPMENT WORK AND THE PROCESS FOR EXECUTING EACH SECTION PUBLIC-PRIVATE PARTNERSHIP AGREEMENT.”

(5) “PHASE PUBLIC-PRIVATE PARTNERSHIP AGREEMENT” MEANS AN AGREEMENT BETWEEN THE DEPARTMENT AND A PHASE DEVELOPER TO MANAGE PREDEVELOPMENT WORK AND THE PROCESS FOR EXECUTING EACH SECTION PUBLIC-PRIVATE PARTNERSHIP AGREEMENT.

(6)”;

after line 19, insert:

“(7) “PROJECT LABOR AGREEMENT” MEANS AN AGREEMENT BETWEEN A PHASE DEVELOPER AND A SECTION DEVELOPER THAT:

(Over)

(I) BINDS ALL CONTRACTORS AND SUBCONTRACTORS ENGAGED IN CONSTRUCTION OF THE PROJECT TO THE TERMS OF THE PROJECT LABOR AGREEMENT;

(II) CONTAINS GUARANTEES AGAINST STRIKES, LOCKOUTS, AND OTHER JOB DISRUPTIONS;

(III) SETS FORTH EFFECTIVE, PROMPT, AND MUTUALLY BINDING PROCEDURES FOR RESOLVING LABOR DISPUTES ARISING DURING THE TERM OF THE PROJECT LABOR AGREEMENT;

(IV) PROVIDES OTHER MECHANISMS FOR COOPERATION BETWEEN LABOR AND MANAGEMENT ON MATTERS OF MUTUAL INTEREST AND CONCERN, INCLUDING PRODUCTIVITY, QUALITY OF WORK, SAFETY, AND HEALTH; AND

(V) INCLUDES ANY ADDITIONAL REQUIREMENTS THAT THE DEPARTMENT CONSIDERS NECESSARY TO PROMOTE THE EFFICIENT AND TIMELY COMPLETION OF A PROJECT.

(8) "SECTION DEVELOPER" MEANS A SEPARATE LEGAL ENTITY THAT IS:

(I) ESTABLISHED BY A PHASE DEVELOPER TO ENTER INTO A SECTION PUBLIC-PRIVATE PARTNERSHIP AGREEMENT; AND

(II) RESPONSIBLE FOR THE FINAL DESIGN, CONSTRUCTION, FINANCING, TOLLING, OPERATING, MAINTENANCE, AND HANDBACK OF A SECTION.

**(9) “SECTION PUBLIC-PRIVATE PARTNERSHIP AGREEMENT” MEANS AN AGREEMENT BETWEEN THE DEPARTMENT AND A SECTION DEVELOPER FOR WORK ON A SPECIFIC SECTION OF THE PROGRAM.”;**

in line 20, after “A” insert “PHASE”; strike beginning with “AT” in line 22 down through “COSTS” in line 23 and substitute “THE PAYMENT OF THE TOLL REVENUE”; and in line 23, after “I-270” insert “AGREED ON IN ACCORDANCE WITH THE MEMORANDA OF UNDERSTANDING BETWEEN THE DEPARTMENT AND THE GOVERNING BODIES OF THE COUNTIES WHERE THE TOLL FACILITIES THAT ARE PART OF THE PROGRAM ARE LOCATED”.

On page 4, in line 5, strike “SEPARATE PEDESTRIAN AND BICYCLE LANE OR LANES” and substitute “SHARED-USE PATH FOR BICYCLISTS AND PEDESTRIANS THAT IS CONNECTED TO ONE OR MORE EXISTING PATHS ON THE MARYLAND SIDE OF THE POTOMAC RIVER”; in line 8, strike “THE” and substitute “A SECTION”; in line 24, after “TOLLS” insert “WITH NO NET COST TO THE STATE OR STATE TAXPAYERS”; strike beginning with “(II)” in line 25 down through “2021;” in line 28; in line 29, strike “(III)” and substitute “(II)”; and in line 32, strike “CONTRACT” and substitute “SECTION PUBLIC-PRIVATE PARTNERSHIP AGREEMENT”.

On page 5, in line 5, strike “STATE” and substitute “ADMINISTRATION”; strike beginning with “UNDERTAKE” in line 5 down through “CORRIDOR” in line 7 and substitute “, AT MINIMUM, COMMIT TO ESTABLISHING PRIORITY BICYCLE AND PEDESTRIAN CONNECTIONS TO REMOVE BARRIERS AND PROVIDE CONNECTIVITY FOR BICYCLISTS AND PEDESTRIANS CONSISTENT WITH CONNECTIONS IDENTIFIED IN THE AFFECTED COUNTY MASTER PLANS AND PRIORITIES, INCLUDING:

**(I) IN MONTGOMERY COUNTY:**

(Over)

1. A NEW PEDESTRIAN AND BICYCLE CONNECTION ACROSS THE AMERICAN LEGION BRIDGE;

2. REPLACING AND WIDENING THE BETHESDA TROLLEY TRAIL BRIDGE CROSSINGS OF I-495 AND I-270;

3. LENGTHENING THE I-270 BRIDGE OVER TUCKERMAN LANE NORTH OF BETHESDA TO ACCOMMODATE A FUTURE SEPARATED BIKEWAY ALONG TUCKERMAN LANE;

4. NEW BUFFER-SEPARATED SIDE PATHS ACROSS MD 190 OVER I-495 NEAR CARDEROCK SPRINGS;

5. WIDENING THE PATH ALONG SEVEN LOCKS ROAD UNDER I-495 NEAR CARDEROCK SPRINGS; AND

6. A NEW SEPARATED BIKEWAY ALONG NORTHBOUND MD 355 OVER I-495 BETWEEN BETHESDA AND ROCKVILLE; AND

(II) IN PRINCE GEORGE'S COUNTY:

1. NEW SIDEWALKS ACROSS THE MD 212 BRIDGE OVER I-495 NEAR WHITE OAK MANOR THAT MEASURE 8 FEET WIDE;

2. A NEW SHARED-USE PATH THAT MEASURES 10 FEET WIDE, PLUS A BUFFER THAT IS 5 FEET WIDE, ALONG CHERRY HILL ROAD NEAR BELTSVILLE ON TWO BRIDGES CROSSING THE I-495 INNER LOOP AND THE I-495 OUTER LOOP TO PROVIDE TRAIL CONNECTION ACROSS THE INTERSTATE;

**3. NEW SIDEWALKS THAT ARE 8 FEET WIDE ON BOTH SIDES OF GLENARDEN PARKWAY OVER I-495 TO IMPROVE CONNECTION AND SAFETY BETWEEN GLENARDEN NEIGHBORHOODS;**

**4. AFTER EVALUATING THE BEST LOCATION FOR THE CONNECTION, A PEDESTRIAN CROSSING OF I-495 BETWEEN ARENA DRIVE, METRO BRIDGE, CENTRAL AVENUE, AND SOUTHWEST BRANCH;**

**5. EXPANDING THE SIDEWALKS TO MEASURE 8 FEET WIDE ON BOTH SIDES OF AUTH ROAD OVER I-495 TO IMPROVE ACCESS TO THE BRANCH AVENUE METRO STATION; AND**

**6. A NEW CONNECTION TO THE HENSON CREEK TRAIL NEAR TEMPLE HILLS**”;

in line 7, strike “AND”; strike beginning with “THAT” in line 8 down through “STUDY” in line 9 and substitute “THE ADMINISTRATION TO, AT MINIMUM, COMMIT TO COLLABORATING WITH LOCAL STAKEHOLDERS AND DELIVERING REGIONAL TRANSIT IMPROVEMENTS TO ENHANCE EXISTING AND PLANNED TRANSIT AND SUPPORT NEW OPPORTUNITIES FOR REGIONAL TRANSIT SERVICE, INCLUDING:

**(I) ESTABLISHING HIGH-OCCUPANCY TOLL LANES;**

**(II) AUTHORIZING BUSES, CARPOOLERS, AND VANPOOLERS TO USE THE HIGH-OCCUPANCY TOLL LANES AT NO COST;**

**(III) IN MONTGOMERY COUNTY, EXPANDING:**

**1. BUS CAPACITY AT THE WMATA SHADY GROVE METRORAIL STATION; AND**

(Over)

2. THE PARK AND RIDE AT MONTGOMERY MALL  
TRANSIT CENTER; AND

(IV) IN PRINCE GEORGE'S COUNTY, ESTABLISHING:

1. VIRTUAL BUS RAPID TRANSIT STATIONS, STOPS,  
AND TECHNOLOGY TO SUPPORT A VIRTUAL BUS RAPID TRANSIT ROUTE  
EXTENSION OF THE PURPLE LINE, INCLUDING STOP ENHANCEMENTS AND  
TECHNOLOGY SUCH AS NEXT VEHICLE ARRIVAL INFORMATION; AND

2. A COUNTY BUS MAINTENANCE FACILITY TO  
SUPPORT THE COUNTY BUS SYSTEM AND THE BUSES THAT TRAVEL ALONG  
MANAGED LANES;

(11) REQUIRES THE ADMINISTRATION TO COMMIT TO WORKING  
COLLABORATIVELY WITH PARTNER AGENCIES TO:

(I) AVOID AND MINIMIZE COMMUNITY, CULTURAL,  
ENVIRONMENTAL, AND PARKLAND IMPACTS OF THE PROJECT;

(II) FINALIZE MITIGATION BASED ON IDENTIFIED  
PRIORITIES THAT WOULD, AT A MINIMUM, BRING NO NET LOSS TO IMPACTED  
RESOURCES, WITH A GOAL OF NET BENEFIT;

(III) REDUCE IMPACTS ON NATIONAL PARK SERVICE  
PROPERTIES, WITH A SPECIAL FOCUS ON AREAS NEAR:

1. THE CHESAPEAKE AND OHIO CANAL NATIONAL HISTORIC PARK;

2. THE GEORGE WASHINGTON MEMORIAL PARKWAY; AND

3. THE BALTIMORE-WASHINGTON PARKWAY;

(IV) INCORPORATE AN OPTION IN THE DEPARTMENT'S RECOMMENDED PREFERRED ALTERNATIVE THAT SIGNIFICANTLY REDUCES IMPACT TO THE MOSES LODGE CEMETERY;

(V) COMPLETE ENVIRONMENTAL ENHANCEMENTS THAT WOULD PROVIDE MEANINGFUL BENEFITS TO ADJACENT RESOURCES, INCLUDING:

1. WATER QUALITY IMPROVEMENTS;

2. STREAM RESTORATION; AND

3. REMOVAL OF INVASIVE SPECIES ON COUNTY PARKLAND; AND

(VI) CONDUCT STREAM BANK AND BED STABILIZATION IMPROVEMENTS, AND REMOVE CONCRETE-LINED CHANNELS IN IDENTIFIED PRIORITY AREAS IN:

1. CABIN JOHN STREAM VALLEY PARK;

- 2. ROCK CREEK STREAM VALLEY PARK;**
- 3. SLIGO CREEK PARKWAY;**
- 4. INDIAN SPRINGS TERRACE LOCAL PARK;**
- 5. NORTHWEST BRANCH STREAM VALLEY PARK;**
- 6. SOUTHWEST BRANCH STREAM VALLEY PARK;**
- 7. HERITAGE GLEN PARK; AND**
- 8. MANCHESTER ESTATES PARK; AND**

**(12) REQUIRES A PHASE DEVELOPER TO INITIATE A PROJECT LABOR AGREEMENT**;

in line 10, strike “**THE**” and substitute “**A**”; and in the same line, after “**AGREEMENT**” insert “**FOR THE PROGRAM**”.

On page 6, after line 5, insert:

**“(A) (1) THE DEPARTMENT SHALL EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE GOVERNING BODY OF EACH COUNTY WHERE TOLL FACILITIES ARE LOCATED.**

**(2) A MEMORANDUM OF UNDERSTANDING EXECUTED UNDER THIS SECTION SHALL:**



(I) SPECIFY THE NATURE, AMOUNT, AND TIMING OF PAYMENTS OF TOLL REVENUE TO THE COUNTY FOR THE COMPLETION AND OPERATION OF PUBLIC TRANSIT IMPROVEMENTS; AND

(II) BE EXECUTED WITH EACH COUNTY BEFORE THE DEPARTMENT SUBMITS FOR BOARD OF PUBLIC WORKS APPROVAL A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR ANY PHASE OF A PROGRAM THAT INCLUDES CONSTRUCTION OR OPERATION OF A TOLL FACILITY LOCATED IN THAT COUNTY.”;

in line 6, before “AT” insert “(B)”; strike beginning with “AT” in line 6 down through “COSTS” in line 7 and substitute “THE PAYMENT OF TOLL REVENUE”; in line 7, after “PROGRAM” insert “MADE IN ACCORDANCE WITH A MEMORANDUM OF UNDERSTANDING EXECUTED UNDER THIS SECTION”; in line 8, after “FOR” insert “ESTABLISHING AND PROVIDING FUNDS FOR THE COUNTIES WHERE TOLL FACILITIES THAT ARE PART OF THE PROGRAM ARE LOCATED TO OPERATE”; in line 9, strike “PROJECTS” and substitute “IMPROVEMENTS”; and strike beginning with “IN” in line 9 down through “LOCATED” in line 11.