

HOUSE BILL 82

R2

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CF SB 116

By: **Delegates Charkoudian, Lierman, Feldmark, W. Fisher, Glenn, Guyton, Korman, Lehman, R. Lewis, Palakovich Carr, Stewart, Terrasa, Washington, and Wilkins**

Introduced and read first time: January 17, 2019

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Complete Streets – Access to Healthy Food**

3 FOR the purpose of requiring a complete streets policy adopted by certain modal
4 administrations of the Department of Transportation to create access to healthy food
5 for certain individuals living in food deserts; authorizing grants under the Complete
6 Streets Program to be used to encourage certain certified jurisdictions to develop
7 ranking systems for certain projects that prioritize designs that create access to
8 healthy food in food deserts; specifying that a goal of the Program is to create access
9 to healthy food for certain individuals living in food deserts; requiring the Governor,
10 each fiscal year, to appropriate a certain amount from the Transportation Trust
11 Fund for the Program; defining the term “food desert”; altering a certain definition;
12 and generally relating to complete streets policies and the Complete Streets
13 Program.

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 2–112, 8–901, and 8–903
17 Annotated Code of Maryland
18 (2015 Replacement Volume and 2018 Supplement)

19 BY repealing
20 Article – Transportation
21 Section 8–904
22 Annotated Code of Maryland
23 (2015 Replacement Volume and 2018 Supplement)

24 BY adding to
25 Article – Transportation
26 Section 8–904

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2015 Replacement Volume and 2018 Supplement)

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

5 **Article – Transportation**

6 2–112.

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

8 (2) (i) “Complete streets design features” means design features that
9 accommodate and facilitate safe and convenient access and mobility to facilities by all
10 users, including bicyclists, motorists, pedestrians, and public transportation users.

11 (ii) “Complete streets design features” includes:

12 1. Paved shoulders suitable for use by bicyclists;

13 2. Protected bicycle lanes;

14 3. Share the road signage;

15 4. Crosswalks;

16 5. Pedestrian control signals;

17 6. Bus access and safety measures;

18 7. Sidewalks;

19 8. Shared use pathways; [and]

20 9. Green stormwater infrastructure; **AND**

21 **10. ROUTES THAT CREATE ACCESS TO HEALTHY FOOD IN**
22 **FOOD DESERTS.**

23 (3) “Complete streets policy” means a policy that provides information for
24 the implementation of complete streets design features during the planning, design,
25 construction, and reconstruction of a facility.

26 (4) “Facility” means:

27 (i) An airport facility, as defined in § 5–101 of this article, that is
28 owned or operated by the State;

1 (ii) A State highway, as defined in § 8–101 of this article; and

2 (iii) A transit facility, as defined in § 7–101 of this article.

3 **(5) “FOOD DESERT” MEANS A COMMUNITY THAT DOES NOT HAVE**
4 **EASY ACCESS TO HEALTHY FOOD, INCLUDING FRESH FRUITS AND VEGETABLES,**
5 **TYPICALLY IN THE FORM OF A SUPERMARKET, GROCERY STORE, OR FARMERS’**
6 **MARKET.**

7 **[(5)] (6)** “Green stormwater infrastructure” means infrastructure
8 implemented using best management practices that reduce the volume of stormwater
9 runoff through infiltration, evapotranspiration, the beneficial reuse of water, or any other
10 effective method.

11 (b) This section applies to a facility in:

12 (1) The Maryland Aviation Administration, as required under § 5–408.1 of
13 this article;

14 (2) The Maryland Transit Administration, as required under § 7–310 of
15 this article; and

16 (3) The State Highway Administration, as required under § 8–204.1 of this
17 article.

18 (c) Except as provided in subsection (d) of this section, a complete streets policy
19 adopted in accordance with this section shall:

20 (1) Be implemented with the objective of creating a comprehensive,
21 integrated, and connected transportation network that allows users to choose among
22 different modes of transportation;

23 (2) Ensure that all users are considered during the planning, design,
24 construction, and reconstruction phases of a facility;

25 (3) Benefit all users equitably to the extent feasible while taking into
26 consideration the needs of the most underinvested and underserved communities;

27 (4) When practicable, require the accommodation of other modes of
28 transportation;

29 (5) Recognize that all facilities are different and user needs should be
30 balanced to ensure community enhancement; [and]

31 (6) Incorporate best practices related to complete streets design features;

1 AND

2 **(7) CREATE ACCESS TO HEALTHY FOOD FOR INDIVIDUALS WITHOUT**
3 **PERSONAL VEHICLES LIVING IN FOOD DESERTS.**

4 (d) Exceptions to the requirements of this section may be adopted when
5 circumstances or laws exist that prohibit or limit the ability to provide favorable conditions
6 for all modes of transportation.

7 8–901.

8 (a) In this subtitle the following words have the meanings indicated.

9 (b) “Certified jurisdiction” means a local government that has been certified by
10 the Department in accordance with § 8–905 of this subtitle.

11 (c) “Complete streets” means streets that provide accommodations for users of
12 multiple modes of transportation.

13 (d) “Complete streets policy” means a law, a bylaw, an ordinance, or an
14 administrative policy adopted by a local government in accordance with § 8–905 of this
15 subtitle.

16 (e) “Eligible project” means a local government or State highway, street, or road
17 retrofit project that includes the addition of or significant repair to facilities that provide
18 access for users of multiple modes of transportation.

19 **(F) “FOOD DESERT” MEANS A COMMUNITY THAT DOES NOT HAVE EASY**
20 **ACCESS TO HEALTHY FOOD, INCLUDING FRESH FRUITS AND VEGETABLES,**
21 **TYPICALLY IN THE FORM OF A SUPERMARKET, GROCERY STORE, OR FARMERS’**
22 **MARKET.**

23 **[(f)] (G)** “Green stormwater infrastructure” means infrastructure implemented
24 using best management practices that reduce the volume of stormwater runoff through
25 infiltration, evapotranspiration, the beneficial reuse of water, or any other effective method.

26 **[(g)] (H)** “Local government” means a county or municipality in the State.

27 **[(h)] (I)** “Program” means the Complete Streets Program established under this
28 subtitle.

29 8–903.

30 (a) The purpose of the Program is to provide matching grants to certified
31 jurisdictions to encourage:

1 (1) The regular and routine inclusion of complete streets design elements
2 and infrastructure during the planning, design, construction, and reconstruction of new or
3 existing locally funded roads;

4 (2) The adoption of urban retrofit street ordinances designed to provide
5 safe access to users of multiple modes of transportation; [and]

6 (3) The development of ranking systems for complete streets projects that
7 consider the needs of underinvested and underserved communities in specific geographic
8 regions of the State; AND

9 (4) **THE DEVELOPMENT OF RANKING SYSTEMS FOR COMPLETE**
10 **STREETS PROJECTS THAT PRIORITIZE DESIGNS TO CREATE ACCESS TO HEALTHY**
11 **FOOD IN FOOD DESERTS.**

12 (b) The goals of the Program are to:

13 (1) Promote healthy communities by encouraging the use of multiple
14 modes of transportation other than single-occupancy motor vehicles;

15 (2) Improve safety by designing streets to include features such as:

16 (i) Wider sidewalks;

17 (ii) Dedicated bike facilities;

18 (iii) Medians;

19 (iv) Pedestrian streetscape features; and

20 (v) Green stormwater infrastructure;

21 (3) Protect the environment and improve water quality by using green
22 stormwater infrastructure to reduce stormwater runoff from rights-of-way;

23 (4) Reduce congestion by providing safe alternatives to single-occupancy
24 motor vehicle driving;

25 (5) Preserve community character by involving local and diverse
26 communities and stakeholders in planning, prioritization, and design decisions; [and]

27 (6) Provide for the equitable distribution of complete streets funds that
28 takes into consideration the needs of underinvested and underserved communities in
29 specific geographic regions of the State; AND

30 (7) **CREATE ACCESS TO HEALTHY FOOD FOR INDIVIDUALS WITHOUT**

1 **PERSONAL VEHICLES LIVING IN FOOD DESERTS.**

2 **[8-904.**

3 Funds for the Program shall be as provided by the Governor in the State budget.]

4 **8-904.**

5 **FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, THE**
6 **GOVERNOR SHALL APPROPRIATE AT LEAST \$1,000,000 FROM THE**
7 **TRANSPORTATION TRUST FUND FOR THE COMPLETE STREETS PROGRAM.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
9 1, 2019.