

HOUSE BILL 1023

R2, L5

4lr0806

By: **Prince George's County Delegation and Montgomery County Delegation**

Introduced and read first time: February 5, 2024

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 5, 2024

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County and Montgomery County – The Washington Suburban**
3 **Transit Commission Reform Act**

4 **PG/MC 103–24**

5 FOR the purpose of authorizing the Secretary of Transportation's designee to attend
6 meetings of the Washington Metropolitan Area Transit Authority Board of Directors
7 on behalf of the Secretary when the Secretary is not available; providing that the
8 Secretary's designee has the same powers as the Secretary when attending meetings
9 of the Washington Metropolitan Area Transit Authority Board of Directors on behalf
10 of the Secretary; authorizing the Washington Suburban Transit Commission to
11 reappoint a certain appointee to be a principal member of the Washington
12 Metropolitan Area Transit Authority Board of Directors; repealing a limitation that
13 the Washington Suburban Transit District's authority to make and enter into all
14 contracts or agreements the Commission determines are necessary is subject to the
15 review and approval by the respective governing bodies of the counties; and generally
16 relating to the Washington Suburban Transit Commission.

17 BY repealing and reenacting, without amendments,
18 The Public Local Laws of Montgomery County
19 Section 87–4
20 Article 16 – Public Local Laws of Maryland
21 (2014 Edition and August 2023 Supplement, as amended)

22 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



The Public Local Laws of Montgomery County
Section 87–5(a)(14) and 87–17(d)
Article 16 – Public Local Laws of Maryland
(2014 Edition and August 2023 Supplement, as amended)

BY repealing and reenacting, without amendments,
The Public Local Laws of Prince George’s County
Part III, Section 4
Article 17 – Public Local Laws of Maryland
(2015 Edition and 2018 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George’s County
Part III, Section 5(a)(14) and 17(a)(4)
Article 17 – Public Local Laws of Maryland
(2015 Edition and 2018 Supplement, as amended)

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

Article 16 – Montgomery County

87–4.

There is hereby created the Washington Suburban Transit Commission, which shall have the powers and duties granted herein and such additional powers as may hereafter lawfully be conferred upon it pursuant to law, to manage and control the functions, affairs and property of the corporation.

87–5.

(a) (14) (i) The following commissioners shall serve as the Commission’s appointees to be principal members of the Washington Metropolitan Area Transit Authority Board of Directors:

1. Subject to subparagraph (ii) of this paragraph, the Secretary of Transportation, or the Secretary’s designee, as an ex officio principal member; and

2. Subject to subparagraph (iii) of this paragraph, one of the commissioners appointed by the Governor under paragraph (4) of this subsection.

(ii) The Secretary of Transportation’s designee under subparagraph (i)1 of this paragraph:

1. Shall be an employee of the Department of Transportation;

2. Shall have experience with and possess qualifications related to transit; and

3. **A.** May attend meetings of the Washington Metropolitan Area Transit Authority Board of Directors on behalf of the Secretary [only if a scheduling conflict arises] **WHEN THE SECRETARY IS NOT AVAILABLE; AND**

B. WHEN ATTENDING MEETINGS ON BEHALF OF THE SECRETARY, SHALL HAVE THE SAME POWERS AS THE SECRETARY.

(iii) The Commission's appointee under subparagraph (i)2 of this paragraph [may]:

1. MAY BE REAPPOINTED; AND

2. MAY not be succeeded in office by a commissioner who is a resident of the same county.

87–17.

Without in any manner limiting or restricting the general powers created by this subtitle, the district shall have power:

(d) Subject to the provisions of subsection (a) of section 87–12 [and subject to the review and approval in whole or in part by the respective governing bodies of the counties], to make and enter into all contracts or agreements as the commission may determine which are necessary or incidental to the performance of its duties and to the execution of the powers granted under this chapter;

Article 17 – Prince George's County

Part III.

4.

There is hereby created the Washington Suburban Transit Commission, which shall have the powers and duties granted herein and such additional powers as may hereafter lawfully be conferred upon it pursuant to law, to manage and control the functions, affairs and property of the corporation.

5.

(a) (14) (A) The following Commissioners shall serve as the Commission's appointees to be principal members of the Washington Metropolitan Area Transit Authority Board of Directors:

(i) Subject to subparagraph (B) of this paragraph, the Secretary of Transportation, or the Secretary's Designee, as an ex officio principal member; and

(ii) Subject to subparagraph (C) of this paragraph, one of the Commissioners appointed by the Governor under paragraph (4) of this subsection.

(B) The Secretary of Transportation's designee under subparagraph (A)(i) of this paragraph:

(i) Shall be an employee of the Department of Transportation;

(ii) Shall have experience with and possess qualifications related to transit; and

(iii) **1. May attend meetings of the Washington Metropolitan Area Transit Authority Board of Directors on behalf of the Secretary [only if a scheduling conflict arises] WHEN THE SECRETARY IS NOT AVAILABLE; AND**

2. WHEN ATTENDING MEETINGS ON BEHALF OF THE SECRETARY, SHALL HAVE THE SAME POWERS AS THE SECRETARY.

(C) The Commission's appointee under subparagraph (A)(ii) of this paragraph [may]:

(I) MAY BE REAPPOINTED; AND

(II) MAY not be succeeded in office by a Commissioner who is a resident of the same County.

17.

(a) Without in any manner limiting or restricting the general powers created by this Subtitle, the district shall have power:

(4) Subject to the provisions of Section 12(a) hereof [and subject to the review and approval in whole or in part by the respective governing bodies of the counties], to make and enter into all contracts or agreements as the Commission may determine which are necessary or incidental to the performance of its duties and to the execution of the powers granted under this Subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.