

HOUSE BILL 517

R2

5lr1146
CF SB 401

By: **Delegates Korman and Solomon**

Introduced and read first time: January 22, 2025

Assigned to: Environment and Transportation and Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Maryland Area Rail Commuter Rail Authority – Establishment**
3 **(MARC Rail Authority Act of 2025)**

4 FOR the purpose of establishing the Maryland Area Rail Commuter (MARC) Rail Authority
5 and the powers and duties of the MARC Rail Authority, acting on behalf of the
6 Department of Transportation, has with respect to the supervision, construction,
7 operation, maintenance, and repair of MARC railroad facilities projects; and
8 generally relating to the establishment of the Maryland Area Rail Commuter
9 (MARC) Rail Authority.

10 BY adding to

11 Article – Transportation
12 Section 7–1301 through 7–1310 to be under the new subtitle “Subtitle 13. Maryland
13 Area Rail Commuter (MARC) Rail Authority”
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2024 Supplement)

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

18 **Article – Transportation**

19 **SUBTITLE 13. MARYLAND AREA RAIL COMMUTER (MARC) RAIL AUTHORITY.**

20 **7–1301.**

21 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

23 **(B) “MARC” MEANS MARYLAND AREA RAIL COMMUTER RAIL SERVICE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(C) "MARC RAILROAD FACILITIES PROJECT" INCLUDES:

(1) (I) THE BRUNSWICK, CAMDEN, OR PENN LINES OF THE MARYLAND AREA RAIL COMMUTER (MARC) SERVICE; AND

(II) EXTENDING MARC SERVICE; AND

(2) ANY ADDITIONS, IMPROVEMENTS, OR ENLARGEMENTS TO ANY OF THE PROJECTS LISTED UNDER ITEM (1) OF THIS SUBSECTION, WHENEVER AUTHORIZED.

7-1302.

THERE IS A MARC RAIL AUTHORITY.

7-1303.

(A) (1) THE SECRETARY IS THE CHAIR OF THE MARC RAIL AUTHORITY.

(2) THE SECRETARY SHALL DESIGNATE AN EXECUTIVE DIRECTOR OF THE MARC RAIL AUTHORITY.

(B) IN ADDITION TO THE CHAIR, THE MARC RAIL AUTHORITY CONSISTS OF THE FOLLOWING MEMBERS:

(1) (I) ONE MEMBER WITH A BACKGROUND IN RAIL TRANSIT, APPOINTED BY THE PRESIDENT OF THE SENATE; AND

(II) ONE MEMBER WITH A BACKGROUND IN RAIL TRANSIT, APPOINTED BY THE SPEAKER OF THE HOUSE; AND

(2) AS AN EX OFFICIO MEMBER, THE EXECUTIVE DIRECTOR OF THE MARC RAIL AUTHORITY.

(C) (1) THE TERM OF AN APPOINTED MEMBER IS 4 YEARS.

(2) AN APPOINTED MEMBER MAY NOT SERVE MORE THAN THREE CONSECUTIVE TERMS.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

1 **(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES**
2 **ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND**
3 **QUALIFIES.**

4 **(D) AN APPOINTED MEMBER OF THE MARC RAIL AUTHORITY IS ENTITLED**
5 **TO:**

6 **(1) THE COMPENSATION PROVIDED IN THE STATE BUDGET; AND**

7 **(2) REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE**
8 **TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

9 **(E) THE MARC RAIL AUTHORITY IS SUBJECT TO THE OPEN MEETINGS**
10 **ACT UNDER TITLE 3 OF THE GENERAL PROVISIONS ARTICLE.**

11 **7-1304.**

12 **(A) THE MARC RAIL AUTHORITY IS ENTITLED TO THE STAFF PROVIDED IN**
13 **THE STATE BUDGET.**

14 **(B) THE SECRETARY SHALL PROVIDE THE MARC RAIL AUTHORITY WITH**
15 **THE PERSONNEL OF THE DEPARTMENT THAT THE SECRETARY CONSIDERS**
16 **NECESSARY FOR PERFORMANCE OF THE MAINTENANCE AND OTHER FUNCTIONS**
17 **REQUIRED OF THE MARC RAIL AUTHORITY TO MEET ITS OBLIGATIONS WITH**
18 **RESPECT TO ITS MARC RAILROAD FACILITIES PROJECTS.**

19 **7-1305.**

20 **(A) (1) ACTING ON BEHALF OF THE DEPARTMENT, THE MARC RAIL**
21 **AUTHORITY HAS THOSE POWERS AND DUTIES RELATING TO THE SUPERVISION,**
22 **FINANCING, CONSTRUCTION, OPERATION, MAINTENANCE, AND REPAIR OF MARC**
23 **RAILROAD FACILITIES PROJECTS AS ARE GRANTED TO IT BY THIS SUBTITLE.**

24 **(2) THE MARC RAIL AUTHORITY MAY:**

25 **(I) DELEGATE PROJECT OPERATIONS, MAINTENANCE, AND**
26 **REPAIR TO THE ADMINISTRATION; AND**

27 **(II) USE FARE REVENUE TO PROVIDE THE ADMINISTRATION**
28 **WITH PAYMENTS FOR PROJECT OPERATIONS, MAINTENANCE, AND REPAIR.**

29 **(B) THE MARC RAIL AUTHORITY HAS GENERAL SUPERVISION OF MARC**
30 **RAILROAD FACILITIES PROJECTS.**

(C) THE MARC RAIL AUTHORITY SHALL FINANCE, CONSTRUCT, OPERATE, REPAIR, AND MAINTAIN IN GOOD ORDER THE MARC RAILROAD FACILITIES.

(D) THE MARC RAIL AUTHORITY SHALL, TO THE EXTENT PRACTICABLE, ADHERE TO THE TRANSIT PLANS PREPARED UNDER SUBTITLE 3 OF THIS TITLE.

7-1306.

(A) THE MARC RAIL AUTHORITY MAY ACQUIRE, HOLD, AND DISPOSE OF PROPERTY IN THE EXERCISE OF ITS POWERS AND PERFORMANCE OF ITS DUTIES.

(B) THE MARC RAIL AUTHORITY MAY MAKE ANY CONTRACTS AND AGREEMENTS NECESSARY OR INCIDENTAL TO THE EXERCISE OF ITS POWERS AND PERFORMANCE OF ITS DUTIES.

(C) THE MARC RAIL AUTHORITY MAY APPLY FOR AND RECEIVE GRANTS FROM ANY FEDERAL AGENCY FOR THE PLANNING, CONSTRUCTION, OPERATION, OR FINANCING OF ANY PASSENGER RAIL OR TRANSIT PROJECT AND MAY RECEIVE AID OR CONTRIBUTIONS OF MONEY, PROPERTY, LABOR, OR OTHER THINGS OF VALUE FROM ANY SOURCE, TO BE HELD, USED, AND APPLIED FOR THE PURPOSES FOR WHICH THE GRANTS, AID, AND CONTRIBUTIONS ARE MADE.

(D) THE MARC RAIL AUTHORITY MAY ADOPT RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

(E) THE MARC RAIL AUTHORITY MAY DO ANYTHING ELSE NECESSARY OR CONVENIENT TO CARRY OUT THE POWERS GRANTED IN THIS SUBTITLE.

7-1307.

SUBJECT TO TITLE 12 OF THE REAL PROPERTY ARTICLE AND CHAPTER 608 OF THE ACTS OF THE GENERAL ASSEMBLY OF 1976, THE MARC RAIL AUTHORITY MAY CONDEMN PROPERTY FOR ANY MARC RAILROAD FACILITIES PROJECT.

7-1308.

THE MARC RAIL AUTHORITY MAY CONTRACT WITH THE ADMINISTRATION TO AUTHORIZE ADMINISTRATION POLICE OFFICERS TO EXERCISE THE POWERS DESCRIBED UNDER § 7-207 OF THIS TITLE ON PROPERTY OWNED, LEASED, OR OPERATED BY OR UNDER THE CONTROL OF THE MARC RAIL AUTHORITY.

7-1309.

1 **(A) THE MARC RAIL AUTHORITY SHALL MAKE PUBLICLY AVAILABLE ON**
2 **ITS WEBSITE:**

3 **(1) EACH OPEN MEETING AGENDA:**

4 **(I) AT LEAST 48 HOURS IN ADVANCE OF EACH MEETING; OR**

5 **(II) IF THE MEETING IS BEING HELD DUE TO AN EMERGENCY, A**
6 **NATURAL DISASTER, OR ANY OTHER UNANTICIPATED SITUATION, AS FAR IN**
7 **ADVANCE OF THE MEETING AS PRACTICABLE;**

8 **(2) MEETING MINUTES FROM THE PORTIONS OF A MEETING THAT**
9 **WERE HELD IN OPEN SESSION, NOT MORE THAN 2 BUSINESS DAYS AFTER THE**
10 **MINUTES ARE APPROVED;**

11 **(3) LIVE VIDEO STREAMING OF EACH OPEN MEETING OF THE MARC**
12 **RAIL AUTHORITY THAT IS HELD AT:**

13 **(I) THE HEADQUARTERS OF THE MARC RAIL AUTHORITY; OR**

14 **(II) ANY OTHER LOCATION WHERE THE MARC RAIL**
15 **AUTHORITY HAS HELD AT LEAST 10 MEETINGS DURING THE IMMEDIATELY**
16 **PRECEDING CALENDAR YEAR; AND**

17 **(4) A COMPLETE AND UNEDITED ARCHIVED VIDEO RECORDING OF**
18 **EACH OPEN MEETING FOR WHICH LIVE VIDEO STREAMING WAS MADE AVAILABLE**
19 **UNDER ITEM (3) OF THIS SUBSECTION FOR A MINIMUM OF 5 YEARS AFTER THE DATE**
20 **OF THE MEETING.**

21 **(B) THE DEPARTMENT OF INFORMATION TECHNOLOGY SHALL PROVIDE TO**
22 **THE MARC RAIL AUTHORITY THE TECHNICAL STAFF, SUPPORT, AND EQUIPMENT**
23 **NECESSARY TO LIVESTREAM THE OPEN MEETINGS OF THE MARC RAIL AUTHORITY.**

24 **7-1310.**

25 **(A) ON AN ANNUAL BASIS, THE DEPARTMENT SHALL ALLOCATE TO THE**
26 **MARC RAIL AUTHORITY THE REVENUE NEEDED TO SUPPORT THE MARC**
27 **OPERATING AND CAPITAL BUDGETS.**

28 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
29 **MARC FARES AND ANY OTHER REVENUE FROM CHARGES IMPOSED FOR MARC**
30 **SERVICE MAY BE USED ONLY TO SUPPORT THE MARC RAIL AUTHORITY.**

1 **(2) TO THE EXTENT REQUIRED UNDER FINANCING AGREEMENTS**
2 **UNDER TITLE 4, SUBTITLE 3 OF THIS ARTICLE ENTERED INTO ON OR BEFORE**
3 **OCTOBER 1, 2024, MARC FARES AND ANY OTHER REVENUE FROM CHARGES**
4 **IMPOSED FOR MARC SERVICE SHALL CONTINUE TO SUPPORT THOSE EXISTING**
5 **INSTRUMENTS AND OBLIGATIONS.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Department of
7 Transportation shall transition all MARC operations and contracts to the MARC Rail
8 Authority to the extent permissible by such agreements.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2025.