

SENATE BILL 645

R2, M1

4lr1983
CF HB 530

By: **Senator Elfreth**

Introduced and read first time: January 29, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Trails Advisory Committee and the Maryland Office of Trails –**
3 **Establishment**
4 **(Great Maryland Trails Act)**

5 FOR the purpose of establishing the Maryland Office of Trails in the Department of
6 Transportation to develop and maintain the Maryland Trails Network, advance the
7 development, maintenance, and use of trails in the State, develop a certain inventory
8 and database, and collect certain information regarding trails; authorizing the Office
9 to develop a program to recognize and promote trail towns in the State; establishing
10 a Director of the Maryland Office of Trails to oversee the Office and collaborate with
11 the Bicycle and Pedestrian Advisory Committee; establishing the Maryland Trails
12 Advisory Commission in the Department of Transportation to provide guidance to
13 State agencies regarding certain items related to trails; requiring the Commission to
14 designate a member of the Commission to serve as a liaison to the Bicycle and
15 Pedestrian Advisory Committee; requiring the Department of Natural Resources
16 and the Department of Planning to identify certain employees from their
17 departments to transfer to the Maryland Office of Trails; and generally relating to
18 the Maryland Office of Trails and the Maryland Trails Advisory Commission.

19 BY adding to
20 Article – Transportation
21 Section 2–901 through 2–904 to be under the new subtitle “Subtitle 9. Maryland
22 Office of Trails and Maryland Trails Advisory Commission”
23 Annotated Code of Maryland
24 (2020 Replacement Volume and 2023 Supplement)

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

27 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



**SUBTITLE 9. MARYLAND OFFICE OF TRAILS AND MARYLAND TRAILS ADVISORY
COMMISSION.**

2-901.

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

**(B) “COMMISSION” MEANS THE MARYLAND TRAILS ADVISORY
COMMISSION.**

**(C) “DIRECTOR” MEANS THE DIRECTOR OF THE MARYLAND OFFICE OF
TRAILS.**

**(D) “MARYLAND TRAILS NETWORK” MEANS A DESIGNATED SYSTEM OF
CONNECTED TRAILS THROUGHOUT THE STATE.**

**(E) “MARYLAND TRAILS PLAN” MEANS A STRATEGY FOR DEVELOPING,
CONSTRUCTING, MAINTAINING, USING, AND PROMOTING THE MARYLAND TRAILS
NETWORK.**

(F) “OFFICE” MEANS THE MARYLAND OFFICE OF TRAILS.

**(G) “REGIONALLY SIGNIFICANT TRAIL” MEANS A MULTICOUNTY TRAIL
THAT:**

**(1) IS A MAIN CONNECTOR FOR OTHER TRAILS WITHIN THE
MARYLAND TRAILS NETWORK;**

**(2) IS PRIMARILY USED FOR TRANSPORTATION, RECREATION, OR
BOTH;**

**(3) SHOWCASES THE NATURAL VALUE OF THE STATE’S WILDLIFE
AREAS, ECOLOGY, AND NATURAL RESOURCES;**

(4) ATTRACTS TOURISTS; AND

**(5) PROVIDES OPPORTUNITIES FOR ECONOMIC AND ECOTOURISM
DEVELOPMENT.**

**(H) “TRAIL TOWN” MEANS A COMMUNITY LOCATED IN CLOSE PROXIMITY TO
A LONG-DISTANCE NONMOTORIZED RECREATION TRAIL.**

2-902.

(A) (1) THERE IS A MARYLAND OFFICE OF TRAILS IN THE DEPARTMENT.

(2) THE PHYSICAL LOCATION OF THE OFFICE SHALL BE WITHIN THE DEPARTMENT'S HEADQUARTERS.

(B) THE OFFICE SHALL:

(1) DEVELOP AND MAINTAIN THE MARYLAND TRAILS PLAN TO FACILITATE THE DEVELOPMENT, CONSTRUCTION, MAINTENANCE, MANAGEMENT, USE, AND PROMOTION OF THE MARYLAND TRAILS NETWORK;

(2) COORDINATE WITH THE FOLLOWING PERSONS TO IDENTIFY OR ESTABLISH FUNDING SOURCES TO DEVELOP, CONSTRUCT, MAINTAIN, MANAGE, AND PROMOTE THE MARYLAND TRAILS NETWORK:

(I) THE DEPARTMENT OF COMMERCE;

(II) THE DEPARTMENT OF DISABILITIES;

(III) THE STATE DEPARTMENT OF EDUCATION;

(IV) THE DEPARTMENT OF THE ENVIRONMENT;

(V) THE MARYLAND DEPARTMENT OF HEALTH;

(VI) THE DEPARTMENT OF PLANNING;

(VII) THE DEPARTMENT OF NATURAL RESOURCES;

(VIII) THE MARYLAND STATE POLICE;

(IX) THE OFFICE OF TOURISM DEVELOPMENT;

(X) RELEVANT FEDERAL AGENCIES;

(XI) LOCAL GOVERNMENTS;

(XII) THE DIRECTOR OF BICYCLE AND PEDESTRIAN ACCESS;

(XIII) RELEVANT METROPOLITAN PLANNING ORGANIZATIONS;

AND

(XIV) RELEVANT ADVOCACY OR ADVISORY GROUPS;

(3) IDENTIFY AND SECURE GRANTS TO DEVELOP, CONSTRUCT, MAINTAIN, MANAGE, AND PROMOTE THE MARYLAND TRAILS NETWORK;

(4) ESTABLISH CATEGORIES OF TRAILS, TAKING INTO CONSIDERATION:

(I) TRAIL SURFACE TYPE, SUCH AS PAVED AND NATURAL SURFACE TRAILS;

(II) TRAIL LOCATION, INCLUDING URBAN, SUBURBAN, AND RURAL LOCATIONS;

(III) WHETHER A TRAIL WILL BE USED FOR RECREATION, TRANSPORTATION, OR BOTH;

(IV) THE MULTIPLE USES OF TRAILS, INCLUDING WALKING, RUNNING, HIKING, BIKING, MICROMOBILITY, ASSISTIVE MOBILITY DEVICES, AND HORSE RIDING;

(V) GUIDELINES FOR TRAIL STANDARDS, SUCH AS ADEQUATE WIDTH FOR TWO-WAY USE AND THE GUIDELINES FOUND IN THE GUIDES OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS;

(VI) TRAIL OWNERSHIP AND MAINTENANCE;

(VII) ACCESSIBILITY; AND

(VIII) ANY OTHER CHARACTERISTICS DETERMINED RELEVANT BY THE OFFICE;

(5) COORDINATE WITH EACH MODAL ADMINISTRATION OF THE DEPARTMENT AND LOCAL GOVERNMENTS TO ADVANCE THE DEVELOPMENT OF A ROBUST, MULTI-USE MARYLAND TRAILS NETWORK;

(6) ADVANCE THE DEVELOPMENT, MAINTENANCE, AND USE OF TRAILS IN THE STATE BY:

(I) DEVELOPING APPROPRIATE POLICIES; AND

1 **(II) PROVIDING INFORMATION TO AND COORDINATING THE**
2 **INTERACTION OF STATE AND LOCAL GOVERNMENTS;**

3 **(7) DEVELOP A PUBLICLY AVAILABLE STATEWIDE INVENTORY AND**
4 **DATABASE OF TRAILS IN THE STATE THAT INCLUDES:**

5 **(I) ACTIVE AND PROPOSED TRAILS IN THE STATE, INCLUDING**
6 **TRAILS IN THE PLAN, DESIGN, OR CONSTRUCTION PHASE; AND**

7 **(II) TRAIL MAPS, DIRECTORIES, DATABASES, AND OTHER**
8 **RESOURCES THAT PROMOTE TRAILS AND TRAIL DEVELOPMENT;**

9 **(8) MEASURE TRAIL USE AND THE EFFECT OF TRAIL USE ON:**

10 **(I) REDUCING TRAFFIC;**

11 **(II) REDUCING GREENHOUSE GAS EMISSIONS;**

12 **(III) IMPROVING PUBLIC HEALTH;**

13 **(IV) IMPROVING EQUITABLE AND AFFORDABLE MOBILITY**
14 **ACROSS THE STATE; AND**

15 **(V) ANY OTHER FACTORS THE OFFICE DETERMINES RELEVANT;**

16 **(9) IDENTIFY UTILITY AND RAIL CORRIDORS THAT COULD BE USED AS**
17 **PART OF THE MARYLAND TRAILS NETWORK;**

18 **(10) IDENTIFY TRAIL GAPS THAT SHOULD BE PRIORITIZED FOR TRAIL**
19 **CONNECTION;**

20 **(11) IDENTIFY REGIONALLY SIGNIFICANT TRAILS THAT SHOULD BE**
21 **PRIORITIZED FOR INCLUSION IN THE MARYLAND TRAILS NETWORK, WITH**
22 **CONSIDERATION GIVEN TO EQUITY AND ENVIRONMENTAL IMPACTS; AND**

23 **(12) IDENTIFY AND MAP OTHER LAND AND WATERWAYS SUITABLE FOR**
24 **INCLUSION WITHIN THE MARYLAND TRAILS NETWORK.**

25 **(C) THE MARYLAND TRAILS NETWORK MAY INCLUDE TRAILS CONNECTED**
26 **BY SIDEWALKS OR ROADWAYS IF THE SIDEWALKS OR ROADWAYS ARE NOT SUBJECT**
27 **TO HIGH LEVELS OF USE.**

(D) THE OFFICE MAY DEVELOP A PROGRAM TO RECOGNIZE AND PROMOTE TRAIL TOWNS IN THE STATE.

(E) (1) THE OFFICE MAY NOT INCORPORATE PRIVATE PROPERTY INTO ANY SEGMENT OF THE MARYLAND TRAILS NETWORK UNLESS THE OFFICE OBTAINS WRITTEN CONSENT FROM THE PROPERTY OWNER.

(2) IDENTIFICATION OR MAPPING OF LAND OR WATERWAYS DOES NOT CONSTITUTE INCLUSION OF THE LAND OR WATERWAYS IN THE MARYLAND TRAILS NETWORK.

(F) STAFF FOR THE OFFICE SHALL HAVE EXPERTISE IN:

(1) TRAIL PLANNING AND DEVELOPMENT;

(2) MAPPING AND GIS SOFTWARE;

(3) STATE AND LOCAL LAND USE AND ZONING LAWS AND REGULATIONS; AND

(4) FINANCING AND BUDGET MANAGEMENT.

(G) FUNDING FOR THE OFFICE SHALL BE AS PROVIDED IN THE STATE BUDGET.

2-903.

(A) THERE IS A DIRECTOR OF THE MARYLAND OFFICE OF TRAILS.

(B) (1) THE DIRECTOR SHALL BE APPOINTED BY THE COMMISSION.

(2) THE TERM OF THE DIRECTOR IS 6 YEARS, BEGINNING JULY 1 AFTER THE APPOINTMENT OF THE DIRECTOR.

(3) AT THE END OF A TERM, THE DIRECTOR SHALL CONTINUE TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(C) THE DIRECTOR MUST BE PROFESSIONALLY QUALIFIED THROUGH EXPERIENCE OR EDUCATION IN AT LEAST ONE OF THE FOLLOWING AREAS:

(1) ENVIRONMENTAL SCIENCE;

(2) FINANCIAL ANALYSIS;

1 **(3) LAW;**

2 **(4) NATURAL RESOURCES;**

3 **(5) PUBLIC ADMINISTRATION; OR**

4 **(6) TRANSPORTATION.**

5 **(D) THE DIRECTOR IS ENTITLED TO:**

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

7 **(2) REIMBURSEMENT FOR TRAVEL AND OTHER EXPENSES THAT ARE**
8 **CONNECTED WITH THE DUTIES OF THE DIRECTOR.**

9 **(E) THE DIRECTOR SHALL:**

10 **(1) OVERSEE THE OFFICE; AND**

11 **(2) COLLABORATE WITH THE BICYCLE AND PEDESTRIAN ADVISORY**
12 **COMMITTEE TO COORDINATE THE WORK OF THE OFFICE AND THE BICYCLE AND**
13 **PEDESTRIAN ADVISORY COMMITTEE.**

14 **2-904.**

15 **(A) THERE IS A MARYLAND TRAILS ADVISORY COMMISSION IN THE**
16 **DEPARTMENT.**

17 **(B) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE**
18 **COMMISSION SHALL CONSIST OF THE FOLLOWING MEMBERS, APPOINTED BY THE**
19 **GOVERNOR:**

20 **(I) ONE REPRESENTATIVE OF THE DEPARTMENT OF**
21 **COMMERCE;**

22 **(II) ONE REPRESENTATIVE OF THE DEPARTMENT OF**
23 **DISABILITIES;**

24 **(III) ONE REPRESENTATIVE OF THE DEPARTMENT OF THE**
25 **ENVIRONMENT;**

(IV) ONE REPRESENTATIVE OF THE MARYLAND DEPARTMENT
OF HEALTH;

(V) ONE REPRESENTATIVE OF THE DEPARTMENT OF
PLANNING;

(VI) ONE REPRESENTATIVE OF THE DEPARTMENT OF NATURAL
RESOURCES;

(VII) ONE REPRESENTATIVE OF THE DEPARTMENT OF
TRANSPORTATION;

(VIII) ONE REPRESENTATIVE OF THE OFFICE OF TOURISM
DEVELOPMENT;

(IX) ONE REPRESENTATIVE OF THE MARYLAND–NATIONAL
CAPITAL PARK AND PLANNING COMMISSION;

(X) ONE REPRESENTATIVE OF A METROPOLITAN PLANNING
ORGANIZATION;

(XI) ONE REPRESENTATIVE OF A RURAL REGIONAL PLANNING
COUNCIL FOR AN AREA THAT IS NOT PART OF A METROPOLITAN PLANNING
ORGANIZATION;

(XII) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION
OF COUNTIES;

(XIII) ONE REPRESENTATIVE OF THE MARYLAND MUNICIPAL
LEAGUE;

(XIV) ONE REPRESENTATIVE OF BIKE MARYLAND;

(XV) ONE REPRESENTATIVE OF MID–ATLANTIC OFF–ROAD
ENTHUSIASTS;

(XVI) ONE REPRESENTATIVE OF A REGIONAL TRAIL COALITION;

(XVII) ONE REPRESENTATIVE OF A TRAIL ADVOCACY
ORGANIZATION;

(XVIII) ONE CITIZEN MEMBER FROM THE EASTERN SHORE;

(XIX) ONE CITIZEN MEMBER FROM WESTERN MARYLAND;

(XX) ONE CITIZEN MEMBER FROM SOUTHERN MARYLAND;

(XXI) TWO CITIZEN MEMBERS FROM THE BALTIMORE METROPOLITAN AREA;

(XXII) TWO CITIZEN MEMBERS FROM THE WASHINGTON METROPOLITAN AREA; AND

(XXIII) UP TO SIX CITIZEN MEMBERS WHO REPRESENT THE INTERESTS OF BICYCLISTS, PEDESTRIANS, AND THE DISABLED COMMUNITY, INCLUDING:

1. ONE REPRESENTATIVE OF INDIVIDUALS WHO ARE VISUALLY IMPAIRED; AND

2. ONE REPRESENTATIVE OF INDIVIDUALS WHO ARE MOBILITY IMPAIRED.

(2) ONE OF THE CITIZEN MEMBERS APPOINTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL HAVE EXPERTISE IN BICYCLE AND PEDESTRIAN SAFETY.

(3) THE TOTAL MEMBERSHIP OF THE COMMISSION MAY NOT EXCEED 30 MEMBERS.

(C) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE COMMISSION.

(D) (1) THE TERM OF A MEMBER IS 4 YEARS.

(2) THE TERMS OF MEMBERS ARE STAGGERED.

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

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SHALL SERVE FOR THE REMAINDER OF THE TERM OR UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(E) THE COMMISSION MAY ADOPT PROCEDURES NECESSARY TO ENSURE THE ORDERLY TRANSACTION OF BUSINESS.

1 **(F) THE COMMISSION SHALL HOLD REGULAR MEETINGS AS IT CONSIDERS**
2 **APPROPRIATE.**

3 **(G) A MEMBER OF THE COMMISSION:**

4 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
5 **COMMISSION; BUT**

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

8 **(H) THE DEPARTMENT SHALL COORDINATE WITH THE FOLLOWING**
9 **ENTITIES TO PROVIDE STAFF, ADMINISTRATIVE SUPPORT, AND OPERATING**
10 **EXPENSES FOR THE COMMISSION IN ACCORDANCE WITH THE STATE BUDGET:**

11 **(1) THE OFFICE;**

12 **(2) THE DEPARTMENT OF COMMERCE;**

13 **(3) THE DEPARTMENT OF DISABILITIES;**

14 **(4) THE DEPARTMENT OF THE ENVIRONMENT;**

15 **(5) THE MARYLAND DEPARTMENT OF HEALTH;**

16 **(6) THE DEPARTMENT OF PLANNING; AND**

17 **(7) THE DEPARTMENT OF NATURAL RESOURCES.**

18 **(I) THE COMMISSION SHALL PROVIDE GUIDANCE TO STATE AGENCIES**
19 **REGARDING:**

20 **(1) THE FUNDING OF TRAIL-RELATED PROGRAMS;**

21 **(2) THE DEVELOPMENT AND MAINTENANCE OF THE MARYLAND**
22 **TRAILS PLAN;**

23 **(3) PUBLIC EDUCATION AND AWARENESS OF TRAIL-RELATED**
24 **ACTIVITIES AND TRAIL SAFETY;**

25 **(4) POLICY AND LEGISLATIVE CHANGES NECESSARY FOR TRAIL**
26 **DEVELOPMENT AND MAINTENANCE; AND**

1 **(5) ANY OTHER ISSUE DIRECTLY RELATED TO TRAIL PLANNING,**
2 **CONSTRUCTION, MAINTENANCE, OR USE.**

3 **(J) THE COMMISSION SHALL DESIGNATE A MEMBER OF THE COMMISSION**
4 **TO SERVE AS A LIAISON TO THE BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE.**

5 **(K) (1) ON OR BEFORE DECEMBER 1, 2024, AND EACH DECEMBER 1**
6 **THEREAFTER, THE COMMISSION SHALL SUBMIT A TRAILS REPORT TO THE**
7 **GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT**
8 **ARTICLE, THE GENERAL ASSEMBLY.**

9 **(2) THE TRAILS REPORT SHALL INCLUDE PLANS, PROGRESS, ISSUES,**
10 **AND PRIORITIES FOR THE OFFICE, THE MARYLAND TRAILS PLAN, AND THE**
11 **MARYLAND TRAILS NETWORK.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That:

13 (a) The Department of Natural Resources and the Department of Planning shall
14 identify employees from their departments to transfer to the Maryland Office of Trails
15 established under Section 1 of this Act to provide part or all of the staffing for the Office.

16 (b) Employees identified under subsection (a) of this section shall:

17 (1) have expertise in:

18 (i) trail planning and development;

19 (ii) mapping and GIS software;

20 (iii) State and local land use and zoning laws and regulations; or

21 (iv) financing and budget management; and

22 (2) be transferred to the Maryland Office of Trails on or before July 1, 2024.

23 (c) Employees transferred to the Maryland Office of Trails under this section
24 shall be transferred without diminution of their rights, benefits, employment, or retirement
25 status.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
27 1, 2024.