

ARTICLE 9. PEDESTRIAN AND TRAFFIC SAFETY ADVISORY COMMITTEE.

📖 Sec. 49-81. Pedestrian, Bicycle, and Traffic Safety Advisory Committee.

(a) *Definition.* In this Section “Committee” means the Pedestrian, Bicycle, and Traffic Safety Advisory Committee.

(b) *Established.* The County Executive must appoint, subject to confirmation by the County Council, a Pedestrian, Bicycle, and Traffic Safety Advisory Committee.

(c) *Composition and terms of members.*

(1) The Committee has 17 members.

(2) The Executive must appoint a representative from each of the following departments as members:

- (A) the Police Department;
- (B) the Department of Transportation; and
- (C) one of the Regional Services Centers.

(3) The Executive must invite a representative from each of the following agencies to serve as members:

- (A) the County Council;
- (B) the County Planning Board;
- (C) the Montgomery County Public Schools; and
- (D) the State Highway Administration.

(4) The Executive must appoint:

(A) one member representing a municipality from a list provided by the County chapter of the Maryland Municipal League;

- (B) one member representing advocates of bicycling; and
- (C) one member representing people with disabilities.

(5) The Executive must appoint the remaining individuals from different geographic areas of the County.

(6) The term of each member is 3 years. After an appointment to fill a vacancy before a term expires, the successor serves the rest of the unexpired term.

(d) *Voting, officers, meetings, and compensation.*

- (1) All members of the Committee are voting members.
- (2) The Executive must designate a member of the Committee as Chair for one 2- year term.
- (3) The Committee meets at the call of the Chair. The Committee must meet as often as necessary to perform its duties, but not less than 4 times each year.
- (4) A member must serve without compensation. However, a member may request reimbursement for mileage and dependent care costs at rates established by the County.

(e) *Duties.* The Committee must:

- (1) advise the Executive and Council on the status of the implementation of the recommendations in the Pedestrian Safety Final Report, issued in 2002;
- (2) advise the Executive and Council of priorities and needs for pedestrian and bicycle safety and access, and other pedestrian-related issues; and
- (3) continue to gather information on pedestrian safety and other pedestrian-related issues and identify new issues that emerge.

(f) *Annual Report.* By November 1 each year, the Committee must submit to the Executive and the Council an annual report on its functions, activities, accomplishments, and plans and objectives.

(g) *Advocacy.* The Committee must not engage in any advocacy activity at the State or federal levels unless that activities is approved by the Office of Intergovernmental Relations.

(h) *Staff.* The Chief Administrative Officer must provide appropriate staff to the Committee. ([2007 L.M.C., ch. 8, § 1](#); [2008 L.M.C., ch. 5, § 1](#); [2011 L.M.C., ch. 18, § 1.](#))

Editor's note—[2008 L.M.C., ch. 5, § 3](#), states: Sec. 3. Any regulation in effect when this Act takes effect that implements a function transferred to another Department or Office under Section 1 of this Act continues in effect, but any reference in any regulation to the Department from which the function was transferred must be treated as referring to the Department to which the function is transferred. The transfer of a function under this Act does not affect any right of a party to any legal proceeding begun before this Act took effect.

2007 L.M.C., ch. 8, § 4, amended by [2011 L.M.C., ch. 18, § 2](#), states: Continuity and sunset of Pedestrian and Traffic Safety Advisory Committee. Section [49-81](#) establishes a Pedestrian and Traffic Safety Advisory Committee. This Committee continues the Pedestrian Safety Advisory Committee, created under Council Resolution 14-1281 and extended under Council Resolution 16-192. The County Executive must allow the members of the Pedestrian Safety Advisory Committee to continue to serve the remainder of their terms as members of the Pedestrian and Traffic Safety Advisory Committee. The Executive must continue to stagger the terms of the members of the Pedestrian and Traffic Safety Advisory Committee so that approximately one-third of the terms of these members continue to expire each year.

[Note] ***Editor's note**—See editor's note at beginning of this Chapter concerning 2007 L.M.C., ch. 8, § 3.

Copies of the Montgomery County Road Design and Construction Code, the Montgomery County standard specifications, and the design standards may be obtained from the County Department of Public Works and Transportation, Rockville, Md.

The power of the council to enact a road construction code is among the express powers conferred by Ann. Code of Md., 1957, art. 25A, § 5(T). Silver Spring Memorial Post, V.F.W. v. Montgomery County, 207 Md. 442, 115 A.2d 249 (1955).

[Note] ***Editor's note**—Article 8, formerly Article VII, §§ ~~49-76~~—~~49-80~~, was added by 1993 L.M.C., ch. 9, § 1. Sections 3 and 4 read as follows:

"Sec. 3. Initial appointments to Advisory Committee.

"Of the members first appointed to the Rustic Roads Advisory Committee, 2 must be appointed for 1-year terms, 2 must be appointed for 2-year terms, and 3 must be appointed for 3-year terms.

"Sec. 4. Interim protection of roads.

"(a) This Act applies to the roads identified on Exhibit A [printed at the end of this article] as rustic roads and exceptional rustic roads as if the County Council had so classified the roads under Section 49-78.

"(b) The Rustic Roads Advisory Committee must advise the County Department of Transportation regarding the significant features of these roads that must be preserved when the roads are maintained or improved, or when a public utility completes work on or near the roads. These significant features have the same status as those identified by the County Council under Section 49-78.

"(c) The County Council may add or delete all or part of a road from the list on Exhibit A by resolution after a public hearing if:

"(1) the County Executive asks the Council to delete a road from the list so that the road can be maintained or improved in a manner not permitted by this Act;

"(2) the Rustic Roads Advisory Committee asks the Council to add or delete a road from the list; or

"(3) a public utility asks the Council to delete a road from the list so that the public utility can complete work along the road in a manner not permitted by this Act.

"(d) This Section is not effective after December 31, 1996."