

Bill No. 8-07
Concerning: Capital Improvements
Program – Bicycle and Pedestrian
Impacts
Revised: 5-9-07 Draft No. 3
Introduced: May 16, 2007
Enacted: July 3, 2007
Executive: July 15, 2007
Effective: October 14, 2007
Sunset Date: None
Ch. 7, Laws of Mont. Co. 2007

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Andrews, Floreen, Leventhal, Praisner, [[and]] Trachtenberg, Ervin, Elrich,
Berliner, and Knapp

AN ACT to:

- (1) require the Office of Management and Budget to submit pedestrian and bicyclist impact statements with certain capital projects in the Capital Improvements Program;
- (2) authorize the Council to require other County departments and agencies to supplement the impact statements furnished by the Office of Management and Budget; and
- (3) repeal obsolete provisions, and generally amend County law regarding the analysis of transportation and other capital projects.

By amending

Montgomery County Code
Chapter 31, Motor vehicles and traffic.
Section 31-68

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 31-68 is amended as follows:**

2 **31-68. [Executive rules, regulations and orders which were in effect immediately**
 3 **preceding the effective date of this chapter.] Pedestrian and bicycle safety**
 4 **impact statements.**

5 [Executive rules, regulations and orders which were in effect immediately
 6 preceding the effective date of this chapter shall remain in effect, to the extent that
 7 they are consistent with this chapter, until they are altered, amended or rescinded by
 8 the county executive.]

9 (a) For each applicable capital project in the Capital Improvements
 10 Program, the Office of Management and Budget must include in or
 11 transmit with the CIP an analysis of:

12 (1) the effect of the project on pedestrian and bicyclist access and
 13 safety in the project and the surrounding area; and

14 (2) what capital or operating modifications, if any, will be required to
 15 promote and maximize safe pedestrian and bicyclist access to,
 16 and in the area of, the project.

17 (b) As used in this section, applicable capital project includes:

18 (1) any new or modified building, road, park, school, or other capital
 19 project which is:

20 (A) proposed for development on a single unified site; and

21 (B) identifiable as a separate facility; and

22 (2) any project that comprises individual subprojects or items if any
 23 individual subproject or element listed in the project description
 24 form submitted by OMB, if treated separately, would be covered
 25 by paragraph (1).

26 (c) The Council may require any other County department or agency to
 27 supplement the analysis submitted by the Office of Management and
 28 Budget.

29 (d) The Council may by resolution exempt a category of capital projects
 30 which by their nature do not require an analysis under this Section.

31 *Approved:*

32 /s/	July 5, 2007
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Marilyn J. Praisner, President, County Council	Date

33 *Approved:*

34 /s/	July 15, 2007
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Isiah Leggett, County Executive	Date

35 *This is a correct copy of Council action.*

36 /s/	July 17, 2007
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Linda M. Lauer, Clerk of the Council	Date