

Introduced 01.03.2023
Public Hearing 01.17.2023
Council Action 03.06.2023
Executive Action 03.09.2023
Effective Date 05.09.2023

County Council of Howard County, Maryland

2023 Legislative Session

Legislative Day No. 1

Bill No. 4 -2023

Introduced by: Christiana Rigby

AN ACT imposing an assessment on each trip generated by a Transportation Network Service company originating in the County; providing for collection of the assessment; creating a Transit Services Improvement Fund; specifying the components and uses of the Fund; requiring a certain Report; and generally relating to for-hire transportation network activities.

Introduced and read first time Jan 3, 2023. Ordered posted and hearing scheduled.
By order Michelle Harrod
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on Jan 17, 2023.

By order Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on Mar 6, 2023 and Passed , Passed with amendments , Failed .

By order Michelle Harrod
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 8 day of March, 2023 at 1⁰⁰ a.m./p.m.

By order Michelle Harrod
Michelle Harrod, Administrator

Approved by the County Executive March 9, 2023

Calvin Ball
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

Tabled Feb 6, 2023 Michelle Harrod

1 WHEREAS, communities across the world are facing impacts from the ever-growing threat of
2 global climate change, which includes rising temperatures, increased heat waves and
3 droughts, more frequent severe weather events, sea level rise, and environmental
4 degradation;

5 WHEREAS, the United Nations Intergovernmental Panel on Climate Change (IPCC) published
6 its Sixth Assessment Report on August 7, 2021, which highlights that climate change has
7 occurred at an “unprecedented” pace and notes that “it is unequivocal that human
8 influence has warmed the atmosphere, ocean and land.”;

9 WHEREAS, the IPCC Sixth Assessment Report firmly establishes that “limiting human-induced
10 global warming to a specific level requires limiting cumulative CO2 emissions, reaching
11 at least net zero CO2 emissions, along with strong reductions in other greenhouse gas
12 emissions.”;

13 WHEREAS, in 2022, the Maryland General Assembly passed the Climate Solutions Now Act,
14 which requires the state of Maryland to reduce greenhouse gas emissions by 60% from
15 2006 levels by 2031 and achieve net-zero emissions by 2045;

16 WHEREAS, the preliminary report of Howard County’s Climate Action and Resiliency Plan
17 (CARP) has determined that the transportation sector accounts for approximately 55% of
18 Howard County’s local greenhouse gas emissions;

19 WHEREAS, the United States Federal Transit Administration has identified that public
20 transportation is one part of the solution to address climate change and decrease
21 greenhouse gas emissions as “public transportation produces significantly lower
22 greenhouse gas emissions per passenger mile than private vehicles.”;

23 WHEREAS, Howard County currently offers public transportation through its partnership in the
24 Regional Transportation Agency of Central Maryland (RTA), which estimates it will
25 provide 640,000 passenger trips in Howard County during FY2023;

26 WHEREAS, the Howard County Office of Transportation has identified a goal of reaching
27 1,000,000 passenger trips through the RTA bus service by FY2025 in an effort to
28 promote sustainable transportation opportunities, decrease traffic congestion, and reduce
29 air pollution in the region;

30 WHEREAS, transit utilization and transit ridership increase when more frequent service,
31 additional travel routes, and longer hours of operation are implemented;

32 WHEREAS, reliable public transportation provides individuals with a multitude of benefits and
33 opportunities, including affordable access to education, employment, recreation,
34 government services, healthcare facilities, and other resources;

1 WHEREAS, in September 2021, Howard County Government began providing free RTA bus
2 service to over 31,000 middle school and high school students enrolled in the Howard
3 County Public School System;

4 WHEREAS, the Howard County Council’s Racial Equity Task Force released its Final Report to
5 the County Council on August 3, 2021, which identifies and recommends that the
6 Howard County Council “pass legislation to invest equitably in mass transportation in
7 Howard County and, as a first step, develop a screening tool that can help determine mass
8 transportation investments in priority communities.”; and

9 WHEREAS, it is in the interest of the Howard County Council to address the effects of climate
10 change by reducing greenhouse gas emissions, including through funding and
11 strengthening the local public transportation system;

12
13 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the Howard
14 County Code is amended as follows:

15 *By adding:*

16 *Title 20 - Taxes, Charges, And Fees.*

17 *Subtitle ~~13~~ 15– Miscellaneous.*

18 *Section ~~20.1300~~ 20.1500- Transportation network company*
19 *services surcharge.*

20
21 **Title 20 - Taxes, Charges, And Fees**

22 **SUBTITLE ~~13~~ 15– MISCELLANEOUS.**

23 **SEC. ~~20.1300~~ 20.1500. TRANSPORTATION NETWORK COMPANY SERVICES ASSESSMENT.**

24 (A) DEFINITIONS. IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS

25 INDICATED:

26 1. DEMAND RESPONSE MEANS A PUBLIC TRANSIT SERVICE THAT ALTERS
27 ITS ROUTES FOR EACH JOURNEY BASED ON NEED.

28 2. FIXED ROUTE MEANS A PUBLIC TRANSIT SERVICE THAT FOLLOWS A FIXED
29 ROUTE AND SCHEDULE.

30 (A) (B) IN GENERAL.

1 (1) IN ACCORDANCE WITH SECTION 10-406 OF THE PUBLIC UTILITIES ARTICLE
2 OF THE MARYLAND CODE, THERE IS A \$0.25 ASSESSMENT ON TRANSPORTATION NETWORK
3 SERVICES FOR EACH TRIP ORIGINATING IN THE COUNTY.

4 (2) THE ASSESSMENT SHALL BE COLLECTED AS PROVIDED IN § 10-406 OF THE
5 PUBLIC UTILITIES ARTICLE OF THE MARYLAND CODE.

6 ~~(B)~~ (C) *TRANSIT SERVICES IMPROVEMENT FUND.*

7 (1) THERE IS A TRANSIT SERVICES IMPROVEMENT FUND.

8 (2) THE FUND CONSISTS OF:

9 (I) REVENUE FROM THE ASSESSMENT IMPOSED ON TRANSPORTATION
10 NETWORK SERVICES UNDER THIS SECTION;

11 (II) MONEY APPROPRIATED TO THE FUND;

12 (III) ANY EARNINGS ON MONEY IN THE FUND; AND

13 (IV) MONEY DEPOSITED INTO THE FUND FROM ANY OTHER PUBLIC OR
14 PRIVATE ENTITY.

15 (3) ~~THE FUND SHALL BE USED TO INCREASE APPROPRIATIONS FOR FIXED ROUTE~~
16 ~~AND DEMAND RESPONSE TRANSIT SERVICE AND SHALL NOT SUPPLANT ORDINARY~~
17 ~~APPROPRIATIONS FOR THAT SERVICE. BE USED TO INCREASE APPROPRIATIONS FOR FIXED~~
18 ~~ROUTE OR DEMAND RESPONSE TRANSIT SERVICE OR REPAY DEBT INCURRED FOR TRANSIT~~
19 ~~CAPITAL PROJECTS OR ZERO EMISSION TRANSIT VEHICLES.~~

20 (4) THE FUND SHALL NOT SUPPLANT ORDINARY APPROPRIATIONS FOR TRANSIT SERVICE.

21 ~~(e)~~ (D) *REPORT.*

22 AT THE END OF EACH FISCAL YEAR AND IN ACCORDANCE WITH SECTION 22.1000 OF
23 THE COUNTY CODE, THE DEPARTMENT OF FINANCE SHALL REPORT TO THE COUNTY
24 COUNCIL ON THE TRANSIT SERVICES IMPROVEMENT FUND , INCLUDING ON THE FINANCIAL
25 STANDING OF THE FUND, THE WAYS THE FUND HAS BEEN USED IN THE PAST YEAR, AND THE
26 PROJECTED USES OF THE FUND.

27

1 **Section 2. And Be It Further Enacted** by the County Council of Howard County, Maryland that
2 a transportation network company shall collect the surcharge imposed by this Act beginning 120
3 days after the effective date of this Act and submit to the Comptroller of Maryland the revenues
4 and documents in accordance with § 10-406 of the Public Utilities Article of the Maryland Code.

5
6 **Section 3. And Be It Further Enacted** by the County Council of Howard County, Maryland that,
7 the Administrator of the County Council shall notify the Comptroller of Maryland of the effective
8 date of the imposition of the surcharge and the amount of the surcharge.

9
10 **Section 4. And Be It Further Enacted** by the County Council of Howard County, Maryland that
11 this Act shall become effective 61 days after its enactment.

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on March 9, 2023.

Michelle Harrod
Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2023.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2023.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2023.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2023.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2023.

Michelle Harrod, Administrator to the County Council

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2023 Legislative Session

Legislative Day No. **1**

Bill No. 4 -2023

Introduced by: Christiana Rigby

AN ACT imposing an assessment on each trip generated by a Transportation Network Service company originating in the County; providing for collection of the assessment; creating a Transit Services Improvement Fund; specifying the components and uses of the Fund; requiring a certain Report; and generally relating to for-hire transportation network activities.

Introduced and read first time _____, 2023. Ordered posted and hearing scheduled.

By order _____
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2023.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2023 and passed ____, Passed with amendments _____, Failed _____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2023 at ___ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved by the County Executive _____, 2023

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 WHEREAS, communities across the world are facing impacts from the ever-growing threat of
2 global climate change, which includes rising temperatures, increased heat waves and
3 droughts, more frequent severe weather events, sea level rise, and environmental
4 degradation;

5 WHEREAS, the United Nations Intergovernmental Panel on Climate Change (IPCC) published
6 its Sixth Assessment Report on August 7, 2021, which highlights that climate change has
7 occurred at an “unprecedented” pace and notes that “it is unequivocal that human
8 influence has warmed the atmosphere, ocean and land.”;

9 WHEREAS, the IPCC Sixth Assessment Report firmly establishes that “limiting human-induced
10 global warming to a specific level requires limiting cumulative CO2 emissions, reaching
11 at least net zero CO2 emissions, along with strong reductions in other greenhouse gas
12 emissions.”;

13 WHEREAS, in 2022, the Maryland General Assembly passed the Climate Solutions Now Act,
14 which requires the state of Maryland to reduce greenhouse gas emissions by 60% from
15 2006 levels by 2031 and achieve net-zero emissions by 2045;

16 WHEREAS, the preliminary report of Howard County’s Climate Action and Resiliency Plan
17 (CARP) has determined that the transportation sector accounts for approximately 55% of
18 Howard County’s local greenhouse gas emissions;

19 WHEREAS, the United States Federal Transit Administration has identified that public
20 transportation is one part of the solution to address climate change and decrease
21 greenhouse gas emissions as “public transportation produces significantly lower
22 greenhouse gas emissions per passenger mile than private vehicles.”;

23 WHEREAS, Howard County currently offers public transportation through its partnership in the
24 Regional Transportation Agency of Central Maryland (RTA), which estimates it will
25 provide 640,000 passenger trips in Howard County during FY2023;

26 WHEREAS, the Howard County Office of Transportation has identified a goal of reaching
27 1,000,000 passenger trips through the RTA bus service by FY2025 in an effort to
28 promote sustainable transportation opportunities, decrease traffic congestion, and reduce
29 air pollution in the region;

30 WHEREAS, transit utilization and transit ridership increase when more frequent service,
31 additional travel routes, and longer hours of operation are implemented;

32 WHEREAS, reliable public transportation provides individuals with a multitude of benefits and
33 opportunities, including affordable access to education, employment, recreation,
34 government services, healthcare facilities, and other resources;

1 WHEREAS, in September 2021, Howard County Government began providing free RTA bus
2 service to over 31,000 middle school and high school students enrolled in the Howard
3 County Public School System;

4 WHEREAS, the Howard County Council’s Racial Equity Task Force released its Final Report to
5 the County Council on August 3, 2021, which identifies and recommends that the
6 Howard County Council “pass legislation to invest equitably in mass transportation in
7 Howard County and, as a first step, develop a screening tool that can help determine mass
8 transportation investments in priority communities.”; and

9 WHEREAS, it is in the interest of the Howard County Council to address the effects of climate
10 change by reducing greenhouse gas emissions, including through funding and
11 strengthening the local public transportation system;

12
13 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the Howard*
14 *County Code is amended as follows:*

15 *By adding:*

16 *Title 20 - Taxes, Charges, And Fees.*

17 *Subtitle 13 – Miscellaneous.*

18 *Section 20.1300 - Transportation network company services*
19 *surcharge.*

20
21 **Title 20 – Taxes, Charges, And Fees**

22 **SUBTITLE 13 – MISCELLANEOUS.**

23 **SEC. 20.1300. TRANSPORTATION NETWORK COMPANY SERVICES ASSESSMENT.**

24 **(A) IN GENERAL.**

25 (1) IN ACCORDANCE WITH SECTION 10-406 OF THE PUBLIC UTILITIES ARTICLE
26 OF THE MARYLAND CODE, THERE IS A \$0.25 ASSESSMENT ON TRANSPORTATION NETWORK
27 SERVICES FOR EACH TRIP ORIGINATING IN THE COUNTY.

28 (2) THE ASSESSMENT SHALL BE COLLECTED AS PROVIDED IN § 10-406 OF THE
29 PUBLIC UTILITIES ARTICLE OF THE MARYLAND CODE.

30 **(B) TRANSIT SERVICES IMPROVEMENT FUND.**

31 (1) THERE IS A TRANSIT SERVICES IMPROVEMENT FUND.

1 (2) THE FUND CONSISTS OF:

2 (I) REVENUE FROM THE ASSESSMENT IMPOSED ON TRANSPORTATION
3 NETWORK SERVICES UNDER THIS SECTION;

4 (II) MONEY APPROPRIATED TO THE FUND;

5 (III) ANY EARNINGS ON MONEY IN THE FUND; AND

6 (IV) MONEY DEPOSITED INTO THE FUND FROM ANY OTHER PUBLIC OR
7 PRIVATE ENTITY.

8 (3) THE FUND SHALL BE USED TO INCREASE APPROPRIATIONS FOR FIXED ROUTE
9 TRANSIT SERVICE AND SHALL NOT SUPPLANT ORDINARY APPROPRIATIONS FOR THAT
10 SERVICE.

11 (C) *REPORT.*

12 AT THE END OF EACH FISCAL YEAR AND IN ACCORDANCE WITH SECTION 22.1000 OF
13 THE COUNTY CODE, THE DEPARTMENT OF FINANCE SHALL REPORT TO THE COUNTY
14 COUNCIL ON THE TRANSIT SERVICES IMPROVEMENT FUND.

15
16 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland that
17 *a transportation network company shall collect the surcharge imposed by this Act beginning 120*
18 *days after the effective date of this Act and submit to the Comptroller of Maryland the revenues*
19 *and documents in accordance with § 10-406 of the Public Utilities Article of the Maryland Code.*

20
21 ***Section 3. And Be It Further Enacted*** by the County Council of Howard County, Maryland that,
22 *the Administrator of the County Council shall notify the Comptroller of Maryland of the effective*
23 *date of the imposition of the surcharge and the amount of the surcharge.*

24
25 ***Section 4. And Be It Further Enacted*** by the County Council of Howard County, Maryland that
26 *this Act shall become effective 61 days after its enactment.*

Amendment 4 to Council Bill No. 4-2023

BY: Deb Jung

Legislative Day 3
Date: March 6, 2023

Amendment No. 4

(This Amendment provides for funding capital expenses.)

- 1 On page 3, line 8, strike “BE USED TO INCREASE APPROPRIATIONS FOR FIXED ROUTE TRANSIT
- 2 SERVICE AND SHALL NOT SUPPLANT ORDINARY APPROPRIATIONS FOR THAT SERVICE” and
- 3 substitute:
- 4 “BE EXPENDED ON INDEBTEDNESS INCURRED FOR TRANSIT CAPITAL PROJECTS OR ZERO
- 5 EMISSION TRANSIT VEHICLES”