


F R O M	NAME & TITLE	Steve Sharkey, Director	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 20-0532		

TO: Mayor Bernard C. “Jack” Young
TO: Transportation Committee
FROM: Department of Transportation
POSITION: **Oppose**
RE: Council Bill – 20-0532

DATE: 5/12/20

INTRODUCTION – Temporary Street Space for Pedestrians and Cyclists

PURPOSE/PLANS – For the purpose of requiring the Department of Transportation to provide additional street space to pedestrians and cyclists during the pendency of certain temporary spacing orders; requiring that the provision of additional street space be distributed equitably through the City; setting forth certain factors for the Department to consider when providing additional street space; providing for the expiration of additional street space requirements; requiring certain reports; defining certain terms; and providing for a special effective date.

COMMENTS – City Council Bill 20-0532 looks to mandate the Baltimore City Department of Transportation (DOT) to dedicate a minimum of 25 centerline miles with the goal of providing additional space for pedestrians and cyclists. The additional space is being sought to provide pedestrians and cyclists more room to allow for social distancing as the City of Baltimore navigates the ongoing COVID-19 pandemic. The 25 centerline miles could be achieved via a combination of lane closures and the implementation of shared streets.

The legislation as currently proposed would require a minimum of one centerline mile per Council District, with no Council District receiving more than 15% (approximately 3.75 miles per 25 miles) of lane closures or shared streets. This measure is designed to promote geographic equity regarding the initiative’s implementation. Streets located in park space under the jurisdiction of Baltimore City Department of Recreation & Parks would not count towards the 25 centerline mile mandate, meaning existing multi-agency efforts in Druid Hill Park would not count towards achieving the legislation’s mandated mileage.

DOT would be required to prioritize implementation of safe street implementation and lane closures in communities that have insufficient recreational space as well as neighborhoods with heavily utilized park spaces. Additionally, the department would be required to minimize impact to businesses, deliveries, and truck routes. The legislation calls on DOT to avoid implementation of lane closures and safe streets within proximity to medical facilities.

Council Bill 20-0532 also includes various public outreach benchmarks. DOT would be required to consult and notify Councilmembers and communities that would be impacted by lane closures or safe streets implementation. DOT would also be required to consult with any neighborhood organization that recommends a location for implementation of safe streets or lane closures. The bill also requires DOT to publish a report evaluating the program’s implementation and to provide any recommendations on program expansion. The report would be due to the Mayor and City Council of Baltimore within 30 days of the agency hitting the 25-centerline mile mandate and would be required to be made available on DOT’s website.

The bill would go into effect immediately once enacted. DOT would be required to meet the minimum of 25 centerline miles within 14 days of the legislation going into effect. The legislation calls on the implementation

of the lane closures and safe streets to be achieved without using significant staffing or resources from both DOT and the City of Baltimore.

AGENCY/DEPARTMENT POSITION – Although DOT agrees with the [spirit](#) of Council Bill 20-0532 in working to provide more space for city residents, visitors, and stakeholders to utilize for walking and cycling, the legislation as currently written has number of problematic elements. Overlooking these shortfalls in an effort to fast-track the bill's goals could ultimately be detrimental to efforts aimed at dedicating more open space to members of the public in the long run.

First and foremost, DOT and the Law Department were the only agencies tasked with providing input on the bill. The Fire Department, Police Department, Mayor's Office of Emergency Management, the Department of Public Works, the Department of Recreation & Parks, and the Baltimore Development Corporation are a small sample of the municipal agencies that were not required to provide input on Council Bill 20-0532. Input from sister agencies that may also be impacted by the legislation would be helpful. For example, Baltimore's Complete Streets Manual incorporated feedback from a plethora of city agencies and stakeholders due to the initiative's significant impact.

The legislation as currently written is problematic from an operational perspective in that the bill's mandates are to be implemented within 14 days without using significant staffing or resources from both DOT and the City of Baltimore. DOT would be required to identify and plan routes, procure additional materials, assign sufficient levels of staff, conduct robust public outreach and then implement a minimum of 25 centerline miles (roughly 500 city blocks) of lane closures or safe streets within 14 days. The bill's intent is to promote the health and well-being of the general public though DOT must also be mindful of frontline workers who would be tasked with implementing safe streets and lane closures. Adhering to the bill's mandates would likely require significant staffing and resources from both DOT and the City of Baltimore, potentially impacting DOT's ability to adequately perform existing duties and projects. It is worth noting that the delivery of core agency duties and projects have already been complicated due to the ongoing COVID-19 pandemic.

Cost of implementation is another concern. DOT's Maintenance Division has already allocated a significant number of traffic management materials in response to COVID-19. For example, traffic cones have been provided to assist with traffic management at Baltimore City's food distribution sites. Additional cones have been utilized at recently implemented roadway closures within Druid Hill Park and around Lake Montebello. To implement the mandates of Council Bill 20-0532, DOT would likely need to procure additional traffic management materials at a cost that is yet to be determined. Furthermore, a significant amount of the agency's Administrative, Planning, Community Outreach, Traffic Division, Safety Division and Maintenance Division staff would be required to implement the bill's mandates. These additional costs and resources would be coming ahead of looming austerity measures to be implemented in the FY21 municipal budget. DOT is currently projected to have the most staffing cuts of funded vacancies of any municipal agency in Baltimore City, the bulk of which would be eliminated from DOT's Maintenance Division.

Should the bill advance and be enacted, public outreach would prove to be difficult given the current social distancing guidelines that are currently in place. Though outreach can in theory be conducted online or via teleconference, Baltimore City's inequity when it comes to broadband access is well documented. The rollout of DOT's public comment period on the agency's proposed Complete Streets Manual has been postponed indefinitely due to concerns revolving around achieving adequate and equitable public outreach. Not only would the bill's public outreach mandates be difficult to fulfill, they would also likely interrupt existing public outreach efforts associated with active and pending DOT projects that are still ongoing.

The agency's collaborative multi-agency efforts to implement safe street measures in both Druid Hill Park and around Lake Montebello demonstrate a willingness to implement measures to provide members of the public more space to go outdoors and maintain adequate social distancing. DOT continues to look at new

opportunities and ways to achieve these goals as we progress into the warmer weather months. That being said, the accelerated legislative process combined with a number of shortfalls associated with the bill's mandates has lead **Baltimore City DOT to oppose Council Bill 20-0532.**

If you have any questions, please do not hesitate to contact Liam Davis at Liam.Davis@baltimorecity.gov or at 410-545-3207.

Sincerely,

Steve Sharkey
Director