



Legislation Details (With Text)

File #: 20-0558 **Version:** 0 **Name:** City Officers and Employees - Commuting Benefits
Type: Ordinance **Status:** Before the Mayor
File created: 7/6/2020 **In control:** Mayor
On agenda: **Final action:**
Enactment date: **Enactment #:**

Title: City Officers and Employees - Commuting Benefits
For the purpose of requiring that the Department of Human Resources have a written policy regarding certain parking benefits; requiring the Department of Human Resources offer a public mass transit subsidy to every officer and employee of the City; requiring the Department of Human Resources offer a cash equivalent alternative to any City officer or employee entitled or eligible to receive a parking benefit; defining certain terms; and generally relating to encouraging the use of public mass transit by City officers and employees.

Sponsors: Ryan Dorsey, Shannon Sneed

Indexes: Commuting Benefits, Employee, Officers

Code sections:

Attachments: 1. 20-0558~1st Reader, 2. Law 20-0558, 3. HABC 20-0558, 4. BPD 20-0558, 5. DOT 20-0558, 6. Finance 20-0558, 7. DHR 20-0558, 8. Parking Authority 20-0558, 9. HCD 20-0558, 10. Agenda - 20-0558, 11. 20-0558 - Voting Form, 12. Minutes 20-0558, 13. TRHN 20-0558, 14. 2nd Reader Amendments 20-0558, 15. 20-0558~3rd Reader

Date	Ver.	Action By	Action	Result
11/16/2020	0	City Council	Approved and Sent to the Mayor	
11/2/2020	0	City Council	3rd Reader, for final passage	
11/2/2020	0	Transportation Committee	Recommended Favorably with Amendment	
10/28/2020	0	Transportation Committee	Recommended Favorably with Amendment	Pass
10/19/2020	0	Transportation Committee	Scheduled for a Public Hearing	
7/9/2020	0	City Council President	Refer to Police Department	
7/9/2020	0	City Council President	Refer to Dept. of Housing and Community Development	
7/9/2020	0	City Council President	Refer to Housing Authority of Baltimore City	
7/9/2020	0	City Council President	Refer to City Solicitor	
7/9/2020	0	City Council President	Refer to Dept. of Human Resources	
7/9/2020	0	City Council President	Refer to Parking Authority Board	
7/9/2020	0	City Council President	Refer to Dept. of Transportation	
7/9/2020	0	City Council President	Refer to Dept. of Finance	
7/6/2020	0	City Council	Introduced	
7/6/2020	0	City Council	Assigned	

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*
City of Baltimore
Council Bill

Introduced by: Councilmember Dorsey

A Bill Entitled

An Ordinance concerning

City Officers and Employees - Commuting Benefits

For the purpose of requiring that the Department of Human Resources have a written policy regarding certain parking benefits; requiring the Department of Human Resources offer a public mass transit subsidy to every officer and employee of the City; requiring the Department of Human Resources offer a cash equivalent alternative to any City officer or employee entitled or eligible to receive a parking benefit; defining certain terms; and generally relating to encouraging the use of public mass transit by City officers and employees.

By adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 7-12
Baltimore City Code
(Edition 2000)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 7. City Officers and Employees

§ 7-11. *{Reserved}*

§ 7-12. **Commuting benefits.**

(a) *Purpose of section.*

- (1) Baltimore has enacted a comprehensive Complete Streets law, codified at City Code Article 26, Subtitle 40, that aims to equitably advance access to walking, biking, and public transportation. Further, Baltimore's sustainability goals call for a reduction in vehicle miles traveled and increases in walking, biking, and public transportation. Yet, vehicle miles traveled are increasing, and rates of alternative transportation uses are decreasing. Baltimore subsidizes automobile commutes in the form of parking subsidies, but only for certain employees. This promotes congestion on city streets, particularly downtown and particularly during peak travel hours, and this works against goals for equitable transportation access and reduced vehicle miles traveled.
- (2) Thus, it is the policy of the Mayor and City Council of Baltimore to establish a parking cash-out option and transportation alternatives subsidy, which are both proven to shift people driving alone into alternative modes of transportation like walking, biking, public transit, and carpooling. It is also

to require that a policy be clearly written as to the justification and the criteria for a City official or employee to be entitled to a parking subsidy. This will help meet the goals stated above and more clearly align Baltimore's policies with its stated and expressed values and concerns, including the grave matter of climate change.

(b) *Definitions.*

(1) *In general.*

In this section, the following terms have the meanings indicated.

(2) *Agency.*

(i) *In general.*

“Agency” means any department, board, commission, council, authority, committee, office, or other unit of City government.

(ii) *Inclusions.*

“Agency” also includes the:

(A) Baltimore City Parking Authority;

(B) Baltimore Police Department; and

(C) Housing Authority of Baltimore City.

(2) *Parking benefit.*

(i) *In general.*

“Parking benefit” means personal motor vehicle parking provided to an officer or an employee, either directly by the agency or indirectly through a parking subsidy paid by the agency.

(ii) *Exclusion.*

“Parking benefit” does not include parking whose cost and use is not accounted for by a daily, weekly, monthly, or yearly rate.

(3) *Parking subsidy.*

(i) *“Commercial parking facility” defined.*

In this paragraph, “commercial parking facility” has the meaning stated in City Code Article 15, § 12-1(b) {“Commercial parking facility”}.

(ii) *In general.*

“Parking subsidy” means an amount of money regularly paid by an agency to either an officer or an employee directly or to a commercial parking facility to offset, either fully or partially, the cost paid by the officer or the employee for a parking space for the officer or employee's personal motor vehicle.

(iii) *Inclusion.*

“Parking subsidy” includes a discounted rate offered by a commercial parking facility to city officers and employees that is not offered or available to the public at large.

(4) *Public transit subsidy.*

(i) *“Public transportation” defined.*

(A) *In general.*

In this paragraph, “public transportation” means a core transportation service administered by the Maryland Transit Administration, such as CityLink, LocalLink, Light RailLink, Metro SubwayLink, and Baltimore Neighborhood Shuttles.

(B) *Exclusions.*

“Public transportation” does not include MARC train service or Express BusLink service.

(ii) *In general.*

“Public transit subsidy” means an amount of money regularly paid by an agency to either an officer or employee directly or to the Maryland Transit Administration to fully offset the cost of public transportation.

(c) *Department of Human Resources policy.*

The Department of Human Resources must have a written policy that clearly articulates the eligibility criteria for any agency officer or employee to receive a parking benefit.

(d) *Agency benefits.*

An agency may only authorize a parking benefit to an agency officer or employee:

- (1) in accordance with the Department of Human Resources policy described in subsection (c) of this section; and
- (2) provided that officers or employees who are ineligible for a parking benefit under the Department of Human Resources policy shall receive a public transit subsidy.

(e) *Cash equivalent alternative required.*

If an agency officer or employee is eligible to receive a parking benefit under the policy described in subsection (c) of this section, the agency officer or employee must be offered, as an alternative, the cash equivalent of the amount that the agency would have paid for the parking benefit.

Section 2. And be it further ordained, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

Section 3. And be it further ordained, That this Ordinance takes effect on July 1, 2021.