



Baltimore Regional Transportation Board

Maryland Code: Bicycle Pathways Along Urban Highways

BPAG

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Maryland Code: Bicycle Pathways Along Urban Highways

Definition of Urban Highway

- (3) “Urban highway” means a highway, other than an expressway, that is:
- (i) 1. Constructed with a curb and gutter and an enclosed type storm drainage system;
 - 2. Located in an urban area and on which is located a public facility that creates appreciable pedestrian traffic along the highway from adjacent areas;
 - 3. Located within urban boundaries as defined by the U.S. Census Bureau; or
 - 4. Located within the boundaries of a municipal corporation; and
 - (ii) Part of the State highway system.

Source: [Bicycle Policy & Design Guidelines \(MDOT SHA\), 2012, page C.4](#)

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Definition of Administration

“Administration” means the State Highway Administration.

Definition of Maintenance

(1) “Maintenance” means the upkeep and repair by which a highway, building, equipment, and other property is kept in an ordinarily efficient operating condition.

(2) “Maintenance” does not include construction, reconstruction, or relocation.

Source: [Bicycle Policy & Design Guidelines \(MDOT SHA\), 2012, page C.4](#)

Maryland Code:

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(c) Sidewalks and bicycle pathways – Financing; maintenance; construction when no adjacent roadway construction.

- (5) If sidewalks or bicycle pathways are being constructed or reconstructed in response to a request from a local government and the adjacent roadway is not being concurrently constructed or reconstructed, the local government shall:
 - (i) Provide public notice and opportunities for community involvement prior to the construction of a sidewalk or bicycle pathway; and
 - (ii) Secure necessary right-of-way that may be needed beyond the right-of-way already owned by the State.

Source: [Bicycle Policy & Design Guidelines \(MDOT SHA\), 2012, page C.5](#)

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(c) Sidewalks and bicycle pathways – Financing; maintenance; construction when no adjacent roadway construction.

- (6)(i) Except as provided in subparagraph (ii) of this paragraph, after sidewalks and bicycle pathways are constructed under this section, they shall be maintained and repaired by the political subdivision in which they are located.
- (ii) Subject to approval and the availability of funds, the Administration promptly shall reimburse a political subdivision for the preapproval and documented costs incurred in reconstructing a segment of a sidewalk or bicycle pathway that has deteriorated to the extent that repair is not practical or desirable for public safety.

Source: [Bicycle Policy & Design Guidelines \(MDOT SHA\), 2012, page C.5](#)

Maryland Code:

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(c) Sidewalks and bicycle pathways – Financing; maintenance; construction when no adjacent roadway construction.

(1) If sidewalks or bicycle pathways are constructed or reconstructed as part of a roadway construction or reconstruction project, the Administration shall fund the sidewalks or bicycle pathway construction or reconstruction as a part of the cost of the roadway project.

(2) Except as provided in paragraph (3) of this subsection, if sidewalks or bicycle pathways are constructed or reconstructed in response to a request from a local government and the adjacent roadway is not being concurrently constructed or reconstructed, the cost to construct or reconstruct the sidewalk or bicycle pathway shall be shared equally between the State and local governments.

Source: [Bicycle Policy & Design Guidelines \(MDOT SHA\), 2012, page C.4](#)

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Sustainable Community

(c) Sidewalks and bicycle pathways – Financing; maintenance; construction when no adjacent roadway construction.

(3) If sidewalks or bicycle pathways within the sustainable community as defined in § 6-301 of the Housing and Community Development Article are constructed or reconstructed in response to a request from a local government and the adjacent roadway is not being concurrently constructed or reconstructed, the cost to construct or reconstruct the sidewalk or bicycle pathway may be funded entirely by the State.

Source: [Bicycle Policy & Design Guidelines \(MDOT SHA\), 2012, page C.4](#)

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Priority Funding Area

(c) Sidewalks and bicycle pathways – Financing; maintenance; construction when no adjacent roadway construction.

- (4)(i) This paragraph does not apply to a priority funding area that is a sustainable community as defined in § 6-301 of the Housing and Community Development Article.
- (ii) If sidewalks or bicycle pathways within an area designated as a priority funding area under § 5-7B02 of the State Finance and Procurement Article are constructed or reconstructed in response to a request from a local government and the adjacent roadway is not being concurrently constructed or reconstructed, and if the Administration determines that construction would not occur under this section due to insufficient contribution of funds by the local government, the cost to construct or reconstruct the sidewalk or bicycle pathway shall be shared between the State and local government as follows:
 1. 75 percent of the cost shall be funded by the State; and
 2. 25 percent of the cost shall be funded by the local government

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Priority Funding Area

(c) Sidewalks and bicycle pathways – Financing; maintenance; construction when no adjacent roadway construction.

(iii) If sidewalks or bicycle pathways within an area designated as priority funding area under §5-7B-02 of the State Finance and Procurement Article are constructed or reconstructed based on a determination by the Administration that a substantial public safety risk or significant impediment to pedestrian access exists and the adjacent roadway is not being concurrently constructed or reconstructed, then;

1. The Administration shall categorize the sidewalk or bicycle pathway construction project as “system preservation” and give corresponding funding priority to the project; and
2. The cost to construct or reconstruct the sidewalk or bicycle pathway may be funded entirely by the State.

Source: [Bicycle Policy & Design Guidelines \(MDOT SHA\), 2012, page C.4 – C.5](#)

For More Information

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