# HOUSE BILL 781

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4lr2130

#### By: **Delegates Hornberger, Ciliberti, McComas, T. Morgan, and Schmidt** Introduced and read first time: January 31, 2024 Assigned to: Environment and Transportation

### A BILL ENTITLED

1 AN ACT concerning

# Transportation – State Highways – Rubber Modified Asphalt

- FOR the purpose of requiring the State Highway Administration to use rubber modified asphalt in the construction, reconstruction, and repair of State highways; requiring the Administration to consider certain types of rubber modified asphalt when planning for the construction, reconstruction, and repair of State highways; and generally relating to rubber modified asphalt use on State highways.
- 8 BY repealing and reenacting, with amendments,
- 9 Article Transportation
- 10 Section 8–601
- 11 Annotated Code of Maryland
- 12 (2020 Replacement Volume and 2023 Supplement)
- 13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
  14 That the Laws of Maryland read as follows:
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# Article – Transportation

16 8–601.

17 (a) The Administration shall construct, reconstruct, and repair State highways 18 as necessary and shall maintain them in good condition.

19 (B) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE 20 MEANINGS INDICATED.

21 (II) "CRUMB RUBBER" MEANS THE GRANULES THAT RESULT 22 FROM GRINDING UP WHOLE SCRAP TIRES FROM AUTOMOBILES, TRUCKS, AND 23 BUSES.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



HOUSE BILL 781

1(III) "DRY PROCESS" MEANS THE ADDITION OF CRUMB RUBBER2AS AGGREGATE DURING MIXING TO PRODUCE RUBBER MODIFIED ASPHALT.

3 (IV) "RUBBER MODIFIED ASPHALT" MEANS AN ALTERNATIVE 4 ROAD PAVEMENT MATERIAL PRODUCED BY MIXING CRUMB RUBBER WITH 5 CONVENTIONAL ASPHALT.

6 (V) "WET PROCESS" MEANS THE ADDITION OF CRUMB RUBBER 7 TO THE ASPHALT BINDER BEFORE MIXING TO PRODUCE RUBBER MODIFIED 8 ASPHALT.

9 (2) THE ADMINISTRATION SHALL USE RUBBER MODIFIED ASPHALT 10 IN THE CONSTRUCTION, RECONSTRUCTION, AND REPAIR OF STATE HIGHWAYS.

11 (3) THE ADMINISTRATION SHALL CONSIDER THE USE OF VARIOUS 12 TYPES OF RUBBER MODIFIED ASPHALT, INCLUDING THOSE PRODUCED BY THE WET 13 PROCESS AND THE DRY PROCESS, WHEN PLANNING FOR THE CONSTRUCTION, 14 RECONSTRUCTION, AND REPAIR OF STATE HIGHWAYS.

15(4) THE ADMINISTRATION SHALL ADOPT REGULATIONS TO CARRY16OUT THIS SUBSECTION.

**(**(b)**] (**C**)** 17(1) The Department may not spend any further funds for the 18 construction of I-95 through Prince George's County that will involve a new or 19 reconstructed segment connecting it to any other highway in Prince George's County. The Department may not spend any further funds for the construction of a new highway, 20arterial, freeway, or expressway in the lands between Viers Mill Road and Northwest 2122Branch described in the 1980 highway needs inventory as the right-of-way reserved for the Rockville Facility in Montgomery County, including the area designated as the 23Matthew Henson State Park under § 5–1004 of the Natural Resources Article. 24

25 [(c)] (2) This prohibition does not preclude construction in the right-of-way 26 designated as the Rockville Facility of:

27 [(1)] (I) Roadway crossings to facilitate traffic flow and highway safety; 28 or

29 [(2)] (II) A hiker/biker trail in the lands between Viers Mill Road and 30 Northwest Branch.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 32 October 1, 2024.

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