

**Testimony by Citizens Against Beltway Expansion (CABE) in Support of HB 299
Regarding Public-Private Partnership Projects
Real Property Acquisition – Prohibition
Before the
House Environment and Transportation Committee
February 11, 2020**

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Chair Barve, Vice Chair Stein and members of the Environment and Transportation Committee, Citizens Against Beltway Expansion (CABE) thank you for the opportunity to share our support for House Bill 299. We are grateful for the leadership of Delegate Love as well as Delegates Boyce, Lehman, Lierman, Stewart, Terrasa and other sponsors of the bill.

HB 299 would hold Governor Hogan and the Department of Transportation (MDOT) accountable for campaign promises made by the Governor that homes would not be taken for the controversial proposal to add private toll lanes to I-495 and I-270. These promises were taken in good faith by many Montgomery County voters during the 2018 election.

But since the election, the administration has indicated that 34 homes would be taken. We've learned more recently that the State Highway Administration has sent letters to over 3,700 residents along I-270 and I-495 informing them that SHA would need access to their property for survey work in advance of the widening project. That SHA contacted such a large number of residents surprised many elected officials and adds to worries that the number of homes at risk of taking could be more than 34. Moreover, MDOT sought approval by the Board of Public Works to acquire residential property even before an environmental assessment of the proposed project is completed and made available to the public.

The original commitment that no homes would be taken is not the only promise that has been broken. The administration stated previously that the addition of Luxury Lanes would not require taxpayer funding. But on January 5 the Governor revised this claim, stating that the project would be done "without any new taxes." Moreover, recent amendments to the project submitted to the Board of Public Works include a reference to the State sharing financial risk with the project's developer or concessionaire. It appears that the claim that the project would not require public funds is another promise broken.

It is not a surprise that Maryland taxpayers could be on the hook financially, as experience from other states indicates this is common. Just last month, the Congressional Budget Office (CBO) released a report on P3 projects. They found that, increasingly, taxpayers are subsidizing P3 toll projects as developers seek to limit their risk. Over the past decade, CBO found that 44 percent of private investment was repaid in direct payments from state and local governments.

The failure of the administration to provide the public, elected official and planning officials with the data the State is using to estimate congestion relief also raises suspicions. How can any claims about this project be trusted when there is a lack of transparency and when promises are broken?

HB 299 would require the administration to live up to its commitment not to take homes for the construction. It provides clarity and fairness to residents and communities along both highways. This bill would be a check on an administration which has made false promises and hidden important data from the public in an apparent effort to push through a massive and controversial project.

We urge the Committee to report HB 299 favorably. Thank you for allowing CAFE to express its views.