

DEPARTMENT OF TRANSPORTATION

§ 114. Department established.

There is a Department of Transportation, the head of which is the Director of Transportation.

(Res. 04-056, ratified Nov. 2, 2004.)

§ 115. Director of Transportation.

(a) Duties; Qualifications.

(1) The Director shall supervise and direct the Department.

(2) The Director must have substantial administrative experience in transportation or in the delivery of related public service.

(b) Appointment; Term.

The Director shall be appointed, must be confirmed, and serves pursuant to Article IV, § 6 of this

Charter.

(c) Salary.

The Director's salary shall be set in the Ordinance of Estimates.

(d) Employees.

The Director may appoint the employees provided for in the Ordinance of Estimates.

(Res. 04-056, ratified Nov. 2, 2004.)

§ 116. Powers and duties of Department.

(a) In general.

Notwithstanding anything to the contrary in this Charter, the Department has the following

powers and duties.

(b) Street construction and maintenance.

(1) The Department has charge of constructing and maintaining the streets of the City.

(2) The Department shall:

(i) prepare the plans and perform the work required by Ordinances for opening, extending, widening, straightening, grading, and closing any street in the City; and

(ii) prepare all Ordinances for the opening and closing of streets, attend the hearings on those Ordinances, and perform all administrative functions related to those Ordinances.

(3) Before paving or repaving a street, the Director of Transportation shall give notice in one or more daily City newspapers that, not less than [90] 30 days from the first publication date, the Department will proceed with the paving or repaving and warning all persons to obtain permits for and to complete before that day all work that might involve the digging up of the street.

(4) On the same day the initial notice is published, the Department shall also prominently post and continuously maintain, on a Department-owned and operated public website, all relevant and applicable information pertaining to the proposed or approved project. Such information shall include, but not be limited to:

- (i) precise project scope;
- (ii) cost of project;
- (iii) full project plans;
- (iv) contracted entities, if applicable;
- (v) detailed timelines;
- (vi) anticipated traffic disruptions;
- (vii) detour maps;
- (viii) safety protocols; and
- (ix) points of contact within the Department.

The Department shall not omit or withhold any information from this website unless strictly required by law to protect confidentiality or privacy interests. This web posting shall be readily accessible to the public at all times, ensuring full and transparent disclosure.

[(4) The Director shall send a copy of this notice to all persons who the Director has reason to believe would be interested in receiving it, but failure

to send the notice does not affect the validity of any action taken by the Mayor and the Director to pave or repave a street.]

(5) The Director shall send a copy of the aforementioned notice to any person or entity whom the Director reasonably believes may be interested. However, no omission in sending this notice to any individual or group shall in any way impair, invalidate, or restrict the authority of the Mayor, City Administrator, or the Director to proceed with the paving or repaving.

[(5)] (6) No pavement laid after the publication of the notice may be dug up by any person without a permit issued by the Director. The Director has discretion to issue or withhold this permit, and may attach appropriate conditions and charges to the permit.

[(6)] (8) Whenever an assessment or charge is to be made against a property for paving a street, alley, or sidewalk, the Department after giving the owner of the property involved due notice and an opportunity to be heard, shall fix the amount of the assessment or charge.

(9) The Department shall ensure that all projects relating to the planning, construction, modification, or maintenance of public streets and associated rights-of-way maximize long-term functionality, proportional performance, and system-wide efficiency. All such projects must be designed, approved, and implemented in a manner that promotes effective lifecycle resource allocation, operational reliability, and the long-term public interest.

(10) All projects shall be subject to comprehensive evaluation based on their projected lifecycle cost efficiency, sustainable operations, and proportional contributions to overall system performance. These evaluations shall include, at a minimum:

- (i) Projections of reductions in long-term operational stress and maintenance burdens;
- (ii) Anticipated cost savings in maintenance and operational resource allocation; and
- (iii) Assessments of proportional performance improvements across all designated usage classifications.

(c) Demand management and Capacity Alignment

(1) The Department shall ensure that all projects measurably reduce cumulative system demand by adjusting operational capacity to align with current and projected usage patterns over designated timeframes. Such

adjustments shall prioritize increasing the safety, comfort, and frequency of use for vulnerable road users, consistent with established modal hierarchies, while maintaining or improving overall performance.

(2) Each project proposal shall identify and address imbalances in system performance or operational stress through capacity reconfigurations that reflect proportionate, evidence-based usage levels across all classifications.

(d) The Department shall adopt design and operational strategies to address aggregate system load by redistributing capacity as necessary. Decisions must be supported by documented evidence of improved proportional efficiency, reduced long-term infrastructure stress, and sustained enhancement of overall system performance.

(e) Transparency and Reporting Standards

(1) For all projects exceeding a defined scope, the Department shall issue public notices containing:

(i) Documentation of projected realignments in resource use and operational capacity;

(ii) Expected reductions in cumulative system load and maintenance liabilities, and;

(iii) Alignment with established long-term performance benchmarks

(2) The Department shall publish annual performance reports evaluating the cumulative impact of all projects on system-wide efficiency, operational capacity, and long-term sustainability.

(f) Timely Completion, Safety, and Non-Interference

(1) The Department shall establish and implement streamlined processes to accelerate the review, approval, and execution of all projects. These processes shall include clearly defined timelines, milestones, and criteria for approval, ensuring consistency and accountability. Projects that meet established criteria and receive approval shall proceed without unreasonable delays and be completed as expeditiously as possible.

(2) Projects must adhere to all applicable construction and operational life safety standards and ordinances passed by the Mayor and City Council.

(3) Once a project has been duly approved, it shall not be delayed, obstructed, or otherwise hindered by objections, opinions, or other forms of interference from residents, business owners, or any external party, except

where legally mandated safety or environmental regulations require specific adjustments or where a court of competent jurisdiction finds that a project shall be delayed, obstructed, or otherwise hindered. All authorized projects shall proceed as planned to ensure efficiency, long-term value, and public benefit without undue external disruption.

[(c)] (g) *Lighting.*

The Department has charge of the lighting of the City.

[(d)] (h) *Conduit system.*

The Department [may] shall exercise all the powers and shall perform all the duties relating to the conduit system, and has charge of all property and equipment pertaining to that system.

[(e)] (i) *Approval of new streets.*

(1) Any person who, in connection with any real estate development, wants to lay out, locate, or construct a street, public or private, within Baltimore City shall, before beginning construction and before selling any land abutting on the street, present to the Department a copy of the plat for the proposed development, as approved by the Planning Commission, showing in detail the proposed streets.

(2) If the plat is approved by the Department, the person shall:

(i) record a copy of the plat, with the endorsements of the Planning Commission and the Department on it, with the Clerk of the Circuit Court of Baltimore City; and

(ii) a certified copy of the recorded plat with the Department.

[(f)] (j) *Street names.*

(1) New public streets may not be designated by names until the names have been approved by the Department and entered on the appropriate plats and records of the Department.

(2) If a private street is dedicated for public purposes and the dedication is accepted, or if the title to a private street is conveyed to the City, the Department shall give the street a name, by which it shall be known on all official records of the City.

(3) The name of a public street may not be changed except by ordinance or resolution of the Mayor and City Council

[(g)] (k) *Building numbers.*

(1) The Department:

- (i) shall determine and fix the number of every new building; and
- (ii) may change existing numbers.

(2) The Department shall report each new number or change of number to the owner or occupant of the building.

[[h]] (l) *Street plats and plans.*

The Department shall:

(1) adopt rules and regulations regarding plats and plans relating to the location of streets; and

Editor's Note: For statutory requirements governing the proposal, adoption, and publication of administrative rules and regulations, see General Provisions Article, Title 4 {"Administrative Procedure Act – Regulations"}.

(2) shall prepare these plats and plans as required by the Board of Estimates or by ordinance.

[[i]] (m) *Plats and records – Underground structures.*

The Department shall maintain plats and records of tunnels, pipes, mains, sewers, conduits, and other underground structures, both public and private.

[[j]] (n) *Plats and records – Properties.*

(1) The Department shall maintain adequate plats and other records of all parcels of real property within Baltimore City.

(2) These plats and records shall include:

- (i) the ownership of each parcel; and
- (ii) the symbol by which each parcel is identified.

(3) These plats and records shall be the official plats and records to be used by all municipal agencies to identify and determine the location of every parcel of real property within Baltimore City.

[[k]] (o) *System of uniform property identification.*

(1) The Department shall maintain a system for the uniform identification of all real property within Baltimore City.

(2) The system shall identify each parcel of real property by a symbol. That symbol shall be used by every municipal agency to identify that parcel, until it is subdivided or the symbol is changed by the Department.

(3) The failure of the Department or of any other municipal agency to identify a parcel of property by its symbol does not affect the validity of any assessment or charge otherwise properly made.

[(l)] (p) *Additional powers and duties.*

The Department has the additional powers and duties relating to the construction, reconstruction, and maintenance of streets, to transportation, and to traffic, including powers and duties transferred from other municipal agencies, as are prescribed by law.

(Res. 04-056, ratified Nov. 2, 2004; Res. 08-003, ratified Nov. 4, 2008; Res. 14-016, ratified Nov. 4, 2014.)