

MARYLAND AVIATION COMMISSION

February 19, 2025



Maryland Aviation Commission
Wednesday, February 19, 2025
1 p.m.
Baltimore Washington International Thurgood Marshall Airport
A/B Assembly Conference Room, Third Floor

AGENDA

I.	Approval of October 23 Meeting Minutes	Chairman Wiedefeld	2 min.	<u>Tab A</u>
II.	Executive Director’s Report	Ricky Smith	7 min.	<u>Tab B</u>
III.	Overview of MDOT’s IT Consolidation Plan	The Secretary’s Office (MDOT)	15 min.	
IV.	Business Development & Management	Tanya Wojtulewicz	15 min.	
	<ul style="list-style-type: none"> • Financial Update – Quarter 2 			
V.	Planning & Engineering	Paul Shank	20 min.	
	<ul style="list-style-type: none"> • Update on Major Capital Projects • Overview of MAA Project Development 			
VI.	Marketing & Air Service Development	Annette Fisher/ Jordan Kayloe	10 min.	
	<ul style="list-style-type: none"> • Marketing/Communications Update • Air Service Update 			
VII.	MTN Operations & Maintenance	Harold Fowler	5 min.	
	<ul style="list-style-type: none"> • Operational Statistics 			
VIII.	Proposed Amendment to COMAR	Wayne Pennell	7 min.	<u>Tab C</u>
	<ul style="list-style-type: none"> • COMAR 11.03.01.04 (A), (L) - Derelict Vehicles 			
IX.	Proposed Amendment to COMAR	Wayne Pennell	7 min.	<u>Tab D</u>
	<ul style="list-style-type: none"> • COMAR 11.03.01.13 – Business Hours of Operation 			
X.	Commissioners Presentation	Mr. Chancellor and Dr. Zafari	15 min.	
	<ul style="list-style-type: none"> • Revised Conceptual Policy Framework 			
XI.	Vote to Enter Closed Session	Chairman Wiedefeld	5 min.	<u>Tab E</u>
	<ul style="list-style-type: none"> • Legal Advice 			

TAB A

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OPEN SESSION

MARYLAND AVIATION COMMISSION MEMBERS

Paul Wiedefeld, Chairman
Ned Carey
Jesse Chancellor
T. Chineta K. Davis
W. Drew Hawkins
José Morales
Mary Reese
Dr. Cedric Sims
David L. Winstead, Esq.
Dr. Zafar Zafari

MARYLAND DEPARTMENT OF TRANSPORTATION (MDOT)

MARYLAND AVIATION ADMINISTRATION (MAA)

Ricky D. Smith, Sr.
Robert Boblitz
Diana Brown
Niqui Clark (*virtual attendee*)
Jonathan Dean
Annette Fisher
Harold Fowler
Staci Gorden
Jordan Kayloe
William Lindsey
Shanae Murray
Wayne Pennell
Bruce Rineer (*virtual attendee*)
Keiva Rodriques
Robert Sager
Paul Shank
Tanya Wojtulewicz

OTHER EMPLOYEES OF THE STATE OF MARYLAND

Jerel Registre, Maryland Department of Commerce

MEMBERS OF THE PUBLIC

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Charles Duncan
Laura Donovan

Chairman Wiedefeld called the meeting to order at 1:02 p.m.

WELCOME AND APPROVAL OF MINUTES – Chairman Wiedefeld

During his opening remarks Chairman Wiedefeld proposed setting up a committee structure for the Maryland Aviation Commission. The Board for the Maryland Transportation Authority has a similar structure. That board has sub-committees for capital programs, administration and finance. It has worked well there, so he would like to apply a similar structure for the Maryland Aviation Commission. He believes a committee structure will allow the Maryland Aviation Commission to have a more in-depth look at specific areas. He intends to work with the legal team to set up the Committee structure to ensure all the legal requirements are met. He would like to have this new structure set up by the next Commission meeting.

Upon request for a motion to approve the minutes of the August 21 Commission meeting, it was so moved by Commissioner Carey, seconded by Commissioner Winstead, and approved unanimously.

EXECUTIVE DIRECTOR'S REPORT – Executive Director Ricky Smith

The Executive Director provided clarification on a statement that was made during the August 21st meeting. During that meeting Commissioner Reese stated that Executive Director Smith opposed a legislative item. He responded that he did not oppose it. At the time, he was not clear on the item that she was referring to. There was one item that MDOT opposed, and that was an item that would have formed another body that would have similar oversight duties to the Maryland Aviation Commission. This is one item related to the Roundtable that MDOT opposed. The MAA did not oppose it. The MAA does not have authority to oppose it.

Follow Up Questions/Comments for the Executive Director

Commissioner Winstead asked about the impact of the expansion of slots at Reagan National Airport. Executive Director Smith and Jordan Kayloe responded that MAA and its team spent a lot of time pushing back on the proposed slot increases. Congress ultimately approved an increase of 5 additional slots. That equates to approximately 35,000 passengers per slot pair. MAA will analyze the estimated impact further now that they know what the destinations are.

BUSINESS DEVELOPMENT & MANAGEMENT – Tanya Wojtulewicz, Chief, Division of Business Development & Management

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Approval of MAA Six Year Capital Program FY 2025-2030

The Maryland Aviation Commission is mandated to approve major capital projects at State-owned BWI Marshall and Martin State airports prior to submitting the projects to the General Assembly.

In September 2024, MAA submitted its draft to TSO. The draft capital program submission totals \$1.0 billion for the FY 2025-2030 period, a decrease of \$86.6M over the prior FY 2024 – 2029 program and includes five (5) new capital projects added to the Major Construction Program.

These projects will be included in the Maryland Department of Transportation (MDOT) Consolidated Transportation Program (CTP) for fiscal years 2025 to 2030. The CTP outlines a six-year plan to replace and repair aging infrastructure, expand transit opportunities, assist Maryland's economic recovery and preserve and expand the state's transportation network.

The five (5) new capital projects added to MAA's Major Construction Program and the projects Total Estimated Cost (TEC) are summarized below:

BWI Marshall Airport

- Consolidated Rental Car Facility Improvements at BWI Marshall Airport - \$34.4M
- Snow Removal Equipment Shelter at BWI Marshall Airport - \$15.0M
- Runway 10/28 Rehabilitation at BWI Marshall Airport - \$43.0M
- Passenger Movement Modernization at BWI Marshall Airport - \$29.1M

Martin State Airport

- Air Traffic Control Tower at Martin State Airport - \$23.1M

MAA continues to implement the following previously approved Major capital projects at BWI Marshall Airport. The projects and their Total Estimated Cost are listed below.

BWI Marshall Airport

- Taxiway T Reconstruction at BWI Marshall Airport - \$40.4M
- Taxilanes N and N1 Reconstruction at BWI Marshall Airport- \$24.2M
- Fuel Storage Tank Additions at BWI Marshall Airport - \$26.1M
- Air Operations Area Fence Upgrade at BWI Marshall Airport - \$9.6M
- DX/DY Apron Pavement Rehab at BWI Marshall Airport - \$38.3M
- Deicing Pad Expansion at BWI Marshall Airport - \$61.8M
- 15L/33R & Associated TWs - Pavement Rehab at BWI Marshall Airport - \$14.2M
- Concourse A/B Bag 0-5 Reconfiguration at BWI Marshall Airport - \$30.5M

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- Electrical Substations Reconstruction at BWI Marshall Airport - \$29.2M
- D/E Bag Claim Expansion at BWI Marshall Airport - \$9.9M
- Snow Removal Equipment Replacement at BWI Marshall Airport- \$19.5M

MAA continues to implement the following previously approved Major capital projects at MTN. The projects and their Total Estimated Cost are listed below.

Martin State Airport

- Taxiway F Extension at Martin State Airport - \$5.3M
- Runway Improvement Program at Martin State Airport - \$51.0M

Executive Director Smith explained that there would not be a robust increase in MAA's capital program until the agency completes its master planning process.

Secretary Wiedefeld commented that this year's capital program is reflective of the current conditions the state is facing, including a budget shortfall, cost increases, and the increasing cost of labor and capital projects.

Follow Up Questions/Comments for Ms. Wojtulewicz

Commissioner Chancellor asked to get clarification on the current process by which the Commission approves the airport's major capital projects. He also inquired about a new process going forward, in that there may be an opportunity in the new committee structure for Commissioners to look at each of the major capital projects in-depth and decide whether to defer, delay or eliminate projects. Secretary Wiedefeld responded that in the next CTP cycle there would be opportunities to look at the capital projects in-depth. The current projects included in the CTP are fairly straight forward and are state of good repair projects. In future cycles of the CTP, there may be other projects that are not state of good repair.

Commissioner Carey asked a question pertaining to the number of new capital projects. The CTP decision paper stated that there were six new capital projects, but only five were listed. Ms. Wojtulewicz explained that there were a couple of typos in the decision paper. Five new capital projects were added to the Major Construction Program. A revised version of the CTP decision paper would be sent to Commissioners.

NOTE: The typos were corrected, and a revised CTP Decision Paper for the MAA Six-year Capital Program was sent to Commissioners on October 24, 2024.

Commissioner Reese asked what was the basis for the rehabilitation of Runway 10/28. Mr. Shank responded that the basis for the project is ongoing maintenance that needs to be done to adhere to safety standards. Once a project is considered "major maintenance", then it

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becomes eligible for federal funding which is important. MAA is not increasing the strength of the pavement or changing loading or runway length. This project is part of the airport's Pavement Management Plan.

Commissioner Carey asked if the Commission would reapprove capital projects if increases in funding materialize in the future. Secretary Wiedefeld stated that there would be opportunities to review capital projects again after they are approved. Mr. Smith explained that in the past the focus of the Commission when approving major capital projects has been new projects or significant modifications in the scope of a project. There hasn't been a lot of discussion around projects that are already approved and in the CTP.

Commissioner Winstead asked for clarification on how the forthcoming Committee structure might influence the CTP approval process now. Mr. Smith reiterated that the Committee structure could influence the CTP approval process in the next cycle.

Upon request for a motion to approve the Major Capital Projects and Existing Projects Previously Approved for inclusion in the Final FY 2025-2030 CTP, it was so moved by Commissioner Hawkins, seconded by Commissioner Winstead, and approved unanimously.

OVERVIEW OF BWI MARSHALL RUNWAY CAPACITY – Paul Shank, Chief, Division of Planning & Engineering

Runway History

- Built by the City of Baltimore
- Opened with 3 runways in 1950
- 3 planned parallel runways
- Purchased by the State of Maryland in 1972
- 15L-33R built in 1982 then extended in 1990
- 4-22 closed in 2014 to provide taxiing efficiency

The Airfield Today

- Two intersecting air carrier runways
- One B-III commercial service/commuter runway
- In calendar year 2023:
 - 239,400 annual aircraft operations
 - 26.2M annual passengers (2024 is 7% greater than 2023 to date)
 - 244,300 metric tons air cargo
 - 1.7 minutes of daily average *runway* delay per aircraft operation (PMAWD 2023)

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- Runway system provides adequate level of service (based on FAA and industry standard of 6 minutes)

FAA Runway Capacity Planning Guidance

FAA Order 5090.5* advises airports to begin:

- Planning for additional capacity when reaching 60% of annual capacity (ASV**) – NOW
- Development of additional capacity when reaching 80% of capacity and within 5 years of 100% capacity – 2032

Single Commercial Runway Delay – Maintenance

- With passenger flight schedules now extending later into the night and red-eye arrivals at 5am, shorter nighttime closure window increases need for daytime closures
- 3 major runway rehabilitation projects programmed 2025-2035 as BWI Marshall is reaching capacity
- Need to be able to keep two runways open at all times to keep delays at reasonable levels

Follow Up Questions/Comments for Mr. Shank

Secretary Wiedefeld asked if other airports with similar capacity restraints are facing similar circumstances when planning for future runway capacity. Mr. Shank responded that many airports are relying more and more on Next Gen, performance-based technology, to solve and add capacity to existing runways.

Commissioner Morales asked what causes runway delays. Mr. Shank stated that increases in the number of aircraft operations can cause delays. After a plane lands, it takes time for it to taxi to the gate. There are no high speed taxiways at BWI Marshall airport.

Secretary Wiedefeld asked what Southwest is saying regarding the challenges they face with the availability of aircraft and their fleet size. Mr. Shank responded that they are aware of what their projected fleet size growth is. Airline orders have increased, but deliveries are delayed. They are flying more with their existing aircraft. They are going to run redeye flights.

Commissioner Hawkins asked how common is it to have intersecting runways at airports (similar in size to BWI Marshall). Mr. Shank explained that most major cities built their airport facilities during the War Years. The commercial airliners during that period had tailwinds, so they had the crisscrossing runways. Mr. Smith added that over the last 10 to 15 years the FAA has been pushing runway safety area programs to decouple runways and create parallel runways. It is a very expensive undertaking. Some airports are making more progress than others.

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Commissioner Reese stated that BWI Marshall should not be compared to Dulles. The two airports have very different market share. She went on to say that BWI Marshall serves different communities than Dulles and the airport co-exists within a different community. Executive Smith responded that he agrees to some degree, but that MAA does view Dulles as a competitor, particularly for domestic travel.

Commissioner Winstead commented that economic development is a factor. Some Maryland business has shifted to the Dulles corridor over the last two decades.

Commissioner Simms asked if MAA was having discussions or planning for the modernization of commercial air space as it relates to air traffic control towers or remote towers. Mr. Shank responded that the FAA is looking at how they can use technology to improve efficiency and capacity and maintain safety. Executive Director Smith added that MAA recently met with the FAA regarding air traffic control towers and the topic of remote towers was not discussed. Mr. Shank also added that the FAA has not consolidated air traffic control towers in the DC/Baltimore area, but they did consolidate radar approach and control.

Commissioner Chancellor commented that runway rehabilitation and the airport capacity are important issues that should be analyzed and discussed in depth by the Commission in order to have a balanced approach. Executive Director Smith emphasized that this is a complex issue. Ultimately, the public will need to decide what is done regarding addressing capacity issues at the airport.

Commissioner Reese commented that any future changes to the capacity will require an entire redesign of the airspace.

MARKETING AND AIR SERVICE DEVELOPMENT – Annette Fisher, Chief, Division of Marketing and Air Service Development and Jordan Kayloe, Director of Air Service Development

Recent Media Coverage

- *Governor Moore Announces Second-Straight Record Month for BWI Thurgood Marshall Airport*
- *BWI Thurgood Marshall Airport Celebrates Successful Summer Youth Initiative*

Recent CEO Speaking Engagements

- CEO of Maryland Aviation Administration Speaks on BWI Changes and Growth (Jayne Miller Radio Show)

Air Service and Traffic Statistics

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Looking at future capacity, Q4 2024 seats are down 6% from last year. In accordance with basic supply and demand, passenger growth is driven by the seats in the market Q1 is flat. Schedules as published October 18, 2024. Southwest is having trouble getting all of the aircraft they ordered from Boeing. In addition, some of their employees are on strike. BWI Marshall will see lower capacity at in the winter, but things will pick back up in the spring.

In Q4 2024, Southwest offered just over 70% of seat capacity at BWI Marshall.

In Q4 2024, BWI Marshall led the region in seat capacity. DCA's slot rules increased capacity artificially from 2021 to 2023. Now these slot rules cap DCA capacity, and BWI Marshall and IAD continue to grow to meet demand.

- BWI: 33.8%
- IAD: 33.6%
- DCA: 32.6%

So far in FY 2025, airlines have announced two new routes

Air Canada announced a flight from BWI to:

-Toronto, Canada -- service will resume May 1, 2025

Southwest announced a new red-eye flight from BWI to:

-Sacramento, CA

Total passenger traffic is setting new records. June 2024 set a monthly record for passengers. July 2024 numbers surpassed the June 2024 record and was the busiest month ever at BWI Marshall. Fiscal Year 2024 saw 27.05 million passengers. August 2024 numbers are a little lower and September 2024 preliminary numbers are flat.

This July, Dulles and BWI Marshall led regional airports in passengers:

- IAD 34.9%
- BWI 34.8%
- DCA 30.3%

There was a lot of international expansion at Dulles this summer.

International traffic at BWI Marshall is also setting new records, although in recent months, there have been double digit declines due to Frontier and Spirit both reducing flights to Cancún, and Air Canada suspending service to Cancún altogether.

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Cargo is following industry trends, but stabilizing recently. Shoppers returned to brick and mortar stores, so cargo airlines carried fewer packages.

Total operations continue to grow since last year. Landed weight generally moves similarly to operations.

Follow Up Questions/Comments for Ms. Fisher and Mr. Kayloe

Executive Director Smith asked Mr. Kayloe to speak more about Southwest's announcements during their shareholders meeting. Mr. Kayloe shared that during their Investor Day, Southwest made a couple of announcements regarding their network. One announcement was their plan to increase their efficiency. They are going to try to take five minutes out of each turn, which will make room in their schedule for sixteen more flights. That includes the red-eye flights which make things more efficient for them. Another announcement was regarding their new partnerships with foreign carriers. The first one they announced is with Icelandair. For the time being Icelandair will be able to sell tickets connecting at BWI Marshall to the rest of Southwest's network. It will take a little longer for people who have frequent flier miles with Southwest to buy tickets on Icelandair. That is because Southwest cannot accept foreign currency yet, but they are working on that. MAA is excited about the partnership. Southwest also announced that they will start assigning seats. They will need to upgrade their systems in order to make this happen.

Commissioner Winstead asked if transitioning to a new fleet -- from a 737 and 800 to a Max -- was what caused delays in the delivery of Southwest's aircraft. Mr. Kayloe responded that Southwest makes decisions about whether to repair or replace the aircraft in their fleet based on a variety of factors, including when the aircraft lease is up. Now that there are delays with delivery of new aircraft, they are keeping more of the aircraft that is currently in their fleet and performing maintenance on it. Southwest shared that they expect to be flying all Max planes by around 2030.

MARTIN STATE OPERATIONS & MAINTENANCE – Harold Fowler, Chief, Division of MTN
Operations and Maintenance

Operational Statistics at Martin State Airport (MTN) - Q1 FY 2025 vs. FY 2024 -

Total flight operations are down 46%. A major contributing factor was the runway rehabilitation project that was recently completed at MTN. The runway was shut down for a large portion of the month of July. We expect the numbers to increase.

Variables affecting operations totals:

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- Airfield Construction
- Fleet Repositioning
- FAA Air Traffic Control Tower Staffing Shortages
- Economic Climate

Gallons of fuel sold (both volume and revenue) are down 34% and 36% respectively.

Business jet operations have declined 45%, so increasing business aviation will be Mr. Fowler's focus going forward. He is creating strategies to increase revenue and increase the airport's economic impact.

A recent development is that one of MTN's main based tenants, Grandview Aviation (a charter operator), was recently acquired by Wheels Up. It is unclear if they will remain based at MTN going forward. If they are moved elsewhere, that will affect MTN's operations. However, revenue will not be impacted significantly because Grandview sells their own fuel.

Follow Up Questions/Comments for Mr. Fowler

Commissioner Hawkins asked if there is any concern that the customers that left will not return. And what is being done in terms of marketing and promotion to highlight the renovations and to bring in new customers.

Mr. Fowler said that those customers who left in order to reposition their aircraft have returned. In terms of marketing, MTN is targeting companies that are operating business jet aircraft in our region. One of MTN's competitors is BWI Signature. In a three month period, MTN had 810 flights, while BWI Signature had over 5,300 flights. There are customers who are flying into this area that MTN can target individually and they will start doing that now.

Secretary Wiedefeld requested that Harold draft a correspondence to the FAA on his behalf regarding the FAA's air traffic control tower staffing shortages. There is concern for that from a safety perspective, but also from a business perspective.

Commissioner Hawkins asked if MTN saw an increase in business due to the Maryland 5 Star event held last weekend. Mr. Fowler said that they did not see an increase, but that they are planning to be a major sponsor of Preakness in 2025. They are also looking into co-hosting some events with various Maryland chambers of commerce to try to get MTN's brand in front of a broader audience.

PROPOSED COMAR AMENDMENTS – Wayne Pennell, Chief, Division of BWI Operations and Maintenance

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Final Action - COMAR 11.03.01.09 Badge Replacement Fees

At the February 21, 2024, meeting, the Commission approved moving forward with a proposed amendment to add regulatory language establishing fees for:

- Replacing Lost BWI Airport Badges
- Failing to return a BWI Airport Badge of a former employee at BWI Marshall Airport

This regulation will provide guidance to MAA within the Office of Airport Security as to how charges will be applied for each occurrence.

Under Transportation Security Administration (TSA) regulations under 49 CFR Part 1542, airports are required to maintain below a certain percentage of ‘unaccounted’ airport badges. Unaccounted are those that are Lost, Stolen or in Deactivated status prior to the expiration date on the airport badge.

To assist with maintaining regulatory compliance and ensure accountability, MAA is seeking to revise financial penalties that were implemented in back 1993. The new rate structure is \$25.00 for the first occurrence and \$50.00 for each subsequent occurrence of a Lost Badge.

In addition, MAA is seeking to charge \$100.00 to the employer that fails to return a BWI Airport Badge of an employee that no longer works for them.

Opportunity for Public comment was published in the Maryland Register issued on September 6, 2024. No comments were received when the comment period closed on October 7.

MAA believes the fee structure will assist with incentivizing employees and employers to adhere with required regulations. Airports across the country have instituted similar language and has proven to be successful.

Upon request for a motion to approve the amendments to COMAR 11.03.01.09, it was so moved by Commissioner Hawkins, seconded by Commissioner Winstead, and approved unanimously.

MARYLAND AVIATION COMMISSION CONCEPTUAL POLICY FRAMEWORK EXAMPLE -
Commissioners Zafari and Chancellor

In carrying out its duties and responsibilities, the Maryland Aviation Commission (“MAC”) is to consider (among other things) the:

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- Aviation
- Economic
- Business
- Environmental
- Health
- Community-related impacts or any other impacts the Commission finds relevant to the decisions of the Commission or the Administration.

In order to address the letter and spirit of The Maryland Code, Transportation Article Title 5, Subtitle 2, effective October 1, 2023, Commissioners Zafari and Chancellor presented a conceptual policy framework example. Once finalized, they recommend it be used by the Maryland Aviation Commission (MAC) in its policy-making role.

The Framework is expected to be a forecasting tool designed to weigh all relevant MAA policy, regulatory or major capital project actions within the Commission’s legislative authority. It was created to assist in MAA and MAC decision-making in order to provide guidance in balancing the MAC’s potentially competing policy-making considerations.

To assist the MAA staff in this important, but difficult endeavor, the following framework example was provided to better outline the data requirements, identify complex interdependencies and suggest forecasting tools, both currently available and those that are not yet available.

Example of MAC Policy Framework		
Component	Some Possible Metrics	Weighting
Aviation	<ul style="list-style-type: none"> Safety Operations Enplanements Landside/Airside Capacity Customer Experience 	TBD%
Economic	<ul style="list-style-type: none"> Jobs Earnings Disposable Income State Taxes Local Taxes Business Revenue Local Purchases Federal Taxes 	TBD%
Business	<ul style="list-style-type: none"> MDOT Transportation Trust Fund Bond Ratios Bond Covenants 	TBD%
Environmental	<ul style="list-style-type: none"> Carbon (Direct/Indirect/Induced) Per passenger Per Operation 	TBD%
Health	<ul style="list-style-type: none"> Noise Pollution Population (N-Above/DNL) Quality Adjusted Life Years Other Pollutants UFP/Particulate Gases Heavy Metals 	TBD%
Community/Other	<ul style="list-style-type: none"> To Be Developed (possible examples are: real estate values , impacts on social welfare, losses of leisure activities, disruptions in communication, and conflicts in the community) 	TBD%

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Sample Forecast Elements Illustrated						
Component	Metrics		Potential Forecast Tools	Maturity of Forecast Tools	Transparency	Confidence Level
Economic	Jobs Earnings	Local Taxes	Economic Impact Study	Advanced	High	TBD
	Disposable Income	Bus Revenue	RIMS II model	Advanced	High	TBD
	State Taxes	Purchases	Tax Forecasts	Advanced	High	TBD
Environmental	Carbon (Direct/Indirect/Induced) Per passenger Per operation		Carbon Calculators	Advanced	High	TBD
	Others TBD based on best current science		Carbon Emissions Prediction models	Initial/Intermediate	High	TBD
			Vianair Inc. model	Intermediate	Unknown	TBD
Health	Noise Pollution Population		Vianair Inc. model	Advanced	Unknown	TBD
	▪ Number of Events Above		FAA AEDT model	Advanced	Unknown	TBD
	▪ DNL		Zafari/Park U of M model	Initial	High	TBD
	▪ Quality Adjusted Life Years					
	Others TBD based on best current science					

Commissioner Zafari indicated that an important factor that should be included in all components is equity.

After all the inputs have been made and the forecast model is run, the result is a weighted Score of Action Risk.

Once a MAC policy action (or delegated policy action to the MAA) has been scored within the Framework, that score is put into a GREEN, YELLOW, or RED decision matrix. It will not be an easy task to define these levels of risk, but the effort should proceed in an open, transparent and defensible manner.

- GREEN means the action is least risky and should proceed, all other decision factors being equal.
- YELLOW means that the action is possibly unacceptably risky and may require further discussion or analysis in order to proceed.
- RED means that the action is too risky to proceed.

Discussion and Next Steps

Secretary Wiedefeld thanked both Commissioners for providing this draft policy framework. He stated that this type of framework is good to work through in the new committee structure and

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see where it goes. He reiterated the importance of including equity in the framework. He explained that he was leery of having a numeric score as the final determinant in whether or not a project moves forward. However, he appreciates how this process forces consideration of a variety of factors. He went on to say that at the end of the day, there are other people who make decisions about the airport (i.e. the legislature, etc.). The more that leadership can look at things holistically, the better it is for the airport.

Executive Director Smith said this policy framework was a very good start. There are number of things that are “To be determined” such as weighting. Another thing that should be factored in are the regulatory requirements. MAA can work with the Commission to fill in these missing pieces.

Commissioner Carey said he would like to see how this compares to the National Plan of Integrated Airport Systems. There is a scorecard that they use to do projects. He also asked if the Maryland Transit Administration (MTA) had starting using a system similar to this to build their capital program. Secretary Wiedefeld responded that every mode has some kind of tool to assess their projects. Executive Director Smith said that the Master Planning Process also incorporates an analysis of projects.

Commissioner Zafari commented that this policy framework needs to become a formal process and a scientific process. The data should come from the science. He believes this should be a funded project. He is currently pursuing funding from the Federal Government for related projects. He has a proposed research study that will look at the relationship between noise and dementia.

Commissioner Hawkins asked who is going to pay for this type of research and who is doing all the work. He also asked what the Commission’s role would be in working with MAA staff. He wanted to make sure the Commission was not overstepping its role. Executive Director Smith said that this work should be supported by independent sources. He noted that business decisions are not always absolute. There needs to be some appreciation for judgement, instinct, and experience. These things are not necessarily scientific.

Commissioner Chancellor proposed next steps – refining the policy framework and presenting it again with more detail to the Commission at the next meeting. He and Commissioner Zafari will work with MAA staff to incorporate their input as well.

Executive Director Smith said he considers this policy framework a working concept, but there needs to be some additional work to bring it all together.

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Commissioner Winstead commented that it is a good conceptual framework, but legal considerations need to be included.

Commissioner Hawkins said he values MAA staff's expertise and experience. He does not want it to get overlooked.

Commissioner Morales noted that it is important to have greater transparency on where the data is coming from. For example, disclosing sources and potential conflicts of interest.

CLOSED SESSION

Upon request for a motion by Chairman Wiedefeld to meet in closed session, it was so moved by Commissioner Hawkins, seconded by Commissioner Sims, and approved unanimously.

The Maryland Aviation Commission met in closed session October 23 from 3:11 p.m. to 3:38 p.m., in accordance with §3-305 of the General Provisions Article, Annotated Code of Maryland, to consider the following:

- Legal Advice – To consult with counsel to obtain legal advice.

Besides the Commissioners, the following individuals were present for the entire closed session discussion: Ricky Smith, Keiva Rodriques, Bill Lindsey, Robert Sager and Staci Gorden. Only permitted items and actions were discussed and taken in the closed session.

OPEN SESSION

Upon request for a motion to return to Open Session, it was so moved by Commissioner Sims, seconded by Commissioner Davis, and approved unanimously. The meeting returned to Open Session at 3:39 p.m.

PUBLIC COMMENT

Laura Donovan read a prepared statement related to aviation-related noise and its negative impact on the surrounding community.

MEETING ADJOURNED

There being no further business, a motion to adjourn was made by Commissioner Winstead, seconded by Commissioner Carey, and approved unanimously. The meeting adjourned at 3:44 p.m.

TAB B

SENATE BILL 373

P4

5lr1491
CF 5lr1496

By: **Senator Beidle**

Introduced and read first time: January 17, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – BWI Airport Fire and Rescue Department – Collective**
3 **Bargaining and Arbitration Processes**

4 FOR the purpose of altering the collective bargaining process between the State and
5 uniformed fire employees of the BWI Airport Fire and Rescue Department by
6 requiring the parties to reach a collective bargaining agreement on or before a
7 certain date; establishing a process of binding arbitration in the event of an impasse;
8 and generally relating to collective bargaining between the State and employees of
9 the BWI Airport Fire and Rescue Department.

10 BY repealing and reenacting, with amendments,
11 Article – State Personnel and Pensions
12 Section 3–501 and 3–603
13 Annotated Code of Maryland
14 (2024 Replacement Volume and 2024 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – State Personnel and Pensions**

18 3–501.

19 (a) (1) The following individuals or entities shall designate one or more
20 representatives to participate as a party in collective bargaining on behalf of the State or
21 the following institutions:

22 (i) on behalf of the State, the Governor;

23 (ii) on behalf of the Maryland Environmental Service, the Board of
24 Directors of the Service;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) on behalf of the University System of Maryland, the Chancellor;
2 and

3 (iv) on behalf of Morgan State University, St. Mary's College of
4 Maryland, or Baltimore City Community College, the governing board of the institution.

5 (2) The exclusive representative shall designate one or more
6 representatives to participate as a party in collective bargaining on behalf of the exclusive
7 representative.

8 (b) The parties shall meet at reasonable times and engage in collective bargaining
9 in good faith, including facilitating the meaningful use of a fact finder under subsection
10 (c)(3) of this section, and to conclude a written memorandum of understanding or other
11 written understanding as defined under § 3-101(d)(1)(i)2 of this title.

12 (c) (1) The parties shall make every reasonable effort to conclude negotiations
13 in a timely manner for inclusion by the principal unit in its budget request to the Governor.

14 (2) (i) The parties shall conclude negotiations before January 1 for any
15 item requiring an appropriation of funds for the fiscal year that begins on the following
16 July 1.

17 (ii) In the budget bill submitted to the General Assembly, the
18 Governor shall include any amounts in the budgets of the principal units required to
19 accommodate any additional cost resulting from the negotiations, including the actuarial
20 impact of any legislative changes to any of the State pension or retirement systems that
21 are required, as a result of the negotiations, for the fiscal year beginning the following July
22 1 if the legislative changes have been negotiated to become effective in that fiscal year.

23 (3) (i) **THIS PARAGRAPH DOES NOT APPLY TO NEGOTIATIONS**
24 **BETWEEN THE STATE AND THE EXCLUSIVE REPRESENTATIVE OF THE UNIFORMED**
25 **FIRE EMPLOYEES OF THE BWI AIRPORT FIRE AND RESCUE DEPARTMENT.**

26 (II) If the parties do not conclude negotiations for the next fiscal year
27 before October 25, either party may request that a fact finder be employed to resolve the
28 issues.

29 [(ii)] (III) The fact finder shall be employed no later than November
30 1.

31 [(iii)] (IV) A fact finder shall be a neutral party appointed by
32 alternate striking from a list by the parties provided:

33 1. by the Federal Mediation and Conciliation Service; or

1 FROM A LIST OF 15 ARBITRATORS PROVIDED BY THE AMERICAN ARBITRATION
2 ASSOCIATION'S LABOR ARBITRATION PANEL.

3 2. THE PARTIES SHALL SELECT THE ARBITRATOR BY
4 ALTERNATELY STRIKING A NAME FROM THE LIST UNTIL ONE NAME REMAINS.

5 3. IF THE SELECTED ARBITRATOR IS UNABLE TO
6 FULFILL THE RESPONSIBILITIES OF THE ARBITRATION, THE SELECTION PROCESS
7 SHALL BE REPEATED USING A NEW LIST OF ARBITRATORS UNTIL AN ARBITRATOR IS
8 SELECTED.

9 4. THE PARTIES SHALL SUBMIT THE DISPUTE AND THE
10 LAST, BEST, AND FINAL OFFERS TO THE ARBITRATOR WITHIN 5 BUSINESS DAYS
11 AFTER THE ARBITRATOR IS SELECTED.

12 (VI) 1. THE ARBITRATOR SHALL HOLD FORMAL HEARINGS AS
13 NECESSARY IN ORDER TO RESOLVE THE IMPASSE.

14 2. DURING THE FIRST 21 DAYS IMMEDIATELY
15 FOLLOWING THE APPOINTMENT OF THE ARBITRATOR AND BEFORE HOLDING ANY
16 FORMAL HEARINGS, THE ARBITRATOR MAY, IF DETERMINED APPROPRIATE BY THE
17 ARBITRATOR, ATTEMPT TO RESOLVE THE IMPASSE BY ACTING AS A NEUTRAL
18 MEDIATOR BETWEEN THE PARTIES.

19 (VII) THE ARBITRATOR SHALL SELECT ONE PARTY'S LAST, BEST,
20 AND FINAL OFFER ON OR BEFORE DECEMBER 15.

21 (VIII) THE DECISION OF THE ARBITRATOR IS BINDING ON THE
22 PARTIES.

23 (IX) THE PARTIES SHALL EQUALLY SHARE THE COSTS OF THE
24 SERVICES OF THE ARBITRATOR.

25 (d) (1) A memorandum of understanding that incorporates all matters of
26 agreement reached by the parties shall be executed by the exclusive representative and:

27 (i) for a memorandum of understanding relating to the State, the
28 Governor or the Governor's designee;

29 (ii) for a memorandum of understanding relating to the Maryland
30 Environmental Service, the Board of Directors of the Service;

31 (iii) for a memorandum of understanding relating to a system
32 institution, the Chancellor or the Chancellor's designee; and

1 (iv) for a memorandum of understanding relating to Morgan State
2 University, St. Mary's College of Maryland, or Baltimore City Community College, the
3 governing board of the institution or the governing board's designee.

4 (2) To the extent these matters require legislative approval or the
5 appropriation of funds, the matters shall be recommended to the General Assembly for
6 approval or for the appropriation of funds.

7 (3) To the extent matters involving a State institution of higher education
8 require legislative approval, the legislation shall be recommended to the Governor for
9 submission to the General Assembly.

10 (e) (1) Except as provided in paragraph (2) of this subsection, negotiations for
11 a memorandum of understanding shall be considered closed sessions under § 3-305 of the
12 General Provisions Article.

13 (2) An exclusive representative may not be considered a public body under
14 § 3-101 of the General Provisions Article.

15 (f) (1) The terms of a memorandum of understanding executed by the
16 Governor or the Governor's designee and an exclusive representative of a bargaining unit
17 for skilled service or professional service employees in the State Personnel Management
18 System are not applicable to employees of a State institution of higher education.

19 (2) The terms of a memorandum of understanding executed by the
20 Chancellor or the governing board of Morgan State University, St. Mary's College of
21 Maryland, or Baltimore City Community College, or their respective designees, and the
22 exclusive representative of a bargaining unit for employees of a State institution of higher
23 education are not applicable to skilled service or professional service employees in the State
24 Personnel Management System.

25 3-603.

26 (a) A memorandum of understanding agreed to and ratified under § 3-601 of this
27 subtitle may not expire until it is succeeded by a memorandum of understanding that is
28 agreed to and ratified **OR ADOPTED BY ARBITRATION** under this title.

29 (b) Notwithstanding § 3-601(b) of this subtitle, all terms of a memorandum of
30 understanding shall continue in force and effect without change until a successor
31 memorandum of understanding is agreed to and ratified.

32 (c) (1) Based on a verified complaint by an exclusive representative, the
33 exclusive representative may file an action in a circuit court against the State, the
34 Maryland Environmental Service, a system institution, Morgan State University, St.
35 Mary's College of Maryland, or Baltimore City Community College to enforce the terms of
36 this section.

1 (2) On receipt of an action submitted by the exclusive representative, the
2 court shall issue a status quo order without a finding of irreparable harm to maintain a
3 memorandum of understanding and the terms in effect pending a final order in the action.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2025.

SENATE BILL 973

R2

5lr3445

By: **Senator Lam**

Introduced and read first time: January 28, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Aviation Oversight – BWI Thurgood Marshall Airport Master Plan**

3 FOR the purpose of requiring the Maryland Aviation Commission to adopt, rather than
4 approve for adoption by the Executive Director of the Maryland Aviation
5 Administration, regulations for the operation of the State-owned airports; altering
6 requirements for meetings and a quorum of the Commission; altering certain powers
7 and duties of the Administration and the Commission; requiring certain contracts to
8 be approved by the Commission; requiring the Secretary of Transportation to adopt
9 regulations governing the Master Plan process for Baltimore–Washington
10 International Thurgood Marshall Airport; requiring the Commission to adopt a
11 Master Plan for Baltimore–Washington International Thurgood Marshall Airport on
12 or before a certain date and periodically update the Master Plan; requiring the
13 Executive Director, the Secretary of the Environment, and the Commission to
14 periodically review certain regulations related to noise levels; requiring the
15 Executive Director to brief the Commission periodically on certain noise abatement
16 plans; and generally relating to oversight of aviation in the State.

17 BY repealing and reenacting, without amendments,
18 Article – Transportation
19 Section 5–201(a)
20 Annotated Code of Maryland
21 (2020 Replacement Volume and 2024 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – Transportation
24 Section 5–201(b)(2), (c), and (f), 5–201.1(b), (c), and (d), 5–202.1, 5–204(a) and (d),
25 5–208, 5–209(a), 5–213(a), 5–804, 5–806, and 5–820(a)
26 Annotated Code of Maryland
27 (2020 Replacement Volume and 2024 Supplement)

28 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Transportation
2 Section 5–413(e)
3 Annotated Code of Maryland
4 (2020 Replacement Volume and 2024 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
6 That the Laws of Maryland read as follows:

7 **Article – Transportation**

8 5–201.

9 (a) There is a Maryland Aviation Commission.

10 (b) The Commission shall:

11 (2) [Approve] **ADOPT** regulations for the operation of the State–owned
12 airports [prior to their adoption by the Executive Director];

13 (c) (1) The Commission shall consist of 13 voting members:

14 (i) 12 appointed by the Governor with the advice and consent of the
15 Senate:

16 1. Two of whom shall be recommended by the Anne Arundel
17 County Senate Delegation; and

18 2. Two of whom shall be recommended by the Howard
19 County Senate Delegation; and

20 (ii) The Secretary of Transportation, who shall be the [Chairman]
21 **CHAIR** of the Commission.

22 (2) The Secretary of Commerce shall serve as a nonvoting ex officio
23 Commission member.

24 (f) (1) The Commission shall meet at a time and place designated by the
25 [Chairman] **CHAIR** of the Commission.

26 (2) The Commission shall meet as often as its duties require, but [not less
27 than quarterly] **SHALL HOLD AT LEAST 10 MEETINGS EACH YEAR, OF WHICH FOUR
28 MEETINGS MAY BE MEETINGS OF SUBCOMMITTEES OF THE COMMISSION
29 DESIGNATED BY THE CHAIR.**

30 (3) (i) Attendance by [five] **A MAJORITY OF THE VOTING** members
31 shall constitute a quorum.

1 (ii) No formal action may be taken by the Commission except by an
2 affirmative vote of a majority of the entire Commission.

3 5–201.1.

4 (b) Actions of the Commission which, in the judgment of the [Chairman] **CHAIR**,
5 have an impact upon the Transportation Trust Fund are subject to the approval of the
6 [Chairman] **CHAIR**.

7 (c) The [Chairman] **CHAIR** of the Commission shall:

8 (1) Based on the advice of the Commission and subject to the approval of
9 the Governor, appoint the Executive Director of the Administration in accordance with §
10 5–501 of the General Provisions Article; and

11 (2) Approve the Administration’s budget before its submission for the
12 Governor’s approval and inclusion in the proposed budget submitted to the General
13 Assembly.

14 (d) The [Chairman] **CHAIR** of the Commission with the advice of the Commission
15 may remove the Executive Director of the Administration.

16 5–202.1.

17 (a) The head of the Administration is the Executive Director.

18 (b) (1) The Executive Director shall report directly to the Commission.

19 (2) Subject to the direction of the Commission and in accordance with other
20 provisions of law, the Executive Director is responsible for **CARRYING OUT**:

21 (i) [Carrying out the] **THE** powers and duties vested by law in the
22 Administration; and

23 (ii) [Adopting and carrying out regulations] **REGULATIONS**
24 **ADOPTED BY THE COMMISSION**.

25 (c) The Executive Director is entitled to the salary provided in the State budget.

26 5–204.

27 (a) In addition to the specific powers granted and duties imposed by this title,
28 **AND SUBJECT TO THE SUPERVISION OF THE COMMISSION**, the Administration has the
29 powers and duties set forth in this section.

1 (d) With the approval of the Secretary, the Administration may:

2 (1) Recommend necessary legislation to advance the interests of this State
3 in aeronautics;

4 (2) Represent this State in aeronautics matters before any agency of this
5 or any other state or of the federal government;

6 (3) Participate on behalf of this State or any political subdivision or citizen
7 of this State as party plaintiff or defendant or as intervenor in any controversy that involves
8 the interest of this State in aeronautics; and

9 (4) [Adopt] **PROPOSE FOR ADOPTION BY THE COMMISSION** rules and
10 regulations for the functioning and administration of the Administration.

11 5–208.

12 (a) (1) The [Administration] **COMMISSION** may perform any act, issue and
13 amend any order, adopt and amend any general or special rule, regulation, or procedure,
14 and establish any minimum standard consistent with this title and necessary:

15 (i) To perform its duties and carry out the provisions of this title;

16 (ii) To protect the general public safety, the safety of persons who
17 operate, use, or travel in aircraft, the safety of persons who receive instructions in flying or
18 ground subjects that relate to aeronautics, or the safety of persons and property on land or
19 water; or

20 (iii) To develop and promote aeronautics in this State.

21 (2) The [Administration] **COMMISSION** may adopt rules and regulations
22 by which a person engaging in aeronautics may be required to establish financial
23 responsibility for any damage or injury that might be caused by the person.

24 (3) (i) The [Administration] **COMMISSION** shall adopt rules and
25 regulations requiring the use of security identification badges in airports consistent with
26 any airport security program regulations adopted under this section.

27 (ii) After notice and opportunity for a hearing as provided under §
28 5–210 of this subtitle, the Administration may order a civil penalty not exceeding \$1,000
29 for the misuse of a security identification badge in violation of an airport security program
30 adopted under subparagraph (i) of this paragraph.

31 (b) (1) A rule or regulation adopted by the [Administration] **COMMISSION**
32 may not apply to any airport, airport facility, or air navigation facility that is owned or
33 operated by the United States.

1 (2) A rule, regulation, order, or standard of the [Administration]
2 COMMISSION may not be inconsistent with or contrary to federal law.

3 (c) Copies of all rules, regulations, and standards shall be filed in accordance with
4 the Administrative Procedure Act and the State Documents Law and shall be made
5 available to the public.

6 5-209.

7 (a) The Executive Director or any officer or employee of the Administration
8 designated by the Executive Director may conduct investigations, inquiries, and hearings
9 as to:

10 (1) Any matter covered by this title or by a rule, regulation, or order of the
11 Administration OR COMMISSION; or

12 (2) Any aeronautics accident in this State.

13 5-213.

14 (a) (1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
15 Administration may make any contract necessary for or incidental to the performance of
16 its duties and the exercise of its powers under this title.

17 (2) A CONTRACT INVOLVING CONSIDERATION EXCEEDING \$1,000,000
18 MUST BE APPROVED BY THE COMMISSION IN A PUBLIC MEETING BEFORE THE
19 CONTRACT MAY BECOME EFFECTIVE.

20 5-413.

21 (E) (1) ON OR BEFORE DECEMBER 31, 2026, THE SECRETARY, WITH THE
22 ADVICE OF THE COMMISSION, SHALL ADOPT REGULATIONS TO GOVERN THE
23 MASTER PLAN PROCESS FOR BALTIMORE-WASHINGTON INTERNATIONAL
24 THURGOOD MARSHALL AIRPORT.

25 (2) THE REGULATIONS SHALL:

26 (I) DEFINE MAJOR AIRPORT PROJECTS;

27 (II) REQUIRE THAT A MASTER PLAN INCLUDE MAJOR AIRPORT
28 PROJECTS PLANNED FOR THE NEXT 10 YEARS;

29 (III) REQUIRE AT LEAST TWO PUBLIC HEARINGS AND A PUBLIC
30 COMMENT PERIOD BEFORE ADOPTION OF A MASTER PLAN;

1 **(IV) REQUIRE PUBLIC DISTRIBUTION OF A PROPOSED MASTER**
2 **PLAN, INCLUDING THE DISTRIBUTION OF COPIES OF A PROPOSED MASTER PLAN TO**
3 **EACH COUNTY THAT IS WITHIN THE BALTIMORE–WASHINGTON INTERNATIONAL**
4 **THURGOOD MARSHALL AIRPORT NOISE ZONE; AND**

5 **(V) REQUIRE AT LEAST ONE PUBLIC HEARING:**

6 **1. BEFORE CONSTRUCTION BEGINS ON A MAJOR**
7 **AIRPORT PROJECT; OR**

8 **2. WHEN THERE IS A PROPOSAL TO ADD A MAJOR**
9 **AIRPORT PROJECT TO THE MASTER PLAN.**

10 **(3) ON OR BEFORE DECEMBER 31, 2026, THE COMMISSION SHALL**
11 **ADOPT A MASTER PLAN CONSISTENT WITH THE REGULATIONS ADOPTED UNDER**
12 **THIS SUBSECTION.**

13 **(4) AT LEAST ONCE EVERY 10 YEARS, THE COMMISSION SHALL**
14 **UPDATE THE MASTER PLAN CONSISTENT WITH THE REGULATIONS ADOPTED UNDER**
15 **THIS SUBSECTION.**

16 5–804.

17 (a) With the endorsement of the Secretary and the Secretary of the Environment
18 and after a public hearing following 60 days' notice, the Executive Director shall adopt
19 regulations that establish limits for cumulative noise exposure for residential and other
20 land uses on the basis of the noise sensitivity of a given land use.

21 (b) In adopting limits under this section, the Executive Director shall:

22 (1) Consider:

23 (i) The general health and welfare;

24 (ii) The rights of property owners;

25 (iii) Accepted scientific and professional standards; and

26 (iv) The recommendations of the Federal Aviation Administration
27 and Environmental Protection Agency; and

28 (2) Set the limits at the most restrictive level that, through the application
29 of the best available technology at a reasonable cost and without impairing the safety of
30 flight, is consistent with attaining the environmental noise standards adopted by the
31 Maryland Department of Health.

1 **(C) THE EXECUTIVE DIRECTOR, THE SECRETARY OF THE ENVIRONMENT,**
2 **AND THE COMMISSION SHALL REVIEW THE REGULATIONS ADOPTED UNDER THIS**
3 **SECTION EVERY 5 YEARS TO DETERMINE WHETHER THE REGULATIONS NEED TO BE**
4 **UPDATED.**

5 5-806.

6 (a) (1) As to each noise abatement plan the Executive Director approves, the
7 airport operator shall:

8 (i) Begin to carry out the plan within 6 months of its approval; and

9 (ii) Except as provided in paragraph (2) of this subsection, fully carry
10 out the plan within 18 months of its approval.

11 (2) The Executive Director may grant a delay of up to 2 years to carry out
12 the plan fully if the Executive Director finds that, despite the good faith efforts of the
13 operator, the operator cannot comply with the schedule required by this subsection.

14 (b) After notice and a public hearing, the Executive Director shall certify and
15 publish, as a noise zone for purposes of Parts III and IV of this subtitle, any noise zone that
16 results from an approved assessment or an approved plan.

17 (c) On application by the airport operator or an affected political subdivision, the
18 Executive Director shall consider any adjustment to an approved plan or noise zone that is
19 needed to reflect potential operational changes, changes in adjoining land uses, or other
20 factors. Adjustments may be made only by recertification of the noise zone by the Executive
21 Director, after notice and a public hearing.

22 (d) Before any hearing under this section, the Executive Director shall give the
23 chief executive officer and zoning board of any affected political subdivision an opportunity
24 to comment. After certification of a noise zone, the Administration shall notify them of the
25 certified noise zone.

26 (e) The Executive Director may adopt rules and regulations for monitoring
27 compliance with approved plans.

28 **(F) AT LEAST ANNUALLY, THE EXECUTIVE DIRECTOR SHALL BRIEF THE**
29 **COMMISSION AT A PUBLIC HEARING ON THE STATUS OF NOISE ABATEMENT PLANS**
30 **ADOPTED UNDER THIS SECTION AND ANY POTENTIAL ISSUES WITH COMPLIANCE**
31 **WITH THE PLANS.**

32 5-820.

1 (a) After the Executive Director certifies and publishes a noise zone for a
2 State-owned airport, [he] **THE EXECUTIVE DIRECTOR** shall [adopt] **PROPOSE FOR**
3 **ADOPTION BY THE COMMISSION**, administer, and enforce regulations for the airport in
4 the same manner that a political subdivision enforces its regulations under Part III of this
5 subtitle.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2025.

TAB C

Maryland Department of Transportation

Maryland Aviation Administration

Decision Paper

Proposed Amendments to COMAR – Control of Vehicular Traffic on the Air Operations Area

Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall Airport)

1. SUBJECT/ISSUE

The Maryland Aviation Administration (MAA) Office of Airport Operations is tasked with providing a safe and efficient operating environment for tenants, employees, and customers at BWI Marshall Airport. Maintaining a safe and efficient operating environment is accomplished through the regulation of vehicular traffic and parking on the movement and non-movement areas of the Airport. Authority to operate on these areas is controlled by MAA under COMAR 11.03.01.04 (A), (L).

Pursuant to Annotated Code of Maryland, Transportation §5-208, MAA has the authority to adopt regulations necessary to protect the general public's safety, the safety of persons who operate, use, or travel in aircraft, or the safety of persons and property on land or water. To promote this goal of providing a safe and efficient airport operating environment, the MAA is authorized to perform any act, issue, and amend any order, adopt and amend any general or special rule, regulation, or procedure, and establish any minimum standard consistent with this title and necessary to perform its duties and carry out the provisions of this title. See § 5-208(a)(2).

MAA proposes to amend COMAR. In accordance with Transportation Article S5-201 (b)(2), Annotated Code of Maryland, the Commission shall approve regulations for the operation of State-owned airports prior to their adoption by the Executive Director.

2. Discussion

MAA proposes the adoption of COMAR 11.03.01.01 (B) (1) and (22), to update the definition of abandoned, derelict, inoperable and surplus vehicles and equipment. COMAR 11.03.01.04 (M) (1) and (2) to establish a directive to prohibit the parking of abandoned, derelict, inoperable and surplus motor vehicles and equipment. This directive also serves to provide the regulatory authority to remove these vehicles and equipment from the Air Operations Area at the owner's expense. In addition to the update of the vehicle and equipment definitions, these proposed amendments serve to articulate the circumstances of when and how vehicles and equipment can be removed from the Airport.

The existing regulations related to the Control of Vehicular Traffic on the Air Operations Area require amendment to better reflect the current parking space available on the Air Operations Area and the current volume of vehicles and equipment on the Air Operations Area. The volume of vehicles and equipment found on the Air Operations Area is directly related to the increased number of airlines operating at BWI Marshall Airport and the

associated number of ground service providers servicing these airlines. Construction and development on the Air Operations Area has further constricted the space available to safely park and operate an excess of abandoned, derelict, and redundant vehicles and equipment.

3. Proposed Changes to COMAR

The following changes are proposed for COMAR 11.03.01.04.

.04 Definitions Added

- A. Abandoned – means forsake, desert, give up and surrender one’s claim or right.
- B. Derelict vehicle – means very poor condition as a result of disuse and neglect.

The following changes are proposed for COMAR 11.03.01.04

Section A-L (Unchanged)

Section M New Addition

M. Abandoned, Derelict, Inoperable and Surplus Motor Vehicles and Equipment.

1. Abandoning or parking a derelict, inoperable, or surplus motor vehicle or equipment on the Air Operations Area is prohibited. The Airport Director, or the Airport Director’s designee, may remove from the Air Operations Area, any motor vehicle or equipment that is abandoned, derelict, inoperable, or surplus and which presents an operational or security problem for the Air Operations Area. The owner of a motor vehicle or equipment that has been removed pursuant to this regulation shall be held liable for the reasonable costs of the removal and storage of the motor vehicle and/or equipment.

2. Airport tenants are responsible for the prompt removal of abandoned, derelict, inoperable, or surplus motor vehicles and equipment from their leased premises, at the owner’s expense.

3. The Airport Director or Airport Director’s designee will attempt to identify the owner of any abandoned, derelict, inoperable, and surplus motor vehicles or equipment on the Air Operations Area and any which present an operational or security concern on the Air Operations Area. The Airport Director or Airport Director’s designee will attempt to contact the owner via certified mail, return receipt requested, bearing a postmark of the USPS, no less than thirty days to prior to removal, using the most updated tenant provided contact information. The Airport Director or Airport Director’s designee will maintain the certified mail receipts. A removal notice shall also be posted on the windshield of any motor vehicle and on the most visible surface of equipment

deemed to be abandoned, derelict, inoperable, and surplus and any which present an operational or security concern on the Air Operations Area.

4. Conclusion

MAA recommends that the regulation amendments should be adopted as proposed in the December 2025, issue of the Maryland Register.

5. Recommendation

MAA recommends that the Maryland Aviation Commission approve the proposed amendments to COMAR 11.03.01.04(L)(1) and COMAR 11.03.01.04(L)(3)

Approved _____ Disapproved _____ Date _____

TAB D

MARYLAND AVIATION ADMINISTRATION
Decision Paper

Proposed Regulation to Establish Business Hours of Operation
Baltimore/Washington International Thurgood Marshall Airport

1. SUBJECT/ISSUE

Proposal to amend the current regulation to establish business hours of operation at Baltimore/Washington International Thurgood Marshall (BWI Marshall) Airport. If adopted, this regulation will provide guidance to the Maryland Aviation Administration (MAA) and Maryland Transportation Authority Police (MDTA Police) officers on how to address persons who are in the Airport with no legitimate business purpose.

Pursuant to Annotated Code of Maryland, Transportation §§5-204 and 5-208, MAA has the power to adopt regulations necessary to protect the general public's safety, the safety of persons who operate, use or travel in aircraft, or the safety of persons and property on land or water or for the functioning and administration of the Administration.

MAA proposes to amend COMAR 11.03.01.13 "Public Hours of Operations" to "Business Hours of Operation" at the Airport. In accordance with Transportation Article §5-201 (b)(2), Annotated Code of Maryland, the Commission is charged with approving regulations prior to their adoption by the Executive Director. BWI Marshall Airport business hours of operation will be 24 hours per day every day.

2. DISCUSSION

In recent years, MAA has seen an increase in our persons experiencing homelessness (PEH) population that dwells and lodges in BWI Marshall Airport continuously during all hours of the day. During 2023 and portions of 2024, there have been considerable increases in calls for service to police, paramedics, operations, and maintenance personnel which are directly attributable to PEH at BWI Marshall Airport. In addition, there have been several serious incidents involving our PEH community at BWI Marshall Airport including multiple arsons inside of the Airport, many drug overdoses to include several drug overdose deaths, and multiple arrests for criminal offenses ranging from aggressive panhandling to assaults and larcenies. In some instances, MDTA Police has needed to resort to the use of non-lethal force to affect the apprehension of combative individuals. On at least two occasions, major security violations occurred when a PEH breached exit lanes and entered the federally regulated areas. These breaches, if not quickly resolved by authorities, could have led to the halting of all passenger screening, re-screening of all commercial air passengers in the terminals, and delays in entering this country through our Federal Inspection Station.

To address these issues, the MAA Office of Airport Security has developed a comprehensive community-driven strategy that enhances the quality of life for PEH and supports a safe and secure BWI Marshall Airport Operating environment. Right now, we have implemented a non-sustainable workforce pilot program in which we have surged BWI Operations Team Members, MDTA Police, BWI Fire & Rescue (FRD) and other service providers to complete documented PEH community policing engagements up to four (4) times per day 24/7. This pilot program reduces resources that are dedicated to passenger safety, security and emergency response missions. Key partners in developing all of our strategies include MDTA Police, BWI FRD and the Anne Arundel County Mental Health Crisis Response Team.

Also, the State of Maryland Department of Housing and Community Development (DHCD) provided subject matter expertise in developing and procuring a solutions contract to provide PEH outreach social services on the ground continuously at this Airport. Social services assistance such as shelter assistance, substance abuse treatment and mental health referrals are currently being provided to those individuals who accept these offered services. Finally, MAA partnered with the DHCD during 2019 and executed an MOU to continuously collaborate on solutions that address our PEH challenges.

PROPOSED CHANGES TO COMAR

COMAR 11.03.01.13

.13 Business Hours of Operation of the Terminal and Other Locations at the Airport.

Effective:

A. General Regulations. The terminal at the Airport, the pedestrian bridges connecting the hourly garage at the Airport to the terminal, the hourly garage, the daily garage and the on-Airport consolidated rental car facility are open for business purpose only each day. No individual may enter or be present in the terminal, pedestrian bridges, hourly garage, daily garage or on-Airport consolidated rental car facility except:

(1) Airline passengers and on-Airport consolidated rental car facility customers;

(2) Individuals meeting, accompanying, or assisting passengers on an arriving or departing flight;

(3) Individuals whose employment requires their presence in the terminal, pedestrian bridges, hourly garage, daily garage or on-Airport consolidated rental car facility; and

(4) Other individuals specifically authorized by the Executive Director to enter and be present in some or all of these locations.

B. Violations.

(1) For purposes of this section, “authorized employee” means an employee of the Administration designated by the Executive Director to ask a person to leave the terminal, pedestrian bridges, hourly garage, daily garage or on-Airport consolidated rental car facility when the surrounding circumstances suggest that the person has no apparent lawful business to pursue at the terminal, pedestrian bridges, hourly garage, daily garage or on-Airport consolidated rental car facility.

(2) If a person refuses or fails to leave the terminal, pedestrian bridges, hourly garage, daily garage or on-Airport consolidated rental car facility upon proper request to do so by an authorized employee, the Airport Police shall be notified and the person shall be treated as a trespasser in accordance with Criminal Law Article, § 6-409, Annotated Code of Maryland.

3. CONCLUSION

The proposed BWI Marshall Airport COMAR 11.03.01.13 Business Hours of Operation at the Airport should be adopted as proposed.

4. RECOMMENDATION

MAA recommends that the Maryland Aviation Commission approve the proposed COMAR 11.03.01.13 Business Hours of Operation at the Airport and authorize MAA to proceed with the promulgation process.

Approved _____ Disapproved _____ Date _____