

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 611

(Delegate Anderson, *et al.*)

(By Request – Baltimore City Administration)

Economic Matters

Underground Facilities - Determination of Marking - Initial Fees

The bill provides that the one-time initial fee that a local jurisdiction charges under the Miss Utility Program includes reimbursement of expenses incurred to determine if marking to locate an underground facility is needed.

This bill takes effect July 1, 2008.

Fiscal Summary

State Effect: None.

Local Effect: To the extent that a local government assesses an additional surcharge, revenues would increase minimally.

Small Business Effect: None.

Analysis

Current Law: A political subdivision or municipal corporation may be reimbursed for marking or remarking of utility facilities. A political subdivision or municipal corporation may charge, assess, or collect from a person a one-time initial marking fee not exceeding \$35 for reimbursement of expenses that the political subdivision or municipal corporation incurs for marking underground facilities. If re-marking is requested, or is required after renotification, a political subdivision or municipal corporation may charge, assess, or collect from a person a re-marking fee not exceeding

\$15 for reimbursement of expenses incurred by the political subdivision or municipal corporation.

Background: This bill authorizes the assessment of a fee to a customer from either the marking of utilities prior to excavation work, or determining whether utility facility marking is necessary at a particular location. The bill addresses potential disputes over the assignment of a charge if marking is not required in an area, but an investigation was required and conducted to establish that fact.

Local Fiscal Effect: Minimal increase in local revenues by specifying the statutory authority to charge for not only the needed utility marking, but also for investing and establishing that marking is not required for a specific location reviewed for utility facility avoidance.

Additional Information

Prior Introductions: None.

Cross File: SB 445 (Senator Pugh, *et al.*) (By Request – Baltimore City Administration) – Finance.

Information Source(s): Public Service Commission, Office of People’s Counsel, Baltimore City, Department of Legislative Services

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