

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

House Bill 201 (Chairman, Commerce and Government Matters Committee)  
(Departmental - Transportation)

Commerce and Government Matters

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**Mass Transit Administration - Right and Liabilities of Civil Engineers**

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This departmental bill authorizes the Mass Transit Administration (MTA) to enter private property to conduct environmental and engineering studies that are necessary to determine the suitability of the property for transportation projects. The MTA is responsible for any damages to the private property caused by the studies. The State Highway Administration has this authorization under existing law.

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**Fiscal Summary**

**State Effect:** Minimal effect on special fund expenditures.

**Local Effect:** None.

**Small Business Effect:** The Department of Transportation has determined that this bill has minimal or no impact on small businesses (attached). Legislative Services concurs with this assessment.

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**Fiscal Analysis**

**State Expenditures:** The Mass Transit Administration (MTA) is required to perform environmental testing on land being considered for transportation projects that are federally funded. Transportation Trust Fund (TTF) expenditures could decrease by obtaining rights to access and test properties for suitability prior to purchase. This decrease accounts for potential savings in litigation costs, acquisition costs, and any unforeseen environmental clean-up costs. However, the MTA advises that they are voluntarily given access to properties in most cases, therefore, any savings should be minimal. Additionally, the MTA must reimburse an owner for any agricultural products damaged as

well as any other damage caused by entry on to the property. TTF expenditures could increase to the extent that properties are damaged during testing by the MTA.

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**Information Source(s):** Department of Transportation (Mass Transit Administration),  
Department of Legislative Services

**Fiscal Note History:** First Reader - January 30, 1998  
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