

# HOUSE BILL 1292

L2, M3

5lr3129

---

By: **Delegates Glass and McDonough**

Rules suspended

Introduced and read first time: March 30, 2015

Assigned to: Rules and Executive Nominations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Department of Public Works – Smart Water Meters**

3 FOR the purpose of requiring the Harford County Department of Public Works to provide  
4 certain customers with notice of its intention to install smart water meters under  
5 certain circumstances; establishing a process by which a certain customer will be  
6 deemed to have given permission to the Department to install a smart water meter  
7 on the customer's premises; requiring the Department to pay to a customer a certain  
8 amount if the Department installs a smart water meter on the customer's premises  
9 without permission; requiring the Department to replace a smart water meter with  
10 a standard water meter on a customer's premises under certain circumstances;  
11 authorizing the Department to impose a certain additional charge for the use of a  
12 standard water meter under certain circumstances; prohibiting the Department  
13 from imposing a certain additional charge for the use of a standard water meter  
14 under certain circumstances; providing for the application of this Act; defining  
15 certain terms; and generally relating to the installation and use of smart water  
16 meters in Harford County.

17 BY adding to

18 Article – Environment

19 Section 9–1112

20 Annotated Code of Maryland

21 (2014 Replacement Volume)

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

24 **Article – Environment**

25 **9–1112.**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
2 INDICATED.

3                   (2) “DEPARTMENT” MEANS THE HARFORD COUNTY DEPARTMENT  
4 OF PUBLIC WORKS.

5                   (3) “SMART WATER METER” MEANS A WATER METER THAT IS:

6                           (I) CAPABLE OF MEASURING AND STORING WATER FLOW DATA  
7 IN TIME INTERVALS; AND

8                           (II) IS EQUIPPED FOR TWO-WAY COMMUNICATION WITH A  
9 REMOTE LOCATION.

10                   (4) “STANDARD WATER METER” MEANS ANY WATER METER OTHER  
11 THAN A SMART WATER METER.

12           (B) THIS SECTION APPLIES ONLY TO HARFORD COUNTY.

13           (C) (1) IF THE DEPARTMENT CHOOSES TO INSTALL SMART WATER  
14 METERS IN THE COUNTY, THE DEPARTMENT SHALL PROVIDE WRITTEN NOTICE TO  
15 EACH AFFECTED CUSTOMER OF ITS INTENTION TO INSTALL SMART WATER METERS.

16                   (2) IN THE NOTICE REQUIRED UNDER THIS SUBSECTION, THE  
17 DEPARTMENT SHALL PROVIDE EACH CUSTOMER WITH THE OPPORTUNITY TO  
18 REFUSE TO PERMIT THE INSTALLATION OF A SMART WATER METER ON THE  
19 CUSTOMER’S PREMISES.

20                   (3) A CUSTOMER IS DEEMED TO HAVE GIVEN PERMISSION TO THE  
21 DEPARTMENT TO INSTALL A SMART WATER METER ON THE CUSTOMER’S PREMISES:

22                           (I) ON RECEIPT BY THE DEPARTMENT OF A RETURNED NOTICE  
23 EXPLICITLY GRANTING PERMISSION; OR

24                           (II) IF THE NOTICE IS NOT RETURNED TO THE DEPARTMENT  
25 WITHIN 60 DAYS AFTER THE RECEIPT OF THE NOTICE BY THE CUSTOMER.

26                   (4) IF THE DEPARTMENT INSTALLS A SMART WATER METER ON A  
27 CUSTOMER’S PREMISES WITHOUT PERMISSION OF THE CUSTOMER, THE  
28 DEPARTMENT SHALL PAY TO THE CUSTOMER THE SUM OF \$500.

1           **(D) ON RECEIPT OF A WRITTEN REQUEST OF A CUSTOMER, THE**  
2 **DEPARTMENT SHALL REPLACE A SMART WATER METER ON THE CUSTOMER'S**  
3 **PREMISES WITH A STANDARD WATER METER.**

4           **(E) THE DEPARTMENT MAY IMPOSE AN ADDITIONAL CHARGE OF UP TO \$7**  
5 **PER MONTH FOR THE USE OF A STANDARD WATER METER.**

6           **(F) NOTWITHSTANDING SUBSECTION (E) OF THIS SECTION, THE**  
7 **DEPARTMENT MAY NOT IMPOSE ANY ADDITIONAL CHARGES ON A CUSTOMER FOR**  
8 **THE USE OF A STANDARD WATER METER IF THE CUSTOMER PROVIDES TO THE**  
9 **DEPARTMENT A NOTE FROM A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN THE**  
10 **STATE THAT INDICATES THAT THE CUSTOMER OR A MEMBER OF THE CUSTOMER'S**  
11 **HOUSEHOLD SUFFERS FROM AN ILLNESS RELATED TO THE EXPOSURE TO RADIO**  
12 **FREQUENCIES.**

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
14 apply only prospectively and may not be applied or interpreted to have any effect on or  
15 application to the installation of smart water meters in Harford County before the effective  
16 date of this Act.

17           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2015.