

HOUSE BILL 854

R1
HB 920/15 – ENV

6lr2548

By: **Delegates Lisanti, Fennell, ~~and Tarlau~~ Tarlau, and O'Donnell**

Introduced and read first time: February 8, 2016

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 14, 2016

CHAPTER _____

1 AN ACT concerning

2 **State Highway Administration – Relocation of Water or Sewer Lines – Cost**
3 **Sharing**

4 FOR the purpose of requiring the State Highway Administration to notify the political
5 subdivision or agency that owns a water or sewer line that must be relocated due to
6 a federal project of the cost of the relocation; requiring the Administration to ~~develop~~
7 ~~a plan to share the cost of the relocation with the political subdivision or agency that~~
8 ~~owns the water or sewer line as part of the cost of the federal project~~ investigate
9 funding sources to help the political subdivision or agency that owns the utility to
10 meet its share of the cost of relocating the water or sewer line and, if needed, to
11 develop a payment plan; and generally relating to sharing the cost of relocating
12 water or sewer lines of a publicly owned utility due to certain highway projects.

13 BY adding to
14 Article – Transportation
15 Section 8–657
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2015 Supplement)

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

20 **Article – Transportation**

21 **8–657.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 (2) "FEDERAL FACILITY" INCLUDES:

4 (I) AN INSTALLATION OF THE ARMED FORCES OF THE UNITED
5 STATES; AND

6 (II) ANY PROPERTY OWNED OR LEASED BY AN AGENCY OF THE
7 UNITED STATES.

8 (3) "FEDERAL PROJECT" MEANS A STATE HIGHWAY PROJECT THAT
9 IS:

10 (I) FINANCED IN WHOLE OR IN PART WITH FEDERAL FUNDS;
11 AND

12 (II) DESIGNED TO ENHANCE ACCESS TO A FEDERAL FACILITY.

13 (4) "PUBLICLY OWNED UTILITY" MEANS A UTILITY OWNED OR
14 OPERATED BY A POLITICAL SUBDIVISION OF THE STATE OR BY A PUBLIC AGENCY
15 CREATED UNDER THE LAWS OF THE STATE.

16 (5) "RELOCATE" INCLUDES TO REALIGN, RAISE, LOWER, REBUILD,
17 OR REMOVE.

18 (B) IF, DUE TO A FEDERAL PROJECT, IT IS NECESSARY TO RELOCATE ANY
19 WATER OR SEWER LINE OF A PUBLICLY OWNED UTILITY, THE ADMINISTRATION
20 SHALL:

21 (1) NOTIFY THE POLITICAL SUBDIVISION OR AGENCY THAT OWNS THE
22 UTILITY OF THE ESTIMATED COST OF RELOCATING THE WATER OR SEWER LINE; AND

23 ~~(2) DEVELOP A PLAN TO SHARE THE COST OF THE RELOCATION WITH~~
24 ~~THE POLITICAL SUBDIVISION OR AGENCY THAT OWNS THE UTILITY AS PART OF THE~~
25 ~~COST OF THE FEDERAL PROJECT.~~

26 (2) INVESTIGATE FUNDING SOURCES TO HELP THE POLITICAL
27 SUBDIVISION OR AGENCY THAT OWNS THE UTILITY TO MEET ITS SHARE OF THE COST
28 OF RELOCATING THE WATER OR SEWER LINE AND, IF NEEDED, TO DEVELOP A
29 PAYMENT PLAN.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
31 1, 2016.