

HOUSE BILL 854

R1
HB 920/15 – ENV

6lr2548

By: **Delegates Lisanti, Fennell, and Tarlau**
Introduced and read first time: February 8, 2016
Assigned to: Environment and Transportation

A BILL ENTITLED

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; and generally
9 relating to sharing the cost of relocating water or sewer lines of a publicly owned
10 utility due to certain highway projects.

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

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

18 **Article – Transportation**

19 **8–657.**

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

22 (2) “FEDERAL FACILITY” INCLUDES:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (I) AN INSTALLATION OF THE ARMED FORCES OF THE UNITED
2 STATES; AND

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

5 (3) "FEDERAL PROJECT" MEANS A STATE HIGHWAY PROJECT THAT
6 IS:

7 (I) FINANCED IN WHOLE OR IN PART WITH FEDERAL FUNDS;
8 AND

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

10 (4) "PUBLICLY OWNED UTILITY" MEANS A UTILITY OWNED OR
11 OPERATED BY A POLITICAL SUBDIVISION OF THE STATE OR BY A PUBLIC AGENCY
12 CREATED UNDER THE LAWS OF THE STATE.

13 (5) "RELOCATE" INCLUDES TO REALIGN, RAISE, LOWER, REBUILD,
14 OR REMOVE.

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

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

20 (2) DEVELOP A PLAN TO SHARE THE COST OF THE RELOCATION WITH
21 THE POLITICAL SUBDIVISION OR AGENCY THAT OWNS THE UTILITY AS PART OF THE
22 COST OF THE FEDERAL PROJECT.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
24 1, 2016.