

HOUSE BILL 1351

C5

6lr2786

By: **Delegates Brooks, Barkley, Branch, Glenn, Haynes, Hettleman, Jones, Lafferty, Lam, Mautz, and P. Young**

Introduced and read first time: February 12, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Companies and Utility Companies – Entering on**
3 **Property – Notice to Owner**

4 FOR the purpose of requiring a public service company or other utility company to provide
5 certain notice to a property owner before entering on the property for a certain
6 purpose; providing that a public service company or other utility company is not
7 required to give certain notice under certain circumstances; and generally relating
8 to notice given to property owners by public service companies and other utility
9 companies before entering on certain property.

10 BY repealing and reenacting, without amendments,
11 Article – Public Utilities
12 Section 5–401
13 Annotated Code of Maryland
14 (2010 Replacement Volume and 2015 Supplement)

15 BY adding to
16 Article – Public Utilities
17 Section 5–412
18 Annotated Code of Maryland
19 (2010 Replacement Volume and 2015 Supplement)

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

22 **Article – Public Utilities**

23 5–401.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Except as otherwise provided in this subtitle or by other law, the provisions of this
2 subtitle are not subject to the jurisdiction of the Commission.

3 **5-412.**

4 **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**
5 **NOTWITHSTANDING THE EXISTENCE OF ANY EASEMENT OR RIGHT-OF-WAY, A**
6 **PUBLIC SERVICE COMPANY OR ANY OTHER UTILITY COMPANY SHALL PROVIDE**
7 **WRITTEN NOTICE TO A PROPERTY OWNER AT LEAST 30 DAYS BEFORE ENTERING ON**
8 **THE PROPERTY FOR THE PURPOSE OF CONSTRUCTION, MAINTENANCE, OR**
9 **DEMOLITION OF PLANT OR OTHER EQUIPMENT.**

10 **(B) A PUBLIC SERVICE COMPANY OR OTHER UTILITY COMPANY IS NOT**
11 **REQUIRED TO PROVIDE ADVANCE NOTICE TO A PROPERTY OWNER WHEN THE**
12 **COMPANY IS MAKING EMERGENCY REPAIRS.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2016.