

February 11, 2020

The Honorable Paul G. Pinsky  
Chairman, Senate Education, Health, and Environmental Affairs Committee  
Senate Office Building, 2 West  
11 Bladen Street  
Annapolis, MD 21401

**RE: Support of Senate Bill 254 (On-Site Sewage Disposal Systems - Inspection - Licensing) with Amendment**

Dear Chairman Pinsky:

The Maryland Building Industry Association, representing 100,000 employees of the building industry across the State of Maryland, supports Senate Bill 254 (On-Site Sewage Disposal Systems - Inspection - Licensing) with amendments.

This measure requires anyone engaged in the inspection of septic systems to obtain a septic inspection license from the Maryland Department of the Environment (MDE) by May of 2021, and established criminal penalties for violators of this bill.

While we understand the importance of insuring that septic systems are constructed, installed, and maintained properly by professionals, this measure is redundant for certain industries. Many of our industry's plumbing contractors install and inspect septic systems, and already go through an extensive licensing and regulatory process as part of obtaining their Master Plumber/Gasfitter license. They are also currently required to complete and pass a certification class to perform new Best Available Technology (BAT) septic system installations, which are administered through the BAT manufacturer. Since master plumbers already must meet significant licensing requirements, we request an amendment exempting master plumbers from the additional and redundant requirements of this bill.

The penalties for violating this section are also excessive, unfair, and unclear. Mandating that a violation of the will be a misdemeanor is excessive; criminal charges are not necessary to encourage good actors. The \$10,000 fine is also unclear. MBIA supports the Maryland Association of Counties' (MACO) amendments which remove the misdemeanor penalty, and clarify that the fine is administrative. Any money collected should go into the septic account of the Bay Restoration Fund, where it could be used to further the bill's goal.

MBIA respectfully requests the Committee adopt these amendments and give this measure a favorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or [lgraf@marylandbuilders.org](mailto:lgraf@marylandbuilders.org).

cc: Senate Education, Health, and Environmental Affairs Committee Members