

SUPPORT With Amendment Senate Bill 877

Underground Facilities Damages Prevention — Revision

February 25, 2020

Senate Finance Committee

Columbia Gas of Maryland, ("Columbia"), providing natural gas utility distribution service to some 33,000 customers residing in Garrett, Allegany and Washington Counties, supports SB 877 with amendment. Periodic updating and improving of Maryland's underground facilities law at Title 12 of the Public Utilities Article has proven essential to the protection of underground utility facilities from construction activities occurring in and around those facilities. SB 877 is another good faith effort to continue to protect the integrity of those facilities, while staying up to date with ever-evolving construction, facility marking and Miss Utility One-Call activities.

Columbia offers an amendment to enhance clarity in the legislation. New language at page 25, line 25, directs the Damage Prevention Authority, when determining the amount of a civil penalty for a violation, to consider "the seriousness of the violation." Columbia submits that this language is vague and may lead to arbitrary or unpredictable civil penalty amounts. Columbia recommends that the language in line 25 be struck and replaced with:

"(I) THE DEGREE OF INJURY OR PROPERTY DAMAGE CAUSED
BY THE VIOLATION;"

With this amendment, Columbia urges a favorable report on SB 877.

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