

HB 860 - MML - FAV 1.pdf

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Maryland Municipal League
The Association of Maryland's Cities and Towns

TESTIMONY

March 26, 2025

Committee: Senate Judicial Proceedings Committee

Bill: HB 860 - Public Nuisance - Common Carriers - Damage to Public Infrastructure

Position: Favorable

Reason for Position:

The Maryland Municipal League (MML) supports House Bill 860. The bill allows local governments to bring an action against a common carrier when a common carrier causes damage to public infrastructure that results in the closing of public infrastructure.

The bill provides municipal governments clear lines of recourse should a common carrier cause damage to public infrastructure to the point that it must be closed or shut down. When such disturbances arise much of the immediate responsibility falls to the local government to maintain order and public safety. The provisions of the bill that allow local governments to seek injunctive relief, declaratory relief, and compensatory damages plus an additional \$1,000 per day that the public infrastructure is closed allow local governments to recoup the costs of repair and nuisance to residents and businesses. It may also provide some incentive for common carriers to enact safer policies. This type of incident is not out of the ordinary as we have seen freight train spills or truck accidents recently occur.

For these reasons, the Maryland Municipal League respectfully requests a favorable report on House Bill 860. For more information, please contact Bill Jorch, Director, Public Policy and Research at billj@mdmunicipal.org. Thank you for your consideration.

HB0860-JPR_MACo_SUP.pdf

Uploaded by: Dominic Butchko

Position: FAV



House Bill 860

Public Nuisance - Common Carriers - Damage to Public Infrastructure

MACo Position: **SUPPORT**

To: Judicial Proceedings Committee

Date: March 26, 2025

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** HB 860. This bill enables counties to seek recourse against certain private transportation companies should they continuously damage public infrastructure.

Local governments in Maryland own and maintain roughly 5 of every 6 road miles across the state. Counties maintain the bulk of this public infrastructure, whether it be in urban areas found within the greater Baltimore-Washington region, or in the rural sections of Western Maryland and the Eastern Shore. When common carriers, such as private bus or other transit companies, operate in a way that continuously damages this infrastructure, it is largely counties who are forced to pay for repairs. This not only presents a significant unplanned fiscal burden, but it also proves problematic for residents forced to contend with avoidable congestion due to emergency maintenance measures. By giving counties additional tools to encourage common carriers to operate in less destructive ways, the General Assembly would be implementing a low-cost policy which will save already stretched transportation dollars.

As the primary entities responsible for road maintenance in Maryland, counties support any commonsense measure aimed at enabling smoother operations while putting less pressure on public resources. For this reason, MACo urges the Committees to give HB 860 a **FAVORABLE** report.