

Mason's Law Testimony .pdf

Uploaded by: Allison Eggleston

Position: FAV

Good morning,

My name is Allison Eggleston, known as “Aunt Allie” by my 4 nephews. Mason’s mother, Erica, is my older sister. Erica is 8 years older than I, so I was a young teenager when Mason was born. I now see this age gap as a blessing - the “cool Aunt”. I remember holding Mason for the first time on the couch in their living room while his older brother, Clay, just 2 years old bringing me toys from his room to show his brother. Brothers inseparable from the start. “Me and You against the world” they’d say. Everyone was so in love with the bundle of handsome joy in my young hands. Mason would be 14 in just a few short days. Instead of buying him a skateboard-themed present and having a family birthday party, I will be testifying on his behalf in attempt to give Mason the gift of a legacy. It is the least he deserves. Mason should still be here.

I am a firefighter/paramedic for The District of Columbia Fire Department, assigned to Engine 15 located in Anacostia, Southeast. On July 31st around 5:30pm, I had finally sat down to eat for the first time that rainy, dark day. I made my plate, sat it on the table, and as soon as I sat in that old rollie-chair; my mother calls me. I answered quickly, having a feeling that something was wrong because my parents were in Maine and usually cannot call due to poor service. I said “hey, mom”. In a voice I had never heard, not just from my mother, but in anyone’s tone, said “Mason is stuck in a storm drain. He’s... he’s dead. He drowned. They can’t get him out. I need you to go home”. Home being in Mount Airy where I live in a townhouse with my wife and 2 sons, just a 30 second walk away from the apartments in which they lived. A big reason those apartments were chosen to live in, because “Aunt Allie” lives right there. It was a tone spoken on the phone that contained no emotion. Not from lack of caring, but from a lack of comprehension. It is still not comprehensible, nor will it ever be. That tone of voice still replays in my head – it haunts me. All I could say was “okay, I’m leaving now”. I stared at the dinner table that sat my work family and said “My nephew drowned in the flash flood. He’s stuck in a storm drain. They can’t get him out. He’s dead. I... I have to go”. I grabbed my keys and ran to the alley where I was parked. I went to open the door, dropped my backpack on the ground, hung my head, and cried. Cries turned into

screams. I turned around to find the entire firehouse outside with me. My Battalion Fire Chief and his Aide show up. My Captain. My supervisors. The entire Firehouse and our Battalion Chief out of service to find a way to get me where I needed to be, and with the resources I needed. My lieutenant drove me to the Mount Airy PD precinct where I was to meet Erica and Clay. A fellow fireman followed with my car. I arrived at the precinct where I was met by an MAPD officer. I naturally went into first responder “work” mode. I asked him, “Tell me exactly what happened”. I was given the totality of the incident. Mason was outside with Clay when overflowing storm water swept him, but first, into a 17” storm drain inlet. The quantity and weight of water was massive. Fire engines drafted 1,000s of gallons of water out before Mason could be reached, and even then – it took several more minutes to retrieve his body. “It turned from a rescue into a recovery very quickly” the officer said. I knew exactly what that meant. Almost 50 minutes from the initial 911 call, Mason’s adult sized, yet young teenage body was freed. Covered in a white sheet. ***It felt different to be on the other side of the placing of a white sheet on a dead body.*** This body was one I loved. I cherished. I took care of any time I was needed. I played toys with from the time he was born – those toys ranging from a baby rattle to a boogie board and swimming in the ocean with just a few weeks prior. The only 13-year-old boy I could sit and talk for hours with.

I got the story from the kind officer and was led to a back meeting room to where I found my sister and nephew still soaked, muddy, cut and bruised from trying to pull Mason out of the storm drain. I’ve heard the screams of Mothers who have lost their child too many times throughout my career. But once again, it’s different coming from my sister. “My baby!” she screamed, over and over. It is a wail from the depths of a broken heart that is inaccessible unless a tragedy like this unleashes it. “I felt his hand. I felt when he let go. I couldn’t get him out. I am so sorry, Mason. I tried so hard. I’m so sorry.” Clay screamed. They both still struggle immensely. Immensely, actually, is an understatement. It is heartbreaking to sit there and watch their struggle

without having an answer or a solution to provide. This all feels like a nightmare. It *is* a nightmare, but not one in which can be awoken from.

I drove them back to the apartments. They stayed in the car while I grabbed their necessities from their apartment, which was flooded up to the ankles. I drove them to my parents' house where the 3 of us stayed, just us, the first night until my parents and other family arrived home the following day. I medicated their screams until they fell asleep together.

I had the responsibility of cleaning out Mason's room the following day. His smell. His blanket. His video games. His beloved skateboards. His guitar. His clothes that should've been washed and put away but weren't due to being a 13-year-old boy. He was just a boy. That is the single-most difficult thing I have ever done in my life. I wish it on no one.

Before July 31st, I had never experienced true grief. I had never cleaned out a loved one's belongings. Never planned a funeral, especially that of a child. I had never written a eulogy, picked out a coffin and burial outfit. I had never spoken in front of hundreds at a vigil, press conference, or had even attended a town council meeting. I had never proposed a bill to be made in to law. I've done these things now; but it took life turning into "before Mason died" and "after Mason died" to get here.

I turned my grief into advocacy, research, outreach, and resolve. I've come to find that to be a coping mechanism, now. Once this bill is passed, I know I have the furthest depths of grief to process and work through. My body and mind are preparing for it as I type this.

The research was astonishingly heartbreaking. Dozens of lives have been lost due to ungrated/unguarded storm drain inlets since the 90's. Men, women, children (over half of the lives lost), and first responders. Since 2015, 35 cases have been reported. Twenty-one of those people died; nearly half of those lost were children. Thirteen of the deaths happened in the past three years alone. Make Mason #14. These numbers are likely also undercounted, since reports

of flood deaths often don't give details other than the fact that someone was swept away.

No law enforcing the proper safety standards to prevent loss of life regarding storm drain inlets exists in any United state, District, or Territory. Local fixes were applied in their respective local area following a tragedy in their town in some cases. NIOSH released 2 after-action reports for the firemen killed in 2 separate incidents that included recommendations such as grating, guarding, and marking these drains. But a "recommendation" is just that – a recommendation. Not a policy nor a law that must be adhered to. 2 weeks after Mason's death, a 5-year-old girl died in a storm drain inlet following a water main break. Make this innocent little girl's life #15 taken since 2015. Less than a week ago, during this current snowstorm, a young child was trapped in a storm drain culvert after falling through the snow, having no idea of its existence. This happened in Fairfax County, VA. It happened again, in our backyard. Thankfully, rescuers were able to retrieve the child who was unharmed. This is not a rare occurrence, but it is not widely known that this safety issue exists. We see storm drains each day and don't truly recognize their existence or dangers, because they are always there. Those affected by a tragedy in this manner now flashback to their loved one, or towns loved one, every time they see a storm drain inlet. I know I do. I try and aim my flashback to the happy memories I was blessed to make with Mason, but the brain can be cruel; it leads me directly back to that white sheet.

Heavy flood days have increased by 70% since the 1950's here on the east coast. Our infrastructure cannot support the masses of water in the quick downpours we now experience. The rushes of water are stronger than any man could overcome, let alone a child. A gallon of water weights greater than 8 pounds. Thousands of gallons surrounded Mason. Adding the velocity at which the water travels is insurmountable. The water always leads to a storm drain inlet of sorts. Storm drain culverts kill those swept away; but there is a solution. The solution is "Mason's Law". A simple grate or covering can prevent another family from having to grieve in ways no family should ever have to.

I am not angry. I am not angry with God, with the lack of protection within the law, with the poor upkeep in our storm drain systems as it pertains to increased flooding. I am saddened. I am saddened that it has taken personal tragedy to put safeguards in place for the next innocent soul's life to be spared. I am saddened it was not Mason's life that was spared had something been done sooner following another's loss. I am saddened to live in and watch this nightmare that is now my family's reality.

But – I have hope. There is a light. That light is “Mason's Law”. It is a light that will not bring Mason back, but Mason shines his own light on us each day. Mason's death will not be in vain. Mason's tragedy will save others, so long the law in his legacy is passed. It *must* be passed. Another death would be negligent and inexcusable. That cannot be on our beautiful State's conscious.

Thank you for your time and concern regarding this matter. I look forward to testifying in person at the upcoming hearing.

Warmly,

Allison Eggleston

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connors testimony.pdf

Uploaded by: Connor Brady

Position: FAV

I am Connor Brady and I am 12 years old. I am a cousin of Mason Kearns and he was one of the best things in my life and I would hate for someone else's family to go through what we went through. This made a huge impact on me and my family and you never know how good you have it until it's gone. I think Mason's Law should be passed.

Mason Kearns - Testimony.pdf

Uploaded by: Debra Eggleston

Position: FAV

Mason Kearns was our grandson.

It is always tragic when a family loses a 13-year child; however, the way Mason was taken was not only tragic, it was unfathomable. He was a happy, healthy, and vibrant young boy 5'6" tall, weighing 186 pounds who was literally sucked into a 16" drainpipe. His family had just moved into the Mount Airy Apartments three months prior and didn't even realize this drain pipe existed. It was camouflaged, covered over with gravel and discarded grass clippings.

His brother Clay was with him when Mason yelled out "my foot is stuck." By the time Clay turned around Mason was gone. He ran to where his brother had been and found his hand desperately trying to pull him out. He continued pulling and yelling for help until Mason's hand just let go. Meanwhile, water is swelling up around him as his Mom, along with neighbors responding to Clay's cries for help, had to dive to reach him in their efforts to dislodge him.

The trauma this event caused Clay is indescribable. He had to be hospitalized in a psychiatric unit for over a week. Funeral arrangements couldn't even be made as we knew we could not move forward without Clay being able to say goodbye to his brother. Clay still suffers today. He is on medication and in therapy twice a week. He still has nightmares, is not doing as well in school as he previously had, and just desperately misses his brother so much.

His mother of course is also suffering trauma while trying to support Clay as best she can. She tried so hard to get Mason out but it was impossible. Mason's death was deemed "positional asphyxia" by the Medical Examiner's Office. He was so stuck it took emergency personnel over 45 minutes to extract him after the water had been drained. Of course, this event caused trauma to the first responders, many of whom will be submitting testimonials to this bill with some planning to testify in-person.

The community outreach was overwhelming. We were so grateful for this support with items such as: therapy dogs, monetary donations, cards, gift cards, etc. They were also devastated that this tragic event occurred and wondered, like us, how could it have

happened? Mason was a healthy and strong young man. Had there been grates, as there are now, he could have simply stood up and/or been pulled out. There were no grates, no signs. How did something like this never happen before? It was estimated that this drainpipe has been there for over 60 years!

It is important to know that Clay and Mason were not doing anything wrong. They were teenage boys simply playing in their front yard with a beach ball. They had no idea that a drainage pond, located uphill and adjacent to the apartments, would overflow, come down, and take Mason's life.

Please support Mason's Law. Just because it seems events like these rarely happen, that doesn't mean it won't happen again tomorrow in our town or another in the State of Maryland. Mason's death was 100% preventable. Its unimaginable that there are no laws in the books, either Federal or State of Maryland, that could have prevented this tragedy.

Michael and Debra Eggleston

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Testimonial Mason Kearns.pdf

Uploaded by: Donald Barnes

Position: FAV

Mason Kearns Testimonial:

Background: On July 31, 2025, at approximately 5:30pm, Mt. Airy, Maryland experienced a torrential downpour from a late day summer storm. Mason Kearns (13 years of age) and his brother) Clay Kearns (15 years of age) were playing in the overflow water or a “flash flood” area in their yard immediately behind their apartment at Mt. Airy Apartments 201 Watersville Road Mt. Airy, Marland 21771. How I understand the incident, Mason and Clay were playing with a ball. Clay took his eyes off Mason for only a few seconds. When Clay turned around Mason disappeared under the rushing water. Clay observed Mason’s shoe floating in the stream. There was a drain that was not visibly apparent in normal weather, but on this day the powerful water flow removed debris and gravel that when Mason stepped on it, he lost his footing. The water surge carried Mason feet first to a lower storm drain that did not have a mesh cover to stop Mason from being sucked in by the rushing water. Clay tried in vain to pull Mason out, but the current and suction was too great. Mason’s body became a “plug” in the culvert opening. Clay was screaming and his mother, Erica, who was in the shower, heard Clay crying for help. Erica immediately ran from the shower to assist Mason, but she did not have the strength to save Mason. I understand that several witnesses also arrived, but no one was able to save Mason. Shortly after the incident my 83-year-old mother arrived, but there was nothing anyone could do to save Mason. It took the Mt. Airy Fire and Rescue team 45 minutes to drain the area and release Mason from the drain opening.

Personal Impact: I retired from the US Drug Enforcement Administration after 25 years in 2015 as the Regional Director for Middle East Operations. Collectively, I lived and worked in many parts of war-torn Pakistan, Afghanistan, Sudan, Egypt, and Iraq collectively over 18 years. I never thought my niece, my grandnephew and my mother would ever witness such a graphic, cruel, tragic, and traumatic end to life. Add to that Mason was only thirteen, his brother Clay held Mason by the hand as he died. They will live with memories, pain and unimaginable shatter and guilt being there for your brother, your son or your grandson and not being able to save Mason.

My request if appropriate in this testimonial is simple, but I understand the cost of the remedy will be challenging for some municipalities. Mason was a strong young man. His tragedy was random and would not have happened had there been grates placed at the opening of the culvert. I have no idea but I can only imagine this sort of calamity is not rare and it will only re-occur in the future if these storm drain covers are not properly attended. Mason’s tragic death on July 25, 2025, was completely preventable. Mason’s death was a disaster from which my family will never recover. Please spare other families from experiencing such a raw and completely avoidable death of a family member or friend.

Sincerely,

Donald C. Barnes

Adamstown, Maryland

masonslaw.pdf

Uploaded by: Erica Smith

Position: FAV

My name is Erica Smith, and I am writing in unwavering support of “Mason’s Law” on behalf of my entire family in upstate New York. Mason’s Aunt Allison is married to my cousin Audra, and over the years our families have grown together, blending so naturally that it feels impossible to remember a time when we were not one. Mason was not just a child we knew—he was a child we loved.

If you were to travel to Bethany Beach during the third week of June, you would undoubtedly encounter the Eggleston family. For more than 30 years, Mike and Debbie Eggleston—along with Mamaw—have perfected what is lovingly known as “Beach Week.” It is not simply a vacation; it is a sacred tradition. Their three daughters, Kristina, Erica, and Allison, their spouses, and six energetic boys all gather together. Everyone plans their year around this one week. You do not miss Beach Week. Ever.

Mason fell right in the middle of those six grandchildren. He was one of the boys—running from the sand to the water, clutching his boogie board, laughing on the boardwalk, and sitting down to PB&J lunches with salty hair and sandy hands. The older boys always looked out for the younger ones, and the younger ones followed the older boys with absolute trust and admiration. There was safety in that togetherness, comfort in that routine, and joy that only childhood can bring.

This year, however, something is devastatingly different. Someone will be missing. There will be an empty beach chair where Mason should be. One less boogie board leaning in the sand. Fewer sandwiches packed for lunch. One less cousin laughing on the boardwalk. And countless broken hearts trying to hold together a tradition that was never meant to include loss—especially not the loss of a child.

I had the privilege of joining this family for Beach Week a few years ago, and what struck me most was how deeply connected they all were. The love was visible in every interaction—in the way the boys played, in the way the adults watched over them, and in the way, everyone showed up for one another. It was a reminder of what family is supposed to be.

That is why I urge you, with everything in me, to pass Mason’s Law.

No family should have to experience this kind of loss. No child should ever miss out on growing up, on traditions, on summers at the beach, because of negligence—because of something that could have been prevented. Children should not be allowed to drown in storm drains while their older brother, neighborhood friends, and mother do everything in their power to hold on and save them.

Mason deserved to grow up. He deserved to grow older alongside his cousins, to keep coming back to Bethany Beach year after year. Passing Mason’s Law will not bring him back, but it can protect other children and spare other families from unimaginable heartbreak.

Please honor Mason’s life by ensuring that no other child is lost in this way.

With love, Erica Smith

(585)626-8789/Erica42987@yahoo.com

daddy testimony.pdf

Uploaded by: Jason Brady

Position: FAV

I am Jason Brady and I am Mason's Uncle in-law. I have known Mason since he was born. He was a great kid and a very close cousin to my two boys. The impact of his death on our family is something that will never go away. No family, friend or community should ever have to go through such a tragic death of a child that can and should have been prevented. Being a first responder I know that we have to respond to calls we don't want to go to and see and hear things we wish we hadn't. It is a part of the job. But I couldn't imagine going to this call and witnessing the firefighters working to remove him from the storm drain while the mother and brother watched in disbelief. That's a call that will stick with you for life. A call that can easily be prevented in the future. I am in favor of Mason's Law. I hope nobody has to go through what our family, community and first responders did.

Untitled document.pdf

Uploaded by: Kristina Brady

Position: FAV

Mason Kearns was my nephew, my sister's second son, and a very close cousin to my two boys. He was also a grandson, a great grandson, a friend and just such a good kid. He was loved by all who met him. He was innocently playing in the rain with his brother when he was horrifically swept into a storm drain pipe that nobody ever knew was there. It was completely covered in dirt and gravel and grass that it looked like it was just a part of normal ground surrounding them. Not even a marking for it. The power of water is so strong and not something a lot of people realize. When Mason stepped back to get that ball, between the water softening the ground and the weight of his foot, it loosened all that debris and swept Mason so hard into that storm drain that he died of asphyxiation. He didn't even have time to drown. His older brother and mother tried tirelessly to get him out. Clay, his older brother, could feel Mason let go of his hand. But there was no saving him. The water had taken him into that storm drain so hard and fast that it took first responders 45 minutes to get him out while his mother and brother watched. They will never forget that. Ever. Our community felt a huge loss with his passing. His death could have been prevented just like so many others. That is why I am in favor of Mason's Law. These types of deaths happen all over the country and not just to children but our first responders as well. Nobody should ever have to deal with a loss like this. YOU should not have to deal with a loss like this. Maryland will be the first with a law like this if it gets passed and it should. I am then hoping other states will also follow suit quickly before another tragic death happens. Thank you for taking your time to read this.

logan testimony.pdf

Uploaded by: Logan Brady

Position: FAV

My name is Logan Brady. I am 15 years of age and the cousin of Mason Kearns. Mason, as you know, tragically died on July 31, 2025 at the age of 13. Mason's death directly impacted our whole family. The impact was so much so that it didn't and doesn't feel right to bring up memories. My favorite thing to do with Mason was ride bikes down the street and fish at the inlet when we would be on vacation together. Mason mostly never caught anything, yet he still came. Thinking about how we will never be able to do that again is heart shattering. I believe absolutely no family, friends, or community members should have to think about never seeing a loved one again. Therefore I 100% fully support Mason's Law being passed to make sure no one has to go through what Mason, our family, our friends and our community went through.

mason testimony.pdf

Uploaded by: Mason Younkins

Position: FAV

My name is Mason Younkins. I am a 16 year old boy. I am not a direct friend of Mason but I know some of his relatives. I knew that Mason was a great kid with an even greater personality. When this tragedy struck, I saw his closest family and friends get torn apart. I witnessed the reality of this situation setting in on the community he helped build. Mason was a great person and couldn't have done anything to deserve something as bad as this to happen to him. Therefore, I fully support the passing of Mason's law as nobody deserves to have this happen to them, or the people they love.

SB 189 - CBF - FAV.pdf

Uploaded by: Matt Stegman

Position: FAV



CHESAPEAKE BAY FOUNDATION

Senate Bill 189

Municipalities - Open Drainage Inlets - Required Grating Systems (Mason's Law)

Date: February 3, 2026

To: Education, Energy, and the Environment Committee

Position: FAV

From: Matt Stegman,
Maryland Staff Attorney

The Chesapeake Bay Foundation (CBF) **SUPPORTS Senate Bill 189** which would require municipalities throughout the state to install appropriate grating covers over open drainage inlets. Grated covers allow stormwater to enter the inlet while preventing large debris from entering or obstructing. The bill comes in response to a tragic occurrence this past summer where a young man lost his life after being swept away in a flash flooding incident.

Unfortunately, the type of flooding event that cost Mason Kearns his life are increasingly common in Maryland, a consequence of continued development and more frequent intense storms associated with climate change. In fact, inland flooding in Maryland is projected to increase 50% by 2050.¹

There is no "one-size-fits-all" solution to stormwater management. SB 189 proposes one simple solution to ensure new and existing stormwater inlets are safe and work as needed, free of large debris. Additionally, CBF urges the General Assembly prioritize stormwater runoff, which is the fastest growing source of pollution in the Chesapeake Bay watershed, now and in the years ahead. While other pollution sources like wastewater and agriculture have trended down in recent years, stormwater pollution has only increased. Not long ago, Maryland was considered a national leader in green infrastructure, which can stop runoff before it harms people, properties, and waterways. These often-natural solutions, such as tree roots and healthy soils, absorb rainwater like a sponge, rather than let it swiftly wash away to cause flooding and pollution.

CBF urges the Committee's FAVORABLE report on SB 189, which will help save lives and prevent property damage.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

¹ <https://extension.umd.edu/resource/effects-climate-change-maryland/>

Mason Kearns - Testimony.pdf

Uploaded by: Michael Eggleston

Position: FAV

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The trauma this event caused Clay is indescribable. He had to be hospitalized in a psychiatric unit for over a week. Funeral arrangements couldn't even be made as we knew we could not move forward without Clay being able to say goodbye to his brother. Clay still suffers today. He is on medication and in therapy twice a week. He still has nightmares, is not doing as well in school as he previously had, and just desperately misses his brother so much.

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The community outreach was overwhelming. We were so grateful for this support with items such as: therapy dogs, monetary donations, cards, gift cards, etc. They were also devastated that this tragic event occurred and wondered, like us, how could it have

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It is important to know that Clay and Mason were not doing anything wrong. They were teenage boys simply playing in their front yard with a beach ball. They had no idea that a drainage pond, located uphill and adjacent to the apartments, would overflow, come down, and take Mason's life.

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Michael and Debra Eggleston

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Testimony in support of SB0189 - Municipalities -

Uploaded by: Richard KAP Kaplowitz

Position: FAV

02/03/2026

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON SB#/0189- POSITION: FAVORABLE

Municipalities - Open Drainage Inlets - Required Grating Systems (Mason's Law)

TO: Chair Feldman, Vice Chair Kagan, and members of the Education, Energy and the Environment Committee

FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0189, Municipalities - Open Drainage Inlets - Required Grating Systems (Mason's Law)

This bill is being submitted to react to the tragic death of Mason Kearns in Mt. Airy, MD who was swept by a flash flood into a culvert and trapped.¹

We can make these tragedies preventable by passing this bill to require a municipality to construct or install an approved grating system which places a cover over the opening of an open drainage inlet in order to allow stormwater runoff to enter the drainage inlet while preventing large debris from entering the drainage inlet; requiring the approved grating system be installed on a new or existing open drainage inlet within the municipality; etc.

We will honor Mason's memory and ensure no other child loses their life when measures exist to prevent it.

I respectfully urge this committee to return a favorable report on SB#/0189.

¹ <https://www.wmar2news.com/news/region/carroll-county/mount-airy-acts-after-childs-death-in-flash-flood>

MasonsLaw.pdf

Uploaded by: Samantha Bangh

Position: FAV

In late July 2025, during a severe storm in Mt. Airy, Maryland, an 11-year-old boy named Mason lost his life in a tragic and preventable accident. Heavy rainfall caused flooding in his neighborhood. While Mason was playing outside, he became trapped in an uncovered storm drain and drowned. The drain had no protective grate, barrier, or blockage—nothing to prevent a child from being pulled in by rushing water. Had even one basic safety measure been in place, this horrific loss could have been avoided, and Mason might still be here today.

Mason was not a stranger to me. My best friend is his aunt, and our families are close. We were on vacation together when we received the devastating call. In the days that followed, we had to explain to our own children—who were similar in age—that their cousin and friend was gone. No family should ever have to have that conversation, especially over something so preventable.

The pain of Mason's loss will stay with his family and loved ones forever. Watching a mother, grandmother, aunts, cousins, and friends grieve the loss of a child who was simply playing in the rain is something I will never forget. Mason was doing what children do—enjoying a summer storm—when his life was taken due to a lack of basic infrastructure safety.

While nothing can bring Mason back, we owe it to him and to every family in our communities to make sure this never happens again. Passing Mason's Law is a critical step toward preventing another child from losing their life in the same way. We must take every action possible to ensure storm drains are properly secured and protected so no other family has to endure this unimaginable heartbreak.

Mason's life mattered. His death must lead to change.

Thank you!

The Bangh family

SB189 Mason's Law (Written Testimony).pdf

Uploaded by: Senator Karen Lewis Young

Position: FAV

KAREN LEWIS YOUNG
Legislative District 3
Frederick County



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Chair
Pensions Subcommittee

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The Honorable Chair Feldman
The Honorable Vice Chair Kagan
Education, Energy, and the Environment Committee
Senate of Maryland

February 3rd, 2026

**Senate Bill 189: Municipalities - Open Drainage Inlets - Required Grating Systems
(Mason's Law)**

Chair Feldman, Vice Chair Kagan, and members of the Education, Energy, and the Environment Committee,

This past July, 13-year-old Mason Kearns of Mount Airy drowned when a flash flood caused water to overflow behind his house, sweeping him into a nearby storm drain. It took over 45 minutes for first responders to recover Mason as the water rushing into the drain where Mason had been trapped had a current so strong it began to pull rescuers in as well.

Maggie McBain, one of the first responders who assisted in the recovery, had lasting bruises from the force of the water. Reflecting on the circumstances of the tragedy, McBain said that not only was it “100% preventable,” but that, “This place has gotten lucky it hasn’t already happened in the last 25 years.” The storm drain had a diameter of 17 inches and no marking to indicate its presence.

ProPublica reported that in 2021 at least three dozen people in a six-year period across the country had lost their lives from being swept into storm drains¹. They also noted that flood deaths often do not include the details necessary to identify the cause as storm drains. Therefore, the real number is likely much higher.

Many drainage systems were designed based on historical rainfall data as a predictor of the capacity needed. In the Northeastern United States, the amount of rainfall from heavy events

¹ Sanders, Topher. 2021. “Storm Drains Keep Swallowing People During Floods.” ProPublica. <https://www.propublica.org/article/storm-drains-keep-swallowing-people-during-floods>.

increased by more than 70% from 1958 to 2010². Just one cubic foot of water weighs 62.4 pounds, and that's without considering velocity. A drainage system exceeding capacity raises the height of floodwater, which in turn increases the pressure against anyone caught in the water's current.

In response to ProPublica's report, the U.S. Department of House and Urban Development (HUD) issued a new rule in 2022 that HUD-funded projects must now consider whether they need "protective gates or angled safety grates for culverts and stormwater drains³." **Senate Bill 189**, or **Mason's Law**, will expand on this existing federal rule by requiring municipalities to install one of several types of drainage inlets meant precisely to prevent large debris and people from being swept in.

Specifically, the bill requires the installation of [Standard Yard Inlets](#), [Raised Grate Yard Inlets](#), or [Trash Rack Grating](#) on drainage pipes of 12 inches or more in diameter. It also requires that [Precast Concrete Boxes](#) be incorporated into new construction. Inlets are widely recognized as the safe, standard way of draining water while preventing people from being swept into the drainage system. Trash Racks similarly prevent people from being trapped and offer increased surface area to prevent blockages. These three options were included for their low-cost designs that would prevent drowning hazards and enable municipalities to select an option most suited for each drain's condition. For new construction, precast concrete boxes were selected for their resiliency and efficient design.

This bill is an opportunity for us to prevent what happened to Mason Kearns from happening to anyone else. I respectfully urge a favorable report.

Sincerely,



Senator Karen Lewis Young

² Association of State Floodplain Managers. 2024. "Climate Change Fueling Surge in Extreme Rainfall, Warns Climate Central Study." floods.org. <https://www.floods.org/news-views/research-and-reports/climate-change-fueling-surge-in-extreme-rainfall-warns-climate-central-study/>.

³ HUD's rule also requires the consideration of additional safety measures, and project leaders must explain to federal officials which safety features will be adopted and which were considered but not utilized.

Examples of grating:



Standard Yard Inlet



Raised Grate Yard Inlet



Trash Rack Inlet

Mason.pdf

Uploaded by: Sharon Moulton

Position: FAV

My name is Sharon Moulton, and I am a firefighter paramedic with DCFD. I am submitting this testimony in support of Mason's Law, not only as a public safety professional, but as someone who was directly impacted by the tragedy that took Mason's life.

In our profession, we train relentlessly to save lives. We prepare for worst-case scenarios. We respond to chaos, danger, and heartbreak every day. But nothing truly prepares you for standing at the edge of a storm water-filled sewer system, knowing a child is trapped inside, and realizing that despite every effort, every resource, and every ounce of determination, you may not be able to bring that child home alive.

Rescue crews worked under extremely hazardous conditions — fast-moving floodwater, confined underground spaces, limited visibility, and overwhelming urgency. Every responder on scene was fully committed to saving Mason. The crews pushed through physical danger and emotional strain because that is what they do.

Yet sometimes, even when everything possible is done, the outcome is still devastating.

Failing to rescue a child is not something you simply move on from. It stays with you — in quiet moments, on future calls, and in your own family life. You replay decisions. You wonder what could have been different. You carry the weight of a life lost, even when the circumstances were beyond anyone's control.

Mason's death was not just a tragic accident — it was a preventable one.

Stormwater infrastructure is not designed to be entered by children, yet it is often easily accessible, unguarded, and invisible as a danger until it's too late. During heavy rain, these systems become powerful conduits capable of sweeping away adults, let alone children. Once inside, rescue becomes extraordinarily difficult and dangerous, even for trained professionals with specialized equipment.

Mason's Law represents an opportunity to turn unimaginable loss into meaningful change.

By improving safety measures around storm drains and sewer access points, increasing public awareness, and strengthening preventative infrastructure, this legislation has the potential to save lives — both civilian and responder. It can help ensure that no other family endures this kind of loss, and that no other emergency crew is placed in an impossible situation that could have been avoided.

As first responders, we accept risk as part of our job. What we should never have to accept is preventable tragedy.

I urge you to support Mason's Law. Do it for Mason. Do it for his family. Do it for every child who deserves to grow up safely in their community. And do it for the firefighters, paramedics, and rescue personnel who stand ready every day to protect the public — often at great personal cost. Thank you for your time, and for considering this important legislation

Respectfully,
Sharon Moulton
Firefighter Paramedic, DCFD

TESTIMONY IN SUPPORT OF SB0189.pdf

Uploaded by: Terresa Kellogg

Position: FAV

TESTIMONY IN SUPPORT OF SB0189 / HB0034 Mason's Law: Storm Drain Inlet Requirements

TO: The Honorable Members of the Maryland General Assembly

FROM: Terresa Kellogg, Reisterstown, MD

DATE: January 30, 2026

POSITION: FAVORABLE

To the Chairs and Members of the Committee:

My name is Terresa Kellogg, and I am a resident of Reisterstown. I am writing to you today with a heavy heart, not just as a citizen, but as an aunt who is mourning the preventable death of her 13-year-old nephew, Mason Kearns. I urge a **favorable report** on **SB0189/HB0034**, known as **Mason's Law**.

On July 31, 2025, my 13-year-old nephew, Mason Kearns, was killed by an **unguarded 17-inch storm drain** just feet from his front door. At 5'6" and 180 pounds, Mason was not a small child; he was nearly the size of a grown man.

A Predictable Tragedy, Not an Accident. It is vital to understand that Mason was not "playing" in a drain. Because of poor maintenance, the 17-inch drain was completely hidden by grass and debris. When a retention pond overflowed after a summer storm, the yard flooded. Mason went out with his older brother to investigate the water that had accumulated in his yard, dipped his toe into what looked like a large but shallow puddle, and was instantly sucked under and vacuum-sealed into the pipe by the immense pressure.

His brother instantly grabbed ahold of the limbs he could see, an arm and a leg, and frantically pulled before running to grab his mother to help. Neighbors showed up to help as did first responders, but the fight to free Mason took too long. Because of **the lack of a simple \$100 grate**, Mason died of positional asphyxiation.

The Family Impact. Mason was inseparable from his brother, Clay, who is now suffering from profound post-traumatic stress. Trauma like that is something no adult should have to endure, let alone a teenager who will grapple with this for the rest of his life. Our entire family is shattered. While all death is tragic, the violent and preventable nature of this loss

is particularly hard to bear. We are deeply saddened and miss the light, laughter, and smiles he shared.

The Solution is Simple. We often hear that such tragedies are "freak accidents." They are not. Between 2014 and 2020, at least 36 people in the U.S. died in similar drainage incidents. We are smarter than our aging infrastructure. We know the physics of these "**suction traps**," and we know how to fix them.

There is no excuse for a 17-inch opening—large enough to swallow an adult—to remain unguarded in a residential area. Mason's Law is a common-sense safety measure that ensures basic precautions are no longer "recommendations," but requirements.

I respectfully request a **favorable report** on SB0189/HB0034, Mason's Law. Let his legacy be the safety of every other child in Maryland.

Sincerely,

Terresa Kellogg Reisterstown, MD

2026-01-30 MAMSA Ltr SWA SB 189.pdf

Uploaded by: Lisa Ochsenhirt

Position: FWA



January 30, 2026

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Re: SUPPORT WITH AMENDMENTS – SB 189 (Municipalities – Open Drainage Inlets- Required Grating Systems (Mason’s Law))

Dear Chair Feldman:

On behalf of the Maryland Municipal Stormwater Association (MAMSA), I am writing to **request amendments** to SB 189, which would require that municipalities incorporate an approved grating system into the construction of any new open drainage inlet and install an approved grating system to existing open drainage inlets.

MAMSA is an association of the State’s local governments and leading stormwater consultant firms who work for clean water and safe infrastructure based on sound science and good public policy.

SB 189 is well-meaning. We share the comments below as County and municipal employees who are involved in drainage projects on a daily basis in the hopes that it generates a discussion on how to manage drainage in a way that is safe for our citizens and cost-effective for our communities:

- **Bill Scope:** SB 189 uses the term “open drainage inlet” (defined as “a structure with a surface opening that (i) has a diameter of 12 inches or more; and (ii) is designed to collect and drain stormwater runoff”). This definition is confusing. There are generally four types of recognized inlets: grate, curb, combination, and slotted. See State Highway Administration’s Highway Drainage Manual, Section 5.2.4. Given the broad definition in the bill, would the requirements also apply to culverts and culvert headwalls? We note that most engineers do not classify a headwall opening as an inlet.

In rural areas, almost all roads are open-section, that is, with open-ditches on both sides of the road. Every driveway in these areas needs a culvert to cross the ditch and nearly 100% of those culverts are 12 inches. This means adding a grate to every driveway in these communities if culverts are considered an open drainage inlet.

To implement SB 189, municipalities would have to inventory existing inlets. Inventorying publicly-owned assets would be time consuming and challenging. Expanding this to include privately-owned inlets on private property would make this work even more taxing. In any case, as a part of that exercise, municipalities could attempt to identify higher-risk inlets. For example, a municipality would likely prioritize residential versus in industrial areas. When a municipality determines that an inlet is high-risk, it may be preferable to either fence it off or add a warning sign, instead of adding a grate. Municipal engineers should be given the authority to make decisions about how to deal with each situation on a case-by-case basis. **Please consider amending SB 189 to allow a municipality to focus efforts (with grates, fencing, or signage) on municipality-identified high-risk inlets instead of all inlets.**

- **Unintended Consequences:** MAMSA is deeply concerned that this well-intentioned bill could have negative unintended consequences. Grating an inlet reduces hydraulic capacity, which could lead to more flooding,

contrary to the goals of the bill. Grating also increases the potential for clogging of the structure, which can divert flood waters to nearby structures, like homes and roads. Flooding as a result of these modifications could cause widespread safety issues. In addition, with a proliferation of grated structures subject to clogging, municipal workers having to manage these issues during significant storm events will be put in harm's way. This makes it even more important that municipalities are allowed to identify priority situations where grating would not increase the risk of flooding.

- **Cost and Implementation Timeframe:** Grating all existing open drainage inlets would be a very expensive undertaking for municipalities, many of whom have small budgets. In addition, the bill states that all grating work would need to be done on or before June 1, 2027, which gives these small communities less than a year to accomplish an enormous task. Municipalities would likely need to assess the hydraulics of their full drainage systems to ensure the grates are not causing a public safety issue and that the system can still perform as designed—this is an additional cost, and it is likely infeasible given the timeframe. Municipalities would then have to inventory inlets, procure grate materials, and install grates by either hiring new staff or contracting out for this work. If a municipality is in the midst of FY27 budget review, it is too late to amend the budget to address the costs associated with the bill. **Please consider amending SB 189 to (i) give communities more time to implement these requirements and (ii) provide State funding to support grating.**
- **Locality Authority:** SB 189 would presumably require that a municipality add a grate to an existing inlet on private property. Municipalities do not have the legal authority to do so. **Please consider amending SB 189 to clarify that a private property owner will be responsible for making any necessary changes to inlets on their property.**

MAMSA notes that instead of directing municipalities to spend a significant amount of money to cover all of the inlets in a municipality, the State could direct municipalities to use local capital to conduct education and outreach efforts on the risks of swift water incidents, including flash floods. MAMSA would support a bill with this alternative approach.

Please feel free to contact me with any questions at Lisa@AquaLaw.com or 804-716-9021.

Sincerely,



Lisa M. Ochsenhirt, MAMSA Deputy General Counsel

cc: Committee Members, SB 189 Sponsor

SB0189-EEE-SWA.pdf

Uploaded by: Nina Themelis

Position: FWA



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB0189

February 3, 2026

TO: Members of the Education, Energy, and the Environment Committee
FROM: Nina Themelis, Director of Mayor's Office of Government Relations
RE: Senate Bill 189 - Municipalities - Open Drainage Inlets - Required Grating Systems (Mason's Law)

POSITION: SUPPORT WITH AMENDMENTS

Chair Feldman, Vice Chair Kagan and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill 189 (SB 189) **with amendments**.

SB 189 establishes a statewide requirement for municipalities to construct or install approved grating systems on new and existing open drainage inlets. The bill requires an approved grating system to be placed over the opening of an open drainage inlet in order to allow stormwater runoff to enter the inlet while preventing large debris from entering the drainage inlet. SB 189 applies to open drainage inlets with surface openings of 12 inches or more and specifies the types of grating systems that qualify as approved. The bill requires municipalities to install approved grating systems on all existing open drainage inlets on or before June 1, 2027.

The BCA supports the intent of SB 189 to improve public safety around stormwater infrastructure. We respectfully request amendments to ensure the bill is technically sound and aligned with existing stormwater practice. As drafted, SB 189 would require municipalities to incorporate an approved grating system into the construction of any new open drainage inlet and to install an approved grating system on existing open drainage inlets. However, the bill's definition of "open drainage inlet" is broad and may create ambiguity regarding the types of stormwater structures subject to these requirements.

The State Highway Administration's Highway Drainage Manual recognizes four general types of drainage inlets: grate, curb, combination, and slotted (Section 5.2.4). The definition of "open drainage inlet" in SB 189 is broader than these recognized classifications and may create uncertainty as to whether the bill's requirements would also apply to structures such as headwalls, outfalls, or culverts, which are not typically classified by engineers as inlets. Amending the scope of the bill to focus on large, open culvert headwalls and similar inlet configurations associated with entrapment hazards, rather than all "open drainage inlets", would prioritize locations of the greatest concern and avoid retrofitting requirements for structures that currently present minimal risk.

Commented [GK1]: excellent term! It gets back to the intent of the bill.

Additionally, SB 189 requires each municipality in the State to install an approved grating system on any existing open drainage inlet within the municipality on or before June 1, 2027. This requirement raises significant fiscal and operational concerns, as it would require municipalities to inventory existing inlets that would become non-compliant, procure grating materials, complete installation, and hire the additional staffing and contracted services necessary. Most municipalities are currently in the budget planning phase for the next fiscal year, when implementation must be complete.

Functionally, the installation of grating systems may create choke points where debris can accumulate and block stormwater flow into the inlet structure, increasing the risk of flooding, due to ponding or redirection of flow. Following installation, municipalities will have to increase staff or contracted resources to maintain the grate and routinely remove any accumulated debris.

Finally, these requirements may be further complicated by the presence of drainage inlets located on private property, particularly in older developments, where ownership and access may be unclear. As currently drafted, the bill does not provide municipalities with clear legal authority to access or modify privately owned drainage infrastructure. Absent of such authority, compliance with the grating requirement may necessitate amended language to clarify responsibility for grating installation, as well as additional flexibility in implementation timelines for both the City and smaller municipalities.

Consideration of the proposed amendments would allow for smoother adoption of the bill and better alignment with current stormwater best practices. Additionally, supplementary efforts such as funding for education and outreach related to flooding, as well as increased training for local emergency responders on swift water rescues and flash flood events, may further support effective implementation. For these reasons, the BCA remains **supportive** of the intent of SB 189 and respectfully requests **consideration of amendments** to clarify the scope of the bill and support practicable implementation.

Annapolis – phone: 410.269.0207 • fax: 410.269.6785
Baltimore – phone: 410.396.3497 • fax: 410.396.5136
<https://mogr.baltimorecity.gov/>

SB-189 LOS w-Amendment City of Gaithersburg.pdf

Uploaded by: Sarah Peters

Position: FWA



Bill: SB 189/HB 34 – Municipalities – Open Drainage Inlets – Required Grating Systems
(Mason’s Law)

Position: Support w/Amendment

Dear Chair, Vice Chair, and Members of the Committee:

On behalf of the City of Gaithersburg, thank you for the opportunity to comment. The City supports protecting public safety and maintaining effective stormwater infrastructure.

However, as drafted, the City of Gaithersburg has concerns that this legislation would impose a significant unfunded mandate on local governments. The bill would require the installation of an approved grating system on all existing open drainage inlets by June 1, 2027. This blanket requirement would be costly, unnecessary in many cases, and impractical to implement within the proposed timeframe.

The City maintains numerous drainage inlets that are inaccessible to the general public, located in secured or limited-access areas, or otherwise pose minimal risk. Retrofitting these areas would divert limited local resources away from higher-priority needs.

A more effective and fiscally responsible approach would be to allow local governments to conduct a safety evaluation to identify drainage inlets that present a demonstrated risk to public safety. Protective measures could then be installed where warranted based on factors such as location, accessibility, and site-specific risk. This targeted approach would better align public safety outcomes with responsible use of local resources while preserving the bill’s intent.

For these reasons, the City respectfully requests that this legislation be amended.

Thank you for your consideration.

Sincerely,

Jud Ashman, Mayor
City of Gaithersburg

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
301-258-6300 • FAX 301-948-6149 • cityhall@gaithersburgmd.gov • gaithersburgmd.gov

MAYOR
Jud Ashman

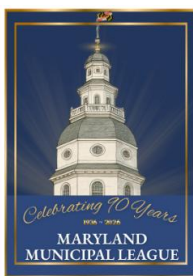
COUNCIL MEMBERS
Neil Harris
Lisa Henderson
Yamil Hernández
Jim McNulty
Robert Wu

CITY MANAGER
Tanisha R. Briley

SB189-MML-Testimony.pdf

Uploaded by: Tyler Brice

Position: FWA



TESTIMONY

COMMITTEE: Senate Education, Energy, and the Environment

DATE: February 3, 2026

POSITION: Favorable with Amendments

BILL: SB 189

The Maryland Municipal League (MML) supports Senate Bill 189 (Mason’s Law), with amendment. SB189 requires municipalities to install or construct approved grating systems on all new and existing open drainage inlets. This bill is a meaningful and necessary step toward protecting public safety within our communities. The legislation is prompted by the tragic loss of Mason, a child whose memory serves as a poignant reminder of the critical need for these life-saving measures. We wish to sincerely express our deepest sympathy and condolences to Mason’s family and loved ones. By moving forward with this bill, Maryland demonstrates a commitment to preventing similar tragedies and honoring Mason's legacy through action.

While the League wholeheartedly supports the intent of SB189, we respectfully request consideration of two key amendments to strengthen the bill and expand its effectiveness. First, we seek a clear expansion of available funding sources. As introduced, SB189 does not designate or identify funding mechanisms to assist municipalities with the costs associated with retrofitting or installing new grates. Municipalities, particularly smaller or resource-constrained jurisdictions, may face challenges in meeting the bill’s requirements without fiscal support. For this reason, we respectfully request an amendment that authorizes or facilitates additional funding sources—such as state grants, cost-sharing initiatives, or infrastructure safety funds, to ensure equitable implementation across Maryland.

Second, we believe it is vital to clarify and expand the scope of SB189 to include open drainage inlets located on private property. Notably, the heartbreaking incident that inspired this legislation occurred on private property, underscoring the imperative for comprehensive safeguards. As currently written, the bill applies to “any new or existing open drainage inlet within the municipality,” which could be interpreted as limited to public property. To ensure that the safety measures envisioned by this bill protect all Marylanders, regardless of whether an inlet is publicly or privately maintained, we respectfully request an amendment to explicitly include open drainage inlets on private property within the bill’s scope.

MML represents 161 local governments and about 2 million Maryland residents.

Public safety is a fundamental responsibility of local government. With these amendments, SB189 would provide comprehensive, enforceable protections around all open drainage inlets, and would supply municipalities with the financial tools needed for effective and equitable implementation.

For these reasons, the League respectfully requests that the committee adopt amendments to expand funding options and clarify the bill's applicability to private property, and with these changes, provide Senate Bill 189 (Mason's Law) with a favorable report.

For more information relating to this piece of testimony, please contact:

Tyler Brice: Manager, Advocacy and Public Policy, tylerb@mdmunicipal.org