

SENATE BILL 28

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1999 Regular Session  
9lr0103

(PRE-FILED)

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By: **Chairman, Finance Committee (Departmental - Public Service  
Commission)**

Requested: July 27, 1998

Introduced and read first time: January 13, 1999

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission - Gas Companies - Civil Penalties**

3 FOR the purpose of increasing the civil penalties that may be assessed against a gas  
4 company or gas master meter operator for violations of certain Public Service  
5 Commission safety standards and regulations; and generally relating to the  
6 regulation of gas companies by the Public Service Commission.

7 BY repealing and reenacting, with amendments,  
8 Article - Public Utility Companies  
9 Section 13-203  
10 Annotated Code of Maryland  
11 (1998 Volume)

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

14 **Article - Public Utility Companies**

15 13-203.

16 (a) A gas company or gas master meter operator that violates any of the  
17 Commission's standards of safe service or other regulation related to safety adopted  
18 under § 5-101 of this article is subject to a civil penalty determined by the  
19 Commission that does not exceed:

20 (1) [\$10,000] \$25,000 for each violation for each day or part of a day that  
21 the violation continues; and

22 (2) \$500,000 for a related series of violations.

23 (b) Within 30 days after the date of notification of the determination, the gas  
24 company or gas master meter operator involved may request reconsideration to  
25 obtain a compromise.

1 (c) In determining the amount of a civil penalty or compromise, the  
2 Commission shall consider the:

3 (1) appropriateness of the penalty to the size of the gas company or gas  
4 master meter operator;

5 (2) gravity of the current violation; and

6 (3) good faith of the gas company or gas master meter operator in  
7 attempting to achieve compliance after notification of the violation.

8 (d) The amount of the penalty, when finally determined or agreed on in  
9 compromise, may be:

10 (1) deducted from any amount that the State owes to the gas company or  
11 gas master meter operator; or

12 (2) recovered in a civil action in State court.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 1999.