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By: **Senator Collins**  
Introduced and read first time: March 3, 2000  
Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Well Drillers - Restricted Licenses - Hydro-Fracturers**

3 FOR the purpose of establishing a restricted well drillers license for hydro-fracturers;  
4 defining a certain term; and generally relating to the establishment of a  
5 restricted well drillers license for hydro-fracturers.

6 BY repealing and reenacting, with amendments,  
7 Article - Environment  
8 Section 13-101 and 13-306  
9 Annotated Code of Maryland  
10 (1996 Replacement Volume and 1999 Supplement)

11 BY repealing and reenacting, without amendments,  
12 Article - Environment  
13 Section 13-302  
14 Annotated Code of Maryland  
15 (1996 Replacement Volume and 1999 Supplement)

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

18 **Article - Environment**

19 13-101.

20 (a) In this title the following words have the meanings indicated.

21 (b) "Board" means the State Board of Well Drillers.

22 (c) (1) "License" means, unless the context requires otherwise, any license  
23 issued by the Board under this title to practice well drilling.

24 (2) "License" includes, unless otherwise indicated:

25 (i) A well driller license; and

1 (ii) A restricted license.

2 (d) "Well driller license" means any license issued by the Board to engage in  
3 all activities that constitute the practice of well drilling, including all activities  
4 permitted under any restricted license.

5 (e) "Restricted license" means any license issued by the Board that authorizes  
6 its holder to engage in some, but not all, of the activities which constitute the practice  
7 of well drilling.

8 (f) "Geotechnical" refers to that category of well driller license which  
9 authorizes the practice of well drilling limited to wells constructed for the purpose of  
10 sampling, measuring, or test pumping for scientific, engineering, or regulatory  
11 purposes, including wells constructed specifically for the removal of contaminants  
12 from an aquifer, but not including water supply test wells.

13 (G) "HYDRO-FRACTURER" MEANS AN INDIVIDUAL WHO PRACTICES THE  
14 TECHNIQUE OF STIMULATING A BORE WELL BY A CONTROLLED INJECTION OF HIGH  
15 PRESSURE POTABLE WATER TO INCREASE THE BORE HOLE YIELD.

16 [(g)] (H) "Person" means:

17 (1) The federal government, this State, any county, municipal  
18 corporation, or other political subdivision of this State, or any of their units;

19 (2) Any individual, receiver, trustee, guardian, personal representative,  
20 fiduciary, or representative of any kind; and

21 (3) Any partnership, firm, association, corporation, or other entity.

22 [(h)] (I) "Practice well drilling" includes engaging in any of the following  
23 activities for profit:

24 (1) Making, altering, repairing, or sealing a well; or

25 (2) Installing, altering, repairing, or disconnecting well system  
26 equipment.

27 [(i)] (J) "Well" means any hole made in the ground:

28 (1) To explore for groundwater;

29 (2) To obtain or monitor groundwater;

30 (3) To inject water into any underground formation from which  
31 groundwater may be produced; or

32 (4) To transfer heat to or from the ground or groundwater, if the hole:

33 (i) Extends more than 20 feet below the surface of the ground; and

1 (ii) Is not a well for obtaining geothermal resources under § 5-601  
2 of this article.

3 [(j)] (K) "Water supply" refers to that category of well driller license which  
4 authorizes the practice of well drilling limited to wells constructed for the purpose of  
5 obtaining a water supply, including wells constructed for the purpose of installing a  
6 heat pump.

7 [(k)] (L) (1) "Well system equipment" means any equipment that is  
8 necessary to draw or purify water from a well.

9 (2) "Well system equipment" includes any casing, grout, screen, water  
10 tank, water pump, or water conditioning equipment.

11 13-302.

12 (a) The Board shall adopt rules and regulations for the qualifications of  
13 applicants.

14 (b) Except as otherwise provided in this title, to qualify for a license, an  
15 applicant shall meet any reasonable qualifications or requirements that the Board  
16 establishes for license applicants.

17 13-306.

18 (a) The Board shall issue an appropriate license to any applicant who:

19 (1) Meets the requirements of this title;

20 (2) Pays the required fee; and

21 (3) Provides evidence of any performance bond and contractor's liability  
22 insurance that the Board may require.

23 (b) (1) In accordance with its rules and regulations, the Board shall issue  
24 well driller licenses and restricted licenses.

25 (2) (i) There are 3 categories of well driller licenses:

26 1. Well driller general;

27 2. Well driller-geotechnical; and

28 3. Well driller-water supply.

29 (ii) A well driller license may be limited to the drilling of wells for  
30 particular purposes.

31 (3) There are [3] 4 categories of restricted licenses:

32 (i) Water conditioner installer;

1 (ii) Water pump installer; [and]

2 (iii) Well rig operator; AND

3 (IV) HYDRO-FRACTURER.

4 (c) (1) There is a master class license and a journeyman class license in each  
5 category of well driller license.

6 (2) There is an apprentice class well driller license which shall serve as:

7 (i) The apprentice license for all categories of well driller licenses;  
8 and

9 (ii) The apprentice license for the well rig operator category of  
10 restricted license.

11 (3) There is an apprentice class license in the following restricted license  
12 categories:

13 (i) Water conditioner installer; and

14 (ii) Water pump installer.

15 (4) The Board shall designate on each license issued the category and,  
16 where applicable, the class of the license.

17 (d) Until July 1, 1993, this title does not prohibit any master well driller  
18 licensed by the Board on July 1, 1990 from practicing well drilling while obtaining the  
19 education and experience required to be licensed under any one of the 3 categories of  
20 well driller licenses in this title.

21 (1) The Board may waive the examination requirement of this title for  
22 any master well driller licensed by the Board on July 1, 1990 who provides to the  
23 Board satisfactory evidence that the licensee has:

24 (i) Well driller-geotechnical - installed geotechnical wells during  
25 the past 7 years and obtained national certification as a monitoring well driller or  
26 completed a 40-hour training program dealing with hazardous waste or monitoring  
27 site operations required by the Occupational Safety and Health Administration;

28 (ii) Well driller-water supply - installed 20 water supply wells  
29 during the past 7 years and acquired 10 of the 20 hours of continuing education  
30 required by § 13-308 of this title in water conditioning and water pump technology; or

31 (iii) Well driller-general - fulfilled the requirements of  
32 subparagraphs (i) and (ii) of this paragraph.

33 (2) The Board shall adopt regulations to implement the provisions of this  
34 section.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2000.