

**Department of Legislative Services**  
Maryland General Assembly  
2000 Session

**FISCAL NOTE**  
**Revised**

House Bill 690 (Prince George's County Delegation and Montgomery County Delegation)

Commerce & Government Matters

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**Washington Suburban Sanitary Commission - Public Utility Construction -  
Violations  
PG/MC 2-00**

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This bill provides for civil monetary fines for violations relating to the failure to obtain required permits for public utility construction or the removal of obstructions under provisions applicable to the Washington Suburban Sanitary Commission (WSSC).

The bill also authorizes the WSSC to adopt rules and regulations governing required permits for public utility construction. The definition of "regulations" under these provisions is specifically expanded to include regulations governing required permits for public utility construction in the sanitary district.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** WSSC general fund revenues could increase by \$50,000 annually due to the imposition of civil monetary fines on persons who fail to obtain required permits. No effect on expenditures.

**Small Business Effect:** None.

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## Analysis

**Current Law:** A violation of WSSC provisions relating to public utility construction is a misdemeanor which subjects violators to maximum penalties of a fine of \$1,000 and/or imprisonment for 30 days. There are no established penalties for violations of the provisions governing the removal of obstructions.

**Background:** The WSSC estimates that approximately \$400,000 per year in otherwise unnecessary repairs and maintenance costs are incurred by WSSC customers due to the improper placement of non-WSSC underground utilities on or near WSSC underground facilities, as well as by damage to WSSC utilities caused by other companies illegally digging in rights of way. The WSSC believes that an authorization to impose monetary fines for related violations would stem the potential of future violations more effectively than the current, more time consuming remedy of criminal court penalties.

**Local Revenues:** The WSSC estimates that civil monetary penalties of \$250 for 200 violations would be levied by WSSC beginning in the first year after regulations are adopted. Revenue from such fines would go to the WSSC general fund. Accordingly, assuming all such fines are paid in full, WSSC revenues are anticipated to increase by \$50,000 annually under this bill.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Washington Suburban Sanitary Commission, Department of Legislative Services

**Fiscal Note History:** First Reader - March 13, 2000  
mld/jr Revised - Enrolled Bill - May 8, 2000

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