

HOUSE BILL 839

C5

8lr2698
CF SB 727

By: **Delegates Lafferty, Bromwell, DeBoy, Hucker, Malone, Mizeur, Niemann, Olszewski, and Schuler**

Introduced and read first time: February 6, 2008

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Utility Companies – Electric Companies – Tree Care Activities**

3 FOR the purpose of requiring an electric company to contact certain community
4 associations before undertaking certain tree care activities under certain
5 circumstances; requiring an electric company to publish a certain notice in a
6 certain manner under certain circumstances; requiring an electric company to
7 provide for public comment and hold a public hearing in a certain manner under
8 certain circumstances; authorizing a landowner to procure a tree expert for tree
9 removal under certain circumstances; and generally relating to electric
10 companies and tree care activities.

11 BY repealing and reenacting, with amendments,
12 Article – Public Utility Companies
13 Section 7–103
14 Annotated Code of Maryland
15 (1998 Volume and 2007 Supplement)

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

18 **Article – Public Utility Companies**

19 7–103.

20 (a) An electric company incorporated in Maryland may:

21 (1) manufacture, sell, and furnish electric power in any municipal
22 corporation or county of the State;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) construct a power line to transmit power under, along, on, or over
2 the roadways or public ways of any municipal corporation or county of the State; and

3 (3) connect the power line from the place of supply to any other
4 structure or object.

5 (b) (1) An electric company must have the consent of the governing body
6 of the municipal corporation or county before laying or constructing any power line in
7 accordance with subsection (a) of this section.

8 (2) The governing body of the municipal corporation or county may
9 adopt reasonable regulations and conditions for the laying of a power line, including
10 regulations requiring the electric company to refill and repave any roadway or public
11 way under which the power line is laid.

12 (c) (1) **AT LEAST 60 DAYS BEFORE AN ELECTRIC COMPANY ENGAGES**
13 **IN TREE CARE ACTIVITIES, WHICH INCLUDE THE TRIMMING, PRUNING,**
14 **THINNING, CABLING, SHAPING, REMOVING, OR REDUCING OF THE CROWN OF**
15 **TREES WITHIN 35 FEET OF A POWER LINE, THE ELECTRIC COMPANY SHALL:**

16 (i) **CONTACT THE COMMUNITY ASSOCIATIONS IN WHICH**
17 **THE TREE CARE ACTIVITIES WILL BE CONDUCTED;**

18 (ii) **PUBLISH NOTICE IN A NEWSPAPER OF GENERAL**
19 **CIRCULATION IN THE COUNTY OR MUNICIPAL CORPORATION IN WHICH THE**
20 **TREE CARE ACTIVITIES WILL BE CONDUCTED; AND**

21 (iii) **PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT AND**
22 **HOLD A PUBLIC HEARING IN THE COUNTY OR MUNICIPAL CORPORATION IN**
23 **WHICH THE TREE CARE ACTIVITIES WILL BE CONDUCTED.**

24 (2) **AT THE PUBLIC HEARING CONDUCTED IN ACCORDANCE WITH**
25 **PARAGRAPH (1) OF THIS SUBSECTION, THE ELECTRIC COMPANY SHALL**
26 **PRESENT A DESCRIPTIVE PLAN OF THE PROPOSED TREE CARE ACTIVITIES.**

27 (d) **A LANDOWNER SHALL HAVE THE OPPORTUNITY TO PROCURE A**
28 **PRIVATE TREE EXPERT FOR THE REMOVAL OF A TREE LOCATED ON THE**
29 **LANDOWNER'S PROPERTY IF:**

30 (1) **THE TREE IS WITHIN 35 FEET OF A POWER LINE;**

31 (2) **THE TREE IS AT LEAST 25 YEARS OLD; AND**

32 (3) **THE ELECTRIC COMPANY HAS MAINTAINED THE TREE IN THE**
33 **PAST AND HAS PROPOSED THE REMOVAL OF THE TREE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2008.