

**Department of Legislative Services**  
Maryland General Assembly  
2008 Session

**FISCAL AND POLICY NOTE**

Senate Bill 445

(Senator Pugh, *et al.*)

(By Request – Baltimore City Administration)

Finance

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**Underground Facilities - Determination of Marking - Initial Fees**

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The bill provides that the one-time initial fee that a local jurisdiction charges under the Miss Utility Program includes reimbursement of expenses incurred to determine if marking to locate an underground facility is needed.

This bill takes effect July 1, 2008.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** To the extent that a local government assesses an additional surcharge, revenues would increase minimally.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** A political subdivision or municipal corporation may be reimbursed for marking or remarking of utility facilities. A political subdivision or municipal corporation may charge, assess, or collect from a person a one-time initial marking fee not exceeding \$35 for reimbursement of expenses that the political subdivision or municipal corporation incurs for marking underground facilities. If re-marking is requested, or is required after renotification, a political subdivision or municipal corporation may charge, assess, or collect from a person a re-marking fee not exceeding

\$15 for reimbursement of expenses incurred by the political subdivision or municipal corporation.

**Background:** This bill authorizes the assessment of a fee to a customer from either the marking of utilities prior to excavation work, or determining whether utility facility marking is necessary at a particular location. The bill addresses potential disputes over the assignment of a charge if marking is not required in an area, but an investigation was required and conducted to establish that fact.

**Local Fiscal Effect:** Minimal increase in local revenues by specifying the statutory authority to charge for not only the needed utility marking, but also for investing and establishing that marking is not required for a specific location reviewed for utility facility avoidance.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** HB 611 (Delegate Anderson, *et al.*) (By Request – Baltimore City Administration) – Economic Matters.

**Information Source(s):** Public Service Commission, Office of People's Counsel, Baltimore City, Department of Legislative Services

**Fiscal Note History:** First Reader - February 14, 2008  
ncs/hlb

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