

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 1221

(Washington County Delegation)

Environmental Matters

Education, Health, and Environmental Affairs

Washington County - Roads and Transportation

This bill updates the Public Local Laws of Washington County to reflect current practice regarding the design, creation, adoption, construction, and maintenance of county roads. In addition, the bill increases penalties for obstructing a county road, bridge, alley, or drainage ditch and for the destruction of road signs or traffic devices on a county highway. The bill also prohibits certain vehicles from parking on county roads or county property.

The bill takes effect June 1, 2009.

Fiscal Summary

State Effect: None.

Local Effect: The bill codifies current practice and will not materially affect the finances or operations of Washington County.

Small Business Effect: None.

Analysis

Bill Summary: The bill codifies current practice for the design, creation, adoption, construction, and maintenance of county roads. For any land acquired by the county for road use, a survey must be completed and a plat recorded to support the deed. The amount at which the director of public works or a designee must prepare plans and specifications for work on a road or bridge is increased from \$5,000 to \$50,000 per project. Any person installing, maintaining, repairing, relocating, or removing pipe, wire, cable, fiber optics, or other material or performing excavation or construction in, on, over, or across county property in Washington County must first obtain a permit.

The bill increases the maximum penalty for a person who injures or defaces a sign, road marker, or traffic device on or along any county roads from \$50 to \$500. The penalty for a person who creates or places an obstruction in a county road, bridge, alley, ditch, or drain is increased. The maximum penalty for a person who refuses to comply with an order to remove a vehicle or other obstruction within 24 hours is increased from \$100 to \$500 for each offense. The sheriff is also authorized to impound a vehicle parked illegally or that otherwise constitutes a hazard to public safety or obstructs the normal movement of traffic or pedestrians. A person may not park an unregistered motor vehicle or an unregistered trailer on a county road or other property of the county.

The bill clarifies that the sheriff, not the county police, has enforcement authority over relevant regulations.

Current Law: The Washington County Commissioners have authority over and may adopt regulations regarding the use of the roads, streets, avenues, lanes, alleys, and bridges of the county by telegraph companies, railroads, gas, water and electric light companies, and by individuals and the traveling public. All regulations, when adopted and recorded, have the force and effect of law. The county sheriff is charged with enforcing all the regulations.

Additional Information

Prior Introductions: HB1599 LR2425 2008 ENV

Cross File: None.

Information Source(s): Washington County, Maryland Department of Planning, Judiciary (Administrative Office of the Courts), Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - March 11, 2009
ncs/mwc

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