

HOUSE BILL 920

R1

5lr2410

By: **Delegates Lisanti, Cassilly, Fennell, S. Howard, Impallaria, Jameson, Kelly, Sophocleus, and Tarlau**

Introduced and read first time: February 13, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **State Highway Administration – Relocation of Water and Sewer Lines –**
3 **Payment of Costs**

4 FOR the purpose of requiring the State Highway Administration to pay to a publicly owned
5 utility the cost of relocating water and sewer lines due to certain highway projects
6 financed in whole or in part by federal funds; requiring payments made by the
7 Administration under this Act to be considered part of the cost of certain highway
8 projects and to be included in the Consolidated Transportation Program; defining
9 certain terms; and generally relating to payment of the cost of relocating water and
10 sewer lines of a publicly owned utility due to certain highway projects.

11 BY adding to
12 Article – Transportation
13 Section 8–656
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2014 Supplement)

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

18 **Article – Transportation**

19 **8–656.**

20 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
21 **INDICATED.**

22 **(2) “FEDERAL FACILITY” INCLUDES:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (I) AN INSTALLATION OF THE ARMED FORCES OF THE UNITED
2 STATES; AND

3 (II) ANY PROPERTY OWNED OR LEASED BY AN AGENCY OF THE
4 UNITED STATES.

5 (3) "FEDERAL PROJECT" MEANS A STATE HIGHWAY PROJECT THAT
6 IS:

7 (I) FINANCED IN WHOLE OR IN PART WITH FEDERAL FUNDS;
8 AND

9 (II) DESIGNED TO ENHANCE ACCESS TO A FEDERAL FACILITY.

10 (4) "PUBLICLY OWNED UTILITY" MEANS A UTILITY OWNED OR
11 OPERATED BY A POLITICAL SUBDIVISION OF THE STATE OR BY A PUBLIC AGENCY
12 CREATED UNDER THE LAWS OF THE STATE.

13 (5) "RELOCATE" INCLUDES TO REALIGN, RAISE, LOWER, REBUILD,
14 OR REMOVE.

15 (B) IF, DUE TO A FEDERAL PROJECT, IT IS NECESSARY TO RELOCATE ANY
16 WATER OR SEWER LINE OF A PUBLICLY OWNED UTILITY, THE ADMINISTRATION
17 SHALL PAY TO THE UTILITY THE COST TO THE UTILITY OF THE RELOCATION.

18 (C) THE COST OF ANY PAYMENT REQUIRED UNDER THIS SECTION SHALL BE
19 CONSIDERED TO BE PART OF THE COST OF A FEDERAL PROJECT AND SHALL BE
20 INCLUDED IN THE CONSOLIDATED TRANSPORTATION PROGRAM.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2015.