

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 401

(Senator Astle, *et al.*)

Finance

Economic Matters

Underground Utility Damage Prevention - Connecting Buildings to Water
Supply Systems and Sewerage Systems - Detectable Wires

This bill requires any new or replacement piping connecting a building to a sewerage system or a water supply system to be installed with a specified insulated copper tracer wire or equivalent product to make the piping detectable. The bill's requirement applies to a complete replacement of piping, but not to a repair or a partial replacement. The bill establishes standards and specifications regarding the wire and its installation. The bill applies only prospectively.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances, except to the extent that the bill results in fewer future accidents involving unidentified sewerage or water supply system pipes.

Local Effect: The bill is not anticipated to materially affect local operations or finances, except to the extent that the bill results in fewer future accidents involving unidentified sewerage or water supply system pipes.

Small Business Effect: Minimal, as discussed below.

Analysis

Current Law: State law does not require detectable tracer wires to be installed with sewerage or water supply system piping. However, State public utility regulation requires tracer wires to be installed with plastic gas pipelines and for plastic pipelines associated with liquefied petroleum gas systems.

The Public Service Commission has jurisdiction over private water supply and sewage disposal systems for public use, and the Washington Suburban Sanitary Commission has jurisdiction over water supply and sewer systems within the boundaries of the sanitary district. The Maryland Department of the Environment generally regulates any sewerage system that discharges into the waters of the State and water supply systems to ensure safe and potable drinking water, and both State and federal laws generally apply to drinking water and sewer system discharges.

Background: Detectable tracer wires made of various materials are used to assist utilities, municipal workers, contractors, and the public in locating underground piping and infrastructure before digging or other construction activities begin.

To protect underground facilities, such as natural gas, telephone, cable, television, water, and sewer lines, Chapter 635 of 2010 established the Maryland Underground Facilities Damage Prevention Authority. The authority hears complaints and assesses civil penalties for violations of the laws protecting underground facilities. Persons planning an excavation or demolition project must notify the owners of nearby facilities so that the locations can be clearly marked. Notification is accomplished through the “one-call” system. The only one-call system currently operating in Maryland is Miss Utility. Miss Utility operates call centers that coordinate the marking of underground facilities for Delaware, the District of Columbia, and Maryland.

Small Business Effect: Several local governments that responded to the Department of Legislative Services’ request for information relating to this bill indicated that many plumbers and other contractors already comply with the bill’s requirement, and also that tracer wire is relatively inexpensive. Thus, the bill does not likely have a significant impact on small businesses.

Additional Information

Prior Introductions: None.

Cross File: HB 341 (Delegate Davis) - Economic Matters.

Information Source(s): Kent and Montgomery counties, the towns of Bel Air and Leonardtown, the City of Salisbury, Maryland Department of the Environment, Maryland Underground Facilities Damage Prevention Authority, Maryland Association of Counties, Maryland Municipal League, Department of Legislative Services

Fiscal Note History: First Reader - February 17, 2015
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