

# SENATE BILL 754

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CF HB 1231

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By: ~~Senator Hayes~~ **Senators Hayes, Kelley, and Augustine**

Introduced and read first time: February 5, 2021

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 28, 2021

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Service Commission – Damaged, Obsolete, or Excessive Lines – ~~Fines~~**  
3 **Study**

4 FOR the purpose of requiring the Public Service Commission to ~~notify a certain owner of a~~  
5 ~~utility pole about damaged, dangling, obsolete, or redundant lines or blight or public~~  
6 ~~nuisance caused by an excessive number of lines on a utility pole under certain~~  
7 ~~circumstances; requiring the owner of a utility pole to require the person that~~  
8 ~~controls the line or lines to investigate and repair or remove offending lines within a~~  
9 ~~certain period of time under certain circumstances; requiring the Commission to~~  
10 ~~impose a certain fine on the owner of a certain utility pole if the offending line or~~  
11 ~~lines are not addressed within a certain period; requiring the Commission to adopt~~  
12 ~~regulations to implement this section; convene a workgroup of interested persons to~~  
13 ~~study utility, telecommunication, and other lines in the State; requiring the~~  
14 ~~workgroup to examine certain matters relating to utility, telecommunication, and~~  
15 ~~other lines; requiring the Commission to report to the General Assembly on or before~~  
16 ~~a certain date; providing for the termination of this Act; and generally relating to the~~  
17 ~~Public Service Commission convening a workgroup to study damaged, dangling,~~  
18 ~~obsolete, or redundant lines or blight or public nuisance caused by an excessive~~  
19 ~~number of lines on utility poles.~~

20 ~~BY adding to~~  
21 ~~Article — Public Utilities~~  
22 ~~Section 5-107~~  
23 ~~Annotated Code of Maryland~~  
24 ~~(2020 Replacement Volume and 2020 Supplement)~~

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 ~~Article — Public Utilities~~

4 ~~5-107.~~

5 ~~(A) THE COMMISSION SHALL PROMPTLY NOTIFY THE OWNER OF A UTILITY~~  
6 ~~POLE IF THE COMMISSION RECEIVES NOTICE RELATED TO A UTILITY POLE OF:~~

7 ~~(1) A DAMAGED OR DANGLING LINE;~~

8 ~~(2) AN OBSOLETE OR REDUNDANT LINE; OR~~

9 ~~(3) BLIGHT OR PUBLIC NUISANCE CAUSED BY AN EXCESSIVE NUMBER~~  
10 ~~OF LINES ON A UTILITY POLE.~~

11 ~~(B) WITHIN 30 DAYS AFTER RECEIVING NOTICE FROM THE COMMISSION,~~  
12 ~~THE OWNER OF THE UTILITY POLE SHALL REQUIRE THE PERSON THAT CONTROLS~~  
13 ~~THE LINE OR LINES TO INVESTIGATE AND, WHERE APPROPRIATE, REPAIR OR~~  
14 ~~REMOVE THE OFFENDING LINE OR LINES.~~

15 ~~(C) IF THE OFFENDING LINE OR LINES ARE NOT REPAIRED OR REMOVED~~  
16 ~~WITHIN 90 DAYS AFTER THE COMMISSION NOTIFIES THE OWNER OF THE UTILITY~~  
17 ~~POLE ABOUT THE CONDITION OF THE LINES, THE COMMISSION SHALL IMPOSE A~~  
18 ~~FINE ON THE OWNER OF THE UTILITY POLE OF \$250 FOR EACH DAY OF~~  
19 ~~NONCOMPLIANCE.~~

20 ~~(D) THE COMMISSION SHALL ADOPT REGULATIONS TO CARRY OUT THE~~  
21 ~~REQUIREMENTS OF THIS SECTION.~~

22 (a) The Public Service Commission shall convene a workgroup of interested  
23 persons to study damaged, dangling, obsolete, or redundant utility, telecommunication, or  
24 other lines, or blight or public nuisance caused by an excessive number of lines on utility  
25 poles in Maryland.

26 (b) In conducting the study, the workgroup shall examine:

27 (1) the prevalence in the State of:

28 (i) damaged or dangling utility, telecommunication, and other lines;

29 (ii) obsolete or redundant utility, telecommunication, or other lines;

30 and

1 (iii) blight or public nuisance caused by an excessive number of lines  
2 on a utility pole;

3 (2) the process for investigating, repairing, and removing:

4 (i) a damaged, dangling, obsolete, or redundant line; or

5 (ii) blight or public nuisance caused by an excessive number of lines  
6 on utility poles;

7 (3) the potential for the Commission to impose a fine on an owner of a  
8 utility pole or other entity for failing to investigate, repair, or remove an offending utility  
9 line or lines;

10 (4) the resources necessary to effectively regulate utility pole lines in the  
11 State; and

12 (5) any additional issues related to utility, telecommunication, or other  
13 lines in the State.

14 (c) On or before December 31, 2021, the Public Service Commission shall report  
15 its findings and recommendations to the General Assembly, in accordance with § 2-1257 of  
16 the State Government Article.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 ~~October 1, 2021.~~ July 1, 2021. It shall remain effective for a period of 1 year and, at the end  
19 of June 30, 2022, this Act, with no further action required by the General Assembly, shall  
20 be abrogated and of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.