

HOUSE BILL 669

R1, L6

6lr1631

By: **Delegate Pruski**

Introduced and read first time: February 2, 2026

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Political Subdivisions – Third-Party Road Improvements – Satisfactory**
3 **Completion**

4 FOR the purpose of prohibiting a political subdivision from issuing a use and occupancy
5 permit to the holder of a permit to complete certain improvements on certain State
6 roads until the improvement is completed to the satisfaction of the State Highway
7 Administration and the political subdivision; and generally relating to State road
8 improvements.

9 BY repealing and reenacting, without amendments,
10 Article – Transportation
11 Section 8–646(a)
12 Annotated Code of Maryland
13 (2020 Replacement Volume and 2025 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 8–646(b)
17 Annotated Code of Maryland
18 (2020 Replacement Volume and 2025 Supplement)

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

21 **Article – Transportation**

22 8–646.

23 (a) Except as permitted by this section or in accordance with a permit obtained
24 from the Administration, a person may not:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) Make an opening in any State highway;

(2) Place any structure on any State highway;

(3) Change or renew any structure placed on any State highway;

(4) Dig up any State highway for any purpose, including the placement of pipes, sewers, poles, wires, or rails;

(5) Plant or remove any tree on any State highway; or

(6) Place any obstruction or improvement on any State highway.

(b) (1) The Administration may issue a permit for work otherwise prohibited by subsection (a) of this section.

(2) Work done under the permit shall be performed to the satisfaction of the Administration and under its supervision.

(3) If the work done under the permit will be performed within 1 mile of Washington Metropolitan Area Transit Authority rail or bus rapid transit stations or Maryland Transit Administration rail or bus rapid transit stations, including Maryland Area Regional Commuter (MARC) stations, the person to whom the permit is issued or by whom the work is done shall maintain a safe alternative pedestrian path at the work site in accordance with regulations adopted under this section.

(4) The person to whom the permit is issued or by whom the work is done shall pay the cost of replacing the highway in as good a condition as before the work was done.

(5) (i) The Administration shall require a nongovernment applicant for a permit issued under this subsection who is a developer to submit a performance bond, letter of credit, or other surety acceptable to the Administration.

(ii) The Administration shall require a nongovernment applicant for a permit issued under this subsection to submit a payment bond, letter of credit, or other surety acceptable to the Administration if:

1. The amount of the improvement is estimated to exceed \$100,000;

2. The project is financed, in whole or in part, by private funds; and

3. The entire improvement is located outside the applicant's property.

1 **(6) A POLITICAL SUBDIVISION MAY NOT ISSUE A USE AND OCCUPANCY**
2 **PERMIT TO A NONGOVERNMENT HOLDER OF A PERMIT AUTHORIZED UNDER THIS**
3 **SECTION WHO IS REQUIRED TO COMPLETE WORK OTHERWISE PROHIBITED BY**
4 **SUBSECTION (A) OF THIS SECTION ON A STATE HIGHWAY THAT CARRIES AN**
5 **AVERAGE TRAFFIC VOLUME OF MORE THAN 25,000 VEHICLES A DAY UNTIL THE**
6 **WORK IS COMPLETED TO THE SATISFACTION OF THE ADMINISTRATION AND THE**
7 **POLITICAL SUBDIVISION.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2026.