
January 19, 2021

The Honorable Delores Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis MD 21401

Re: Letter of Support – Senate Bill 170 – Transportation-Related Property and Copper or Aluminum Items – Duties, Prohibited Acts, and Enforcement

Dear Chair Kelley and Committee Members:

The Maryland Department of Transportation (MDOT) supports Senate Bill 170 as it would assist in deterring thefts and the tampering of materials at MDOT properties and facilities.

As drafted, Senate Bill 170 implements a longer mandatory hold requirement for light and heavy copper and aluminum items prior to when a junk dealer or scrap metal processor may barter, sell, or exchange of those items and creates a prohibition on tampering with certain transportation-related property and systems and establishes penalties for violating the prohibited acts. MDOT has offered amendments that would strike the first portion of the bill, now only creating the prohibition on the tampering of materials and establishing penalties for violating certain acts. After discussions with partners and stakeholders, MDOT is in agreement that these amendments presented would meet the goals of the Department and of the legislation.

The theft of copper from MDOT lighting facilities is a chronic issue that threatens public safety of the State's highways and transportation facilities. In addition to the financial consequences of the criminal activity, the MDOT State Highway Administration (MDOT SHA) also realizes operational impacts insofar as the stolen material is essential to the completion of lighting projects and continued operation of lighting facilities throughout the State. Since December 2018, MDOT SHA has documented 48 copper wire thefts from various locations. As a result of these thefts, projects must be delayed and existing facilities chronically lack proper lighting, which jeopardizes the public's safety.

A few notable examples include a lighting upgrade at the I-695 at I-97 interchange that was delayed for approximately three months due to copper wire theft. Like other copper thefts from MDOT SHA lighting projects, this delay posed serious safety concerns for drivers, such as reduced visibility of hazards or other vehicles in the merging and waving areas. Another copper wire theft at a lighting project on I-695 at I-95 in Baltimore County caused a six-month delay in an area where traffic travels consistently at a high speed. Additionally, there have been copper thefts from MTA properties that have adversely affected the signaling and movement of Light Rail and Metro subway trains, resulting in dangerous situations. Copper thefts from communications towers have also risked widespread effect on public safety communications and result in damage to hundreds of thousands of dollars' worth of radio equipment.

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Not only do these instances create safety concerns, but the costs of replacement material can be extraordinary. In most cases, the value of the stolen copper wire amounted to a market value of well under \$10,000, but the cost to replace copper wire in a previously operable facility exceeds \$100,000 and in one case went as high as \$600,000.

Senate Bill 170 includes penalties that will aid State and local law enforcement, and ultimately prosecutors, when individuals are suspected of stealing components of these systems. This provision would set strict penalties for the tampering of MDOT's lighting facilities and transportation systems, similar to the penalties the State already has in place for the tampering of traffic control devices and railroad crossings.

For these reasons, the Maryland Department of Transportation respectfully requests the Committee grant Senate Bill 170 a favorable report.

Respectfully submitted,

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