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**MARYLAND ASPHALT ASSOCIATION**



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G. Marshall Klinefelter

March 1, 2022

Senator Delores G. Kelley, Chair  
Senate Finance Committee  
3 East Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: SB 789 – FAVORABLE – Public Utilities – Underground Facilities – One-Call System**

Dear Chair Kelley and Members of the Senate Finance Committee:

The Maryland Asphalt Association (MAA) is comprised of 18 producer members representing more than 47 production facilities, 24 contractor members, 24 consulting engineer firms and 41 other associate members. We proactively work with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

Senate Bill 789 alters elements of the Maryland Public Utilities article overseeing notification procedures when persons or entities must notify the owners of nearby facilities prior to the commencement of any excavation or demolition project so that underground facilities may be clearly marked. Specifically, it would prohibit work from starting sooner than two business days after a ticket is initiated with Maryland's one-call system, also known as Miss Utility, and would require work to start no later than twelve business days after that ticket is initiated. Senate Bill 789 would also require the notice to include a description of the extent of the work to be done in connection with the proposed excavation or demolition.

MAA's contractors and subcontractors take on great risks when entering into contracts for construction projects that often take years to complete—sometimes lasting through the volatility of one or more economic cycles. Material costs can fluctuate greatly over this time, so any significant delays to the planned construction schedule could place our member businesses in great financial risk. Senate Bill 789 sets an outside date by which excavation or demolition work must begin following the notification of Miss Utility. By offering this guarantee to our contractors and subcontractors, we are better able to support our countless construction and transportation projects that are essential to the State's entire infrastructure network.

We appreciate you taking the time to address this important issue, and we urge a favorable report on Senate Bill 789.

Thank you,

Marshall Klinefelter  
President  
Maryland Asphalt Association