



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 Transportation Builders and Materials Association (MTBMA) has been and continues to serve as the voice for Maryland's construction transportation industry since 1932. Our association is comprised of 200 members. MTBMA encourages, develops, and protects the prestige of the transportation construction and materials industry in Maryland by establishing and maintaining respected relationships with federal, state, and local public officials. We proactively work with regulatory agencies and governing bodies to represent the interests of the transportation industry and 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.

MTBMA'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,



Michael Sakata
President and CEO
Maryland Transportation Builders and Materials Association