



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 101- STATE HIGHWAY PROJECTS- REMOVAL, RELOCATION, AND ADJUSTMENT OF UTILITY
FACILITIES- NOTIFICATION, WORK PLANS, AND COMPLIANCE

FEBRUARY 15, 2024

Chair Wilson, Vice Chair Crosby, Members of the Economic Matters Committee, Chair Korman, Vice Chair Boyce, and Members of the Environment and Transportation Committee,

Utility infrastructure lines our streets and runs beneath them. Oftentimes, utilities need to be moved or changed to allow for successful completion of new traffic engineering elements. The State Highway Administration (SHA) can request the utilities to perform this work, but there are currently no requirements or incentives for them to do this work adhering to any agreed upon timeline. This lack of accountability is causing significant delays for SHA, incurring unnecessary costs for the Transportation Trust Fund, and delaying safety projects which leads to crash fatalities for drivers, cyclists, and pedestrians.

For example, the Purple Line construction project has been significantly delayed due to this issue. Utility relocation challenges have added \$14.3 million in additional costs to the project.¹

This legislation revises the Transportation Article to create a timeline for utility work and includes accountability measures for inaction.

This legislation outlines the following process for notification, work plan submission, and timelines:

- When SHA finds it is necessary to adjust a utility facility for a state highway project, they will send a letter to the relevant utility company with details on the project and a date by which the utility must submit work plans for the utility alteration.
- The utility company must return to the SHA by the specified date an acknowledgement of the request, an outline of their work plan, and a time frame for completing it.
 - If the utility fails to submit a work plan by the specified date, cost of the utility alteration falls to the utility company.
- Once the utility has SHA approval of the work plan, they have 60 days to begin work on the utility alteration.
 - If the utility doesn't meet this deadline and doesn't begin work, even after SHA sends a final notice requiring work in 10 days, SHA may seek injunctive relief.
- If no work plan is completed or work does not begin within the timeframe, the utility may be liable for costs or damages.
- For utilities subject to rate regulation, any fines may not be passed on to rate-payers.

I respectfully request a favorable report on HB 101.

¹ 2024 Legislative Session Issue Paper. Reference on page 170. [link](#)