

February 19, 2026

The Honorable Marc Korman  
Chair, House Environment and Transportation Committee  
250 Taylor House Office Building  
Annapolis, Maryland 21401

**RE: MBIA Letter of Support with Amendments HB 669 - Political Subdivisions - Third-Party Road Improvements - Satisfactory Completion**

Dear Chair Korman,

The Maryland Building Industry Association, representing 100,000 employees of the building industry across the State of Maryland, appreciates the opportunity to participate in the discussion surrounding HB669. We understand the intent and have had productive conversations with the Sponsor of the legislation. The proposal would prohibit a political subdivision from issuing a use and occupancy permit to the nongovernment holder of a permit to complete certain improvements on State roads that carry 25,000 vehicles per day until the improvement is completed to the satisfaction of the State Highway Administration and the political subdivision.

Per section 8-646 of the State Highway Access Manual, a person or entity may not do any work whatsoever within SHA right of way without a permit allowing such work. The purpose of 8-646 is as follows:

- To clarify that it is illegal for anyone to do any work within SHA ROW without a perform said work
- To ensure that the work meets the standards established by the State and is performed in an acceptable fashion under the State's supervision.

The sole purpose of 8-646 is to ensure that no one does any work in SHA's right of way without approval and to make sure it meets standards and is appropriately bonded. The code allows SHA to govern and manage any and all work within SHA right of way. SHA has no authority over use and occupancy permits and U&O's should not be lumped into this legislation as it has no bearing on work within SHA ROW, and SHA does not manage U&O permits.

Further, once the improvement (ie.. the work within SHA right of way) is bonded and permitted. It is standard practice in all Adequate Public Facilities ordinances statewide to be considered a background development. Once SHA has the performance bond, they can call the bond if needed to ensure the work is completed properly. There may be some instances where the improvements may take longer than

desired, but typically there are extenuating circumstances, and if SHA is having a problem with lack of performance on a particular permit then they should call the bond as needed.

To apply a statewide mandate on all permits would likely result in unintended circumstances and cause unnecessary problems. If this is being proposed to address one situation, we would suggest that SHA should address that problem rather than applying a blanket approach that could cause conflicts with local policies and other unforeseen consequences.

We look forward to working with the Sponsor to find solutions to the issue that SB669 seeks to address.

For more information about this position, please contact Lori Graf at 410-800-7327 or [lgraf@marylandbuilders.org](mailto:lgraf@marylandbuilders.org).

cc: Members of the House Environment and Transportation Committee