



Delegate Melissa Wells, Chair  
142 Lowe House Office Building  
6 Bladen Street  
Annapolis, MD 21401

February 19, 2026

**RE: HB 864 – UNFAVORABLE – Public Works Contracts – Apprenticeship Requirements (Maryland Workforce Apprenticeship Utilization Act)**

Dear Chair Wells and Members of the 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 250 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.

House Bill 864 would set apprenticeship mandates for contractors and subcontractors working on covered public construction projects to 20 percent, and then allow the Secretary of Labor discretion to set a different percentage each subsequent year.

HB 864 turns apprenticeship goals into rigid mandates that risk shrinking bidder pools, raising costs, and sidelining qualified contractors. The bill ties compliance almost exclusively to registered apprenticeship ratios, which in Maryland are largely union-sponsored. Rigid ratios do not reflect real-world labor availability by trade, region, or project phase. This puts small, specialty, minority, and emerging contractors most at risk of being excluded. Moreover, the Expanded Reporting and False Claims Act exposure turns workforce compliance into punitive liability. MTBMA is asking to restore the contribution option so contractors can support apprenticeship programs when ratios cannot be met due to labor availability and add a labor availability safe harbor with clear waiver standards based on good-faith recruitment, which include explicit protection for small, minority, and emerging contractors.

Based on our concerns, we respectfully request an unfavorable report on HB 864.

Thank you,

A handwritten signature in black ink, appearing to read "Michael Sakata", is written over a thin, light-colored line.

Michael Sakata  
President and CEO  
Maryland Transportation Builders and Materials Association