



## Senate Bill 258

### *Real Property - Dedication - Roads*

MACo Position: **OPPOSE**

To: Judicial Proceedings Committee

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From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **OPPOSES** SB 258. This bill would require that a private road be deemed “dedicated to and accepted by” a county if: (1) the road has been open to the public for 20 years, and (2) at any point during that period, the county performed any maintenance or repair on the road. In effect, even limited county work on a private road could trigger permanent county ownership and long-term maintenance responsibility.

Counties already maintain roughly 83% of Maryland’s roadway network, even as the local share of Highway User Revenues has eroded for decades. SB 258 would further strain county transportation budgets by creating a pathway for potentially significant mileage of private roads to become county obligations, without a corresponding, reliable funding source.

As originally drafted, the bill’s fiscal note indicates that both state and local expenditures could increase substantially as unknown miles of private roads could shift to government responsibility. The State Highway Administration estimates that pavement reconstruction may exceed \$1 million per lane mile for a two-lane residential roadway, while resurfacing can cost approximately \$310,000 per lane mile. Routine maintenance costs are estimated at \$11,700 per year per lane mile. These same cost pressures that could fall to the State would also fall to county governments.

Amendments currently under consideration would exempt the State from these requirements while leaving the mandate in place for local governments. Without significant State investment in local roads, counties cannot absorb the financial and operational burden this bill would impose.

SB 258 creates a major unfunded mandate and would overextend county transportation resources to an unsustainable degree. Accordingly, MACo urges the Committee to issue an **UNFAVORABLE** report for SB 258.