

Chapter 281

(House Bill 854)

AN ACT concerning

State Highway Administration – Relocation of Water or Sewer Lines – Cost Sharing

FOR the purpose of requiring the State Highway Administration to notify the political subdivision or agency that owns a water or sewer line that must be relocated due to a federal project of the cost of the relocation; requiring the Administration to ~~develop a plan to share the cost of the relocation with the political subdivision or agency that owns the water or sewer line as part of the cost of the federal project~~ investigate funding sources to help the political subdivision or agency that owns the utility to meet its share of the cost of relocating the water or sewer line and, if needed, to develop a payment plan; and generally relating to sharing the cost of relocating water or sewer lines of a publicly owned utility due to certain highway projects.

BY adding to
Article – Transportation
Section 8–657
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Transportation

8–657.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “FEDERAL FACILITY” INCLUDES:

(I) AN INSTALLATION OF THE ARMED FORCES OF THE UNITED STATES; AND

(II) ANY PROPERTY OWNED OR LEASED BY AN AGENCY OF THE UNITED STATES.

(3) “FEDERAL PROJECT” MEANS A STATE HIGHWAY PROJECT THAT IS:

(I) FINANCED IN WHOLE OR IN PART WITH FEDERAL FUNDS;
AND

(II) DESIGNED TO ENHANCE ACCESS TO A FEDERAL FACILITY.

(4) "PUBLICLY OWNED UTILITY" MEANS A UTILITY OWNED OR OPERATED BY A POLITICAL SUBDIVISION OF THE STATE OR BY A PUBLIC AGENCY CREATED UNDER THE LAWS OF THE STATE.

(5) "RELOCATE" INCLUDES TO REALIGN, RAISE, LOWER, REBUILD, OR REMOVE.

(B) IF, DUE TO A FEDERAL PROJECT, IT IS NECESSARY TO RELOCATE ANY WATER OR SEWER LINE OF A PUBLICLY OWNED UTILITY, THE ADMINISTRATION SHALL:

(1) NOTIFY THE POLITICAL SUBDIVISION OR AGENCY THAT OWNS THE UTILITY OF THE ESTIMATED COST OF RELOCATING THE WATER OR SEWER LINE; AND

~~(2) DEVELOP A PLAN TO SHARE THE COST OF THE RELOCATION WITH THE POLITICAL SUBDIVISION OR AGENCY THAT OWNS THE UTILITY AS PART OF THE COST OF THE FEDERAL PROJECT.~~

(2) INVESTIGATE FUNDING SOURCES TO HELP THE POLITICAL SUBDIVISION OR AGENCY THAT OWNS THE UTILITY TO MEET ITS SHARE OF THE COST OF RELOCATING THE WATER OR SEWER LINE AND, IF NEEDED, TO DEVELOP A PAYMENT PLAN.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved by the Governor, April 26, 2016.