



## **Maryland Underground Facilities Damage Prevention Authority**

Thursday, June 15, 2017

9:00 AM

The Miss Utility One Call Center  
Lower Level Conference Room 103  
7223 Parkway Drive  
Hanover, MD 21076

### **AGENDA**

1. Call to Order
2. Introductions
3. Approval of June 1, 2017 Minutes
4. Review and Approval of changes agreed to at the June 1, 2017 meeting (noted in italicized red on the working copy of Title 12).
5. Anticipated subsections to be covered in the June 15, 2017 meeting

#### **§12-103 – Scope of Subtitle**

The homeowner exemption is going to have to be addressed per PHMSA

#### **§12-112 – Enforcement**

Do we need to address giving the Authority, it's employees, Authority members, or other subscriber personnel the power and authority to stop someone from performing an excavation or demolition if they do not have an active valid Miss Utility Ticket and require the Authority to file a Formal Complaint against the violator?

#### **§12-113 – Hearing Procedure**

Under (c) should subpoena powers be expanded to include documents?

If a subpoena is issued for a probable violator to appear before the Authority for a hearing, the probable violator does not appear, the hearing is held and a decision is rendered against the Probable Violator; should the Authority have legislative authority to collect fines through the Civil Court system if the probable violator does not pay the fine within the designated time period.

Should the Authority have the legislative authority to charge attorney fees and interest on unpaid balances?

Should the Authority have the legislative authority to charge the losing party in a hearing all processing costs for that hearing?

### **§12-117 – Fund Established**

Should the use of funds in the Maryland Underground Facilities Damage Prevention Education and Outreach Fund be expanded to include certain Authority expenses?

### **§12-121 – Emergency Excavation and Demolition**

There appears to be continued abuse of the Emergency Ticket. This section ought to be looked at for possible changes to curb that abuse.

We need to look at requiring a quicker response by facility owners/marketing companies to an Emergency Ticket. Right now the statute doesn't address it so the normal 2-day response is permitted. We need to look at a 2-hour to 4-hour required response/marketing. This should be applied to Re-Mark /Tickets and/or Repeat Notifications as well.

#### 6. Future Meeting Dates

July 13, 2017 at 9:00 AM