

CHAPTER 184

(House Bill 616)

AN ACT to repeal and re-enact, with amendments, Section 54A of Article 78 of the Annotated Code of Maryland (1969 Replacement Volume), title "Public Service Commission Law," subtitle "Public Service Companies," subheading "Gas and Electric Companies," *TO REQUIRE CONSIDERATION OF AVIATION SAFETY FACTORS AND* prohibiting the construction of certain electric utility lines within a mile of either end of any public airport runway.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 54A of Article 78 of the Annotated Code of Maryland (1969 Replacement Volume), title "Public Service Commission Law," subtitle "Public Service Companies," subheading "Gas and Electric Companies," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

54A.

No electric company may begin the construction in Maryland of a generating station or any overhead transmission line designed to carry a voltage in excess of 69,000 volts, or exercise the right of eminent domain in connection therewith, without having first obtained from the Commission a certificate of public convenience and necessity for the construction of the station or line. The Commission shall hold a public hearing on each application for a certificate of public convenience and necessity in the area in which any portion of the construction of a generating station or an overhead transmission line designed to carry a voltage in excess of 69,000 volts is proposed to be located, together with the local governing bodies of each such area, unless any governing body wishes not to participate in the hearing. The Commission shall take final action only after due consideration of the recommendations of such governing bodies, the need to meet present and future demands for service, effect on system stability and reliability, economics, esthetics, historic sites, *AVIATION SAFETY AS DETERMINED BY THE STATE AVIATION COMMISSION AND THE ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION*, and, when applicable, the effect on air and water pollution. The said public hearing shall be advertised in a newspaper of general circulation in the area affected once in each of the two successive weeks immediately prior to the hearing. *In no event shall an electric company construct, or be authorized by the Commission to construct, such an overhead transmission line IN LINE WITH, AND within one mile of, either end of any public airport runway. A PRIVATELY OWNED AIRPORT RUNWAY SHALL QUALIFY AS A PUBLIC AIRPORT RUNWAY WITHIN THE MEANING OF THIS SECTION ONLY WHEN IT SHALL HAVE BEEN ON FILE WITH THE FEDERAL AVIATION ADMINISTRATION FOR A PERIOD OF TWO YEARS AS BEING OPEN TO THE PUBLIC WITHOUT RESTRICTION.*

SEC. 2. *And be it further enacted,* That this Act shall take effect July 1, 1970.

Approved April 15, 1970