

Public Service Commission Law, of the Annotated Code of Maryland (1969 Replacement Volume and 1974 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article 78 - Public Service Commission Law

28A.

(c) (3) If it is determined by a public service company that a proposed excavation[,] is planned within five feet of an underground facility as measured in the horizontal plane, and if a proposed excavation, by blasting, is planned in such proximity to the underground facility that the facility may be destroyed, damaged, dislocated or disturbed, the public service company shall notify the person who proposes to excavate and shall mark the horizontal location of the underground facility on the ground to within three feet on either side of the underground facility by means of stakes, paint, or other suitable means within two business days after the request. In the case of extraordinary circumstances, if the public service company cannot mark the location within two business days, the company shall notify the person who proposes to excavate and shall, in addition, notify the person of the date and time when the location will be marked.

(4) If the public service company has no underground facility in the area of the proposed excavation or if it is determined that a proposed excavation[,] is not planned within five feet of an underground facility as measured in the horizontal plane, and if a proposed excavation, by blasting or other means, is not planned in such proximity to the public service company's underground facility that the facility may be damaged, the public service company shall advise the person who proposes to excavate that marking is unnecessary.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1975.

Approved April 8, 1975.

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CHAPTER 212

(House Bill 323)