

BY repealing and reenacting, with amendments,

Article - Public Utility Companies

Section 13-203

Annotated Code of Maryland

(1998 Volume)

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

Article - Public Utility Companies

13-203.

(a) A gas company or gas master meter operator that violates any of the Commission's standards of safe service or other regulation related to safety adopted under § 5-101 of this article is subject to a civil penalty determined by the Commission that does not exceed THE MAXIMUM PENALTIES PROVIDED IN TITLE 49, CHAPTER 601 OF THE U.S. CODE (FEDERAL NATURAL GAS PIPELINE SAFETY ACT):

(1) ~~[\$10,000]~~ ~~\$25,000~~ for each violation for each day or part of a day that the violation continues; and

(2) ~~\$500,000~~ for a related series of violations.

(b) Within 30 days after the date of notification of the determination, the gas company or gas master meter operator involved may request reconsideration to obtain a compromise.

(c) In determining the amount of a civil penalty or compromise, the Commission shall consider the:

(1) appropriateness of the penalty to the size of the gas company or gas master meter operator;

(2) gravity of the current violation; and

(3) good faith of the gas company or gas master meter operator in attempting to achieve compliance after notification of the violation.

(d) The amount of the penalty, when finally determined or agreed on in compromise, may be:

(1) deducted from any amount that the State owes to the gas company or gas master meter operator; or

(2) recovered in a civil action in State court.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved April 27, 1999.