

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

Article 24 - Political Subdivisions - Miscellaneous Provisions

TITLE 5. STREET LIGHTING EQUIPMENT.

5-101.

(A) IN THIS SECTION, "ELECTRIC COMPANY" HAS THE ~~SAME MEANING AS PROVIDED~~ MEANING STATED IN § 1-101 OF THE PUBLIC UTILITY COMPANIES ARTICLE.

(B) ON WRITTEN REQUEST BY A LOCAL GOVERNMENT, AN ELECTRIC COMPANY SHALL SELL TO THE LOCAL GOVERNMENT SOME OR ALL OF THE ELECTRIC COMPANY'S EXISTING STREET LIGHTING EQUIPMENT THAT IS LOCATED WITHIN THE LOCAL JURISDICTION.

(C) IF THE LOCAL GOVERNMENT PURCHASES STREET LIGHTING EQUIPMENT FROM AN ELECTRIC COMPANY, THE LOCAL GOVERNMENT SHALL PAY TO THE ELECTRIC COMPANY THE FAIR MARKET VALUE OF THE STREET LIGHTING EQUIPMENT.

(D) A LOCAL GOVERNMENT THAT PURCHASES THE STREET LIGHTING EQUIPMENT IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE STREET LIGHTING EQUIPMENT AND MAY CONTRACT WITH AN OUTSIDE ENTITY FOR THE MAINTENANCE OF THE STREET LIGHTING EQUIPMENT.

(E) (1) ANY PERSON WHO CONTROLS THE RIGHT TO USE SPACE ON ANY POLE, LAMPOST, OR OTHER MOUNTING SURFACE PREVIOUSLY USED IN THE LOCAL JURISDICTION BY THE ELECTRIC COMPANY FOR STREET LIGHTING EQUIPMENT SHALL ALLOW A LOCAL GOVERNMENT THAT HAS PURCHASED THE STREET LIGHTING EQUIPMENT TO ASSUME THE RIGHTS AND OBLIGATIONS OF THE ELECTRIC COMPANY WITH RESPECT TO THE SPACE FOR THE UNEXPIRED TERM OF ANY LEASE OR OTHER AGREEMENT UNDER WHICH THE ELECTRIC COMPANY USED THE SPACE.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE LOCAL GOVERNMENT MAY NOT RESTRICT OR PROHIBIT UNIVERSAL ACCESS FOR ELECTRICITY OR ANY OTHER SERVICE BY ASSUMING THE RIGHTS AND OBLIGATIONS OF AN ELECTRIC COMPANY AS TO SPACE ON ANY POLE,