

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 431 (Montgomery County Delegation)
Economic Matters

**Montgomery County - Interference With Electric Company's Vegetation
Management Compliance - Exemption
MC 10-21**

This bill exempts local governments in Montgomery County from the general prohibition against local preemption of specified State vegetation management standards. Specifically, the prohibition against a local government adopting or enforcing a local law, rule, or regulation or taking any other action that interferes with or materially increases the cost of the work of an electric company toward compliance with the State vegetation management standards adopted by the Public Service Commission (PSC) does not apply in Montgomery County.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations.

Local Effect: Montgomery County and its municipalities are authorized to adopt or enforce certain local laws, rules, or regulations related to vegetation management; nevertheless, the bill is not anticipated to materially affect local government finances or operations.

Small Business Effect: Minimal.

Analysis

Current Law: PSC is required to adopt regulations implementing service quality and reliability standards for the delivery of electricity to retail customers by electric companies. The resulting regulations set minimum reliability standards for each electric company

based on past performance, established a mandatory annual performance reporting system, and mandated vegetation management, among other requirements. A county or municipality is prohibited from adopting or enforcing a local law, rule, or regulation or taking any other action that interferes with or materially increases the cost of the work of an electric company toward compliance with the vegetation management standards adopted by PSC.

Electric company vegetation management programs must address several technical requirements such as tree pruning and removal; vegetation management around poles, substations, and overhead lines; vegetation management along rights-of-way; inspection of vegetation management; public education and notice; and debris management. Electric companies must determine the extent and priority of vegetation management at a site based on several factors, such as the relative importance of the affected conductor in maintaining reliable and safe power, the company's legal rights to access the area where vegetation management is to be performed, State and local laws and regulations that affect vegetation management at the site, and customer acceptance of vegetation management at the site.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Public Service Commission; Office of People's Counsel; Montgomery County; Department of Legislative Services

Fiscal Note History: First Reader - January 31, 2021
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