

<b>F R O M</b>	NAME & TITLE	Steve Sharkey, Director	<b>CITY of BALTIMORE  M E M O</b>	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Resolution 21-0076R		

TO: Mayor Brandon M. Scott  
TO: Economic and Community Development Committee  
FROM: Department of Transportation  
POSITION: **No Objection**  
RE: Council Resolution – 21-0076R

DATE: 1/24/22

**INTRODUCTION** – Investigative Hearing - Baltimore Gas & Electric Decision Making

**PURPOSE/PLANS** – For the purpose of requesting leadership from Baltimore Gas & Electric (“BGE”) and the Director of the Department of Transportation come before the City Council and answer specific questions regarding BGE’s planned and emergency work in right-of-way areas, including operations and permitting protocols, communication with neighborhood associations, residents, business owners, and vehicle drivers, and coordination in effective traffic routing with City Council members and the Department of Transportation, as well as other relevant agencies.

**COMMENTS** – Council Resolution 21-0076R calls on leadership from BGE and Baltimore City Department of Transportation (DOT) to report before the City Council to participate in a public hearing focused on utility work conducted in the City’s public right-of-way (ROW). DOT is the municipal agency tasked with managing and overseeing the City’s public ROW, specifically Article 26, Subtitle 15 for utility work involving street cuts. In addition to necessary surface-level infrastructure such as sidewalks, alleys, roads, traffic signals, and light poles – the City’s public ROW is also home to a significant amount critical subsurface infrastructure that is maintained by a variety of public and private entities. Examples of critical subsurface infrastructure include DOT’s network of municipal conduit, DPW’s water, sewer and stormwater lines, instances of privately-owned conduit, and BGE’s network of gas lines. Both BGE and DPW have authority to conduct emergency repairs to subsurface infrastructure, providing utilities the opportunity to address problems before they become hazardous or contribute to broader service disruptions.

In recent years, both BGE and DPW have increased efforts to modernize their aging subsurface pipes and lines. Combined with increasing rates of development across Baltimore City, DOT is now issuing over 10,000 street cuts permits resulting in over 20,000 cuts annually. The number of issued street cuts permits has remained relatively constant in recent years, though the actual number of streets has increased significantly, with BGE representing roughly 50% of growth. It is worth noting that blanket permits allow for multiple street cuts per permit issued. To help mitigate the impact and disruption of necessary utility street cuts, DOT has taken the following actions:

- DOT has updated the agency’s Street Cuts Policy and posted for a 30-day public comment period on January 21, 2022. The draft policy:
  - Is formatted to APA standards;
  - Provides process for backfilling trench repairs, reducing the potential for hazards that may result in injuries and property damage;
  - Improves rules to address soil settlement—a problem associated with street cuts—that results in uneven pavement, sink holes, potholes and other conditions causing the restoration to fail; and
  - Strengthens standards for permanent pavement restoration.

- DOT has updated the agency's Street Cuts Permit to further emphasize compliance with the Americans with Disabilities Act and maintenance of traffic requirements for impacted sidewalks and bike lanes.
- DOT's Maintenance Division and Traffic Division are developing a curriculum that will be utilized to train existing staff to become ROW Inspectors.
  - Additional inspection capacity will help DOT further regulate street cuts in public ROW, building upon the roughly \$900,000 in street cut-related fines issued during calendar year 2021.
- DOT will continue to participate in monthly utility meetings with both BGE and DPW and each entity will continue to utilize the Envista portal to flag potential utility conflicts prior to the beginning of DOT capital projects.
  - DOT also holds a separate monthly meeting with BGE leadership to discuss ongoing projects and issues, including street cuts.

**AGENCY/DEPARTMENT POSITION** – The Baltimore City Department of Transportation looks forward to participating in this important discussion and has **no objection** to Council Resolution 21-0076R.

If you have any questions, please do not hesitate to contact Liam Davis at [Liam.Davis@baltimorecity.gov](mailto:Liam.Davis@baltimorecity.gov) or at 410-545-3207.

Sincerely,

Steve Sharkey  
Director