

HOUSE BILL 67

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R4

2003 Regular Session
(31r0665)

ENROLLED BILL

-- Environmental Matters/Judicial Proceedings --

Introduced by **Delegates Conway, Bartlett, Bohanan, Bozman, Cadden, G. Clagett, Donoghue, Glassman, Heller, James, Krysiak, Malone, Moe, Owings, Parrott, Rudolph, and Stull**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER 274

1 AN ACT concerning

2 **Vehicle Laws - Firefighters and Other Emergency Services Personnel -**
3 **Exemption from Driver ~~License~~ Licensing Requirements**

4 FOR the purpose of exempting a member or employee of a fire department, rescue
5 squad, emergency medical services unit, or volunteer fire company from certain
6 driver licensing requirements if the member or employee is driving an
7 emergency vehicle under certain circumstances; requiring the Motor Vehicle
8 Administration, in consultation with certain persons, to adopt regulations that
9 establish certain training and testing requirements; making a stylistic change;
10 and generally relating to an exemption for certain members or employees of fire
11 departments, rescue squads, emergency medical services units, or volunteer fire
12 companies from certain driver licensing requirements.

13 BY repealing and reenacting, with amendments,
14 Article - Transportation

1 Section ~~16-102(a)~~ 16-102
2 Annotated Code of Maryland
3 (2002 Replacement Volume)

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

6 **Article - Transportation**

7 16-102.

8 (a) The licensing requirements of this title do not apply to:

9 (1) An officer or employee of the United States while driving on official
10 business a motor vehicle other than a commercial motor vehicle owned or operated by
11 the United States;

12 (2) Except for members elected from this State, a member of the United
13 States Congress who resides in this State during his term of office in the Congress;

14 (3) An individual while driving any road machine, farm tractor, or farm
15 equipment temporarily driven on a highway in this State, or dock equipment at
16 Dundalk or Locust Point marine terminals which does not require registration under
17 the provisions of this article;

18 (4) An individual who, while driving a mobile crane on a highway to or
19 from a construction site in this State, has with him a valid Class A, B, C, or D license
20 issued to him under § 16-104 of this [title] SUBTITLE or a Class A or B commercial
21 driver's license issued to him under this title;

22 (5) A nonresident student enrolled in an accredited school, college, or
23 university of this State or of a bordering state or serving a medical internship in this
24 State, if:

25 (i) The state of which the student is a resident extends the same
26 privileges to the residents of this State;

27 (ii) The student has with him a license to drive issued to him by the
28 state of which he is a resident; and

29 (iii) The license authorizes the student to drive in the state of which
30 he is a resident vehicles of the class he is driving in this State;

31 (6) A new resident of this State during the first 60 days of residency, if:

32 (i) The individual has a valid license issued by the state of which
33 the individual formerly was a resident;

34 (ii) The license authorizes the individual to drive in the state of
35 former residence vehicles of the class the individual is driving in this State; and

1 (iii) The individual is at least the same age as that required for a
2 resident to drive a vehicle of the same class the individual is driving in this State;

3 (7) A member of the armed forces of the United States or of the United
4 States Public Health Service who is serving on active duty and any dependent of the
5 member, if:

6 (i) The driver has with him a license to drive issued to him by his
7 state of domicile; and

8 (ii) The license authorizes the driver to drive in his state of domicile
9 vehicles of the class he is driving in this State;

10 (8) For not more than 30 days after he returns to the United States, a
11 member of the armed forces of the United States who is returning from active duty
12 outside the United States and any dependent of the member who is returning from
13 residence with the member outside the United States; if:

14 (i) The driver has with him a license to drive issued to him by the
15 armed forces of the United States in a place outside the United States; and

16 (ii) The license authorizes the driver to drive vehicles of the class he
17 is driving in this State;

18 (9) A nonresident of this State if:

19 (i) He has with him a license to drive issued to him by the state of
20 his residence;

21 (ii) His license authorizes him to drive in that state vehicles of the
22 class he is driving in this State; and

23 (iii) He is at least the same age as that required of a resident for the
24 vehicle he is driving in this State;

25 (10) A nonresident of the United States if:

26 (i) The individual has a valid license to drive issued to the
27 individual by the country of residence;

28 (ii) The individual's license authorizes him to drive in that country
29 vehicles of the class he is driving in this State;

30 (iii) The individual is at least the same age as that required of a
31 resident for the vehicle he is driving in this State; and

32 (iv) Except as provided for in Subtitle 8 of this title, the vehicle is
33 not a commercial motor vehicle; [and]

34 (11) A member of the Maryland National Guard if:

1 (i) The driver is driving a military vehicle in the performance of
2 duty; and

3 (ii) The driver has with him an operator's identification card issued
4 by the Maryland National Guard for the type of military vehicle being driven[.]; AND

5 (12) A MEMBER OR EMPLOYEE OF A FIRE DEPARTMENT, RESCUE SQUAD,
6 EMERGENCY MEDICAL SERVICES UNIT, OR VOLUNTEER FIRE COMPANY WHILE
7 DRIVING AN EMERGENCY VEHICLE IF THE DRIVER:

8 (I) HOLDS A VALID CLASS C LICENSE ISSUED TO THE DRIVER
9 UNDER ~~§ 16-104~~ § 16-104.1 OF THIS SUBTITLE;

10 (II) HAS BEEN AUTHORIZED BY THE ~~AUTHORITY JURISDICTION~~
11 POLITICAL SUBDIVISION THAT OPERATES A FIRE DEPARTMENT, RESCUE SQUAD,
12 EMERGENCY MEDICAL SERVICES UNIT, OR VOLUNTEER FIRE DEPARTMENT TO
13 OPERATE THE TYPE OF EMERGENCY VEHICLE BEING DRIVEN; AND

14 (III) IS DRIVING THE EMERGENCY VEHICLE IN THE PERFORMANCE
15 OF THE OFFICIAL DUTIES OF THE DRIVER IN OR OUT OF THIS STATE.

16 (b) (1) THE ADMINISTRATION SHALL ADOPT REGULATIONS THAT
17 ESTABLISH MANDATORY TRAINING AND TESTING REQUIREMENTS AN AUTHORITY
18 JURISDICTION THAT A POLITICAL SUBDIVISION THAT OPERATES A FIRE
19 DEPARTMENT, RESCUE SQUAD, EMERGENCY MEDICAL SERVICES UNIT, OR
20 VOLUNTEER FIRE DEPARTMENT MUST IMPLEMENT BEFORE THE AUTHORITY
21 JURISDICTION POLITICAL SUBDIVISION MAY AUTHORIZE AN INDIVIDUAL TO
22 OPERATE AN EMERGENCY VEHICLE IN ACCORDANCE WITH SUBSECTION (A)(12) OF
23 THIS SECTION.

24 (2) THE ADMINISTRATION SHALL ADOPT THE REGULATIONS REQUIRED
25 UNDER THIS SUBSECTION IN CONSULTATION WITH:

26 (I) THE MARYLAND FIREMEN'S ASSOCIATION;

27 (II) THE MARYLAND FIRE CHIEF'S ASSOCIATION;

28 (III) THE PROFESSIONAL FIREFIGHTERS ASSOCIATION OF
29 MARYLAND;

30 (IV) THE METROPOLITAN FIRE CHIEF'S COUNCIL; AND

31 (V) THE MARYLAND FIRE AND RESCUE INSTITUTE OF THE
32 UNIVERSITY OF MARYLAND.

33 (C) An individual who is subject to the provisions of this section and who fails
34 to comply with the provisions of this section is guilty of a misdemeanor.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
36 effect October 1, 2003.

