

HOUSE BILL 431

C5

11r1884
CF SB 402

By: **Delegates Love, Barnes, Beidle, Costa, George, Kipke, Pena–Melnik, and Sophocleus**

Introduced and read first time: February 4, 2011

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Carrier Companies – Local Public Transportation Systems –**
3 **Exemption from Motor Carrier Permit Requirement**

4 FOR the purpose of providing that a motor carrier permit is not required for a local
5 public transportation system established under a law enacted by the local
6 governing body of a county or municipal corporation; repealing certain
7 exemptions for particular counties; and generally relating to motor carriers and
8 motor carrier permits.

9 BY repealing and reenacting, with amendments,
10 Article – Public Utilities
11 Section 9–201
12 Annotated Code of Maryland
13 (2010 Replacement Volume)

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

16 **Article – Public Utilities**

17 9–201.

18 (a) Except as provided in subsection (b) of this section, a motor carrier permit
19 is required for a passenger motor vehicle used in the transportation of persons for hire.

20 (b) A motor carrier permit is not required for:

21 (1) a motor vehicle used exclusively for the transportation of pupils to
22 and from public or private schools;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) a motor vehicle operated for a period of not more than 3 months in
2 any registration year in the transportation of persons employed at a cannery located in
3 a county;

4 (3) taxicabs;

5 (4) public transportation for hire authorized to operate on the
6 boardwalk in Ocean City;

7 (5) a vanpool operation as defined in § 11-175.1 of the Transportation
8 Article;

9 [(6) the public transportation system for Washington County
10 established under § 1-603 of the Code of Public Local Laws of Washington County,
11 Article 22 of the Code of Public Local Laws of Maryland;

12 (7) the public transportation system for Allegany County established
13 under § 23-24 of the Code of Public Local Laws of Allegany County, Article 1 of the
14 Code of Public Local Laws of Maryland;

15 (8) the public transportation system for Frederick County established
16 by the Board of County Commissioners for Frederick County;]

17 **(6) A LOCAL PUBLIC TRANSPORTATION SYSTEM ESTABLISHED**
18 **UNDER A LAW ENACTED BY THE LOCAL GOVERNING BODY OF A COUNTY OR**
19 **MUNICIPAL CORPORATION; or**

20 **[(9)] (7)** shuttle bus service operated by the University of Maryland,
21 College Park for students enrolled at the University of Maryland, College Park and, in
22 exchange for payment by the municipal corporation in which the University of
23 Maryland, College Park is located, transportation service on the shuttle bus to
24 residents of the municipal corporation.

25 (c) The public duties of a common carrier may not be imposed on a person
26 with respect to a vehicle for which a motor carrier permit is required under this
27 section, if the vehicle is not actually engaged in public transportation.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2011.