

# HOUSE BILL 1005

C5, F2  
HB 537/10 – ECM

11r0427

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By: **Prince George's County Delegation**

Introduced and read first time: February 11, 2011

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 27, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Utility Companies – University of Maryland, College Park Bus Service**  
3 **– Motor Carrier Permit Exemption – ~~Removal~~ Extension of Sunset**

4 **PG 403–11**

5 FOR the purpose of providing that a motor carrier permit is not required for a shuttle  
6 bus service operated by the University of Maryland, College Park for its  
7 students that is also used to provide, in exchange for payment by the municipal  
8 corporation in which the University of Maryland, College Park operates shuttle  
9 bus service, transportation service to the residents of the municipal corporation;  
10 ~~removing extending to a certain date the termination provision applicable to a~~  
11 ~~certain motor carrier permit exemption relating to bus service provided by the~~  
12 ~~University of Maryland, College Park; requiring the Department of~~  
13 ~~Transportation Services in the University of Maryland, College Park, in~~  
14 ~~consultation with the Public Service Commission, to report certain information~~  
15 ~~to certain committees of the General Assembly on or before a certain date; and~~  
16 generally relating to bus service provided by the University of Maryland,  
17 College Park to its students and to the residents of a certain municipal  
18 corporation.

19 BY repealing and reenacting, with amendments,  
20 Article – Public Utilities  
21 Section 9–201  
22 Annotated Code of Maryland  
23 (2010 Replacement Volume)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,  
2 Chapter 346 of the Acts of the General Assembly of 2008  
3 Section 3

4 BY repealing and reenacting, with amendments,  
5 Chapter 347 of the Acts of the General Assembly of 2008  
6 Section 3

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

9 **Article – Public Utilities**

10 9–201.

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

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

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

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

19 (3) taxicabs;

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

22 (5) a vanpool operation as defined in § 11–175.1 of the Transportation  
23 Article;

24 (6) the public transportation system for Washington County  
25 established under § 1–603 of the Code of Public Local Laws of Washington County,  
26 Article 22 of the Code of Public Local Laws of Maryland;

27 (7) the public transportation system for Allegany County established  
28 under § 23–24 of the Code of Public Local Laws of Allegany County, Article 1 of the  
29 Code of Public Local Laws of Maryland;

30 (8) the public transportation system for Frederick County established  
31 by the Board of County Commissioners for Frederick County; or

1 (9) shuttle bus service operated by the University of Maryland,  
2 College Park for students enrolled at the University of Maryland, College Park and, in  
3 exchange for payment by [the] A municipal corporation in which the University of  
4 Maryland, College Park [is located] OPERATES SHUTTLE BUS SERVICE,  
5 transportation service on the shuttle bus to residents of the municipal corporation.

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

### 9 Chapter 346 of the Acts of 2008

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 July 1, 2008. ~~It shall remain effective for a period of 3~~ 6 years and, at the end of June  
12 30, ~~2011~~ 2014, with no further action required by the General Assembly, this Act shall  
13 be abrogated and of no further force and effect.}

### 14 Chapter 347 of the Acts of 2008

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 July 1, 2008. ~~It shall remain effective for a period of 3~~ 6 years and, at the end of June  
17 30, ~~2011~~ 2014, with no further action required by the General Assembly, this Act shall  
18 be abrogated and of no further force and effect.}

19 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1,  
20 2013, the Department of Transportation Services in the University of Maryland,  
21 College Park, in consultation with the Public Service Commission, shall report to the  
22 Senate Finance Committee and the House Economic Matters Committee, in  
23 accordance with § 2-1246 of the State Government Article, on the operations of the  
24 University of Maryland, College Park shuttle bus service and the provision of  
25 transportation services for residents of the municipal corporations in which the shuttle  
26 bus service operates, including:

27 (1) local resident ridership levels;

28 (2) applicable vehicle safety, maintenance, and inspection standards,  
29 whether self-imposed or imposed by a third party, including a governmental unit;

30 (3) incidents arising from shuttle bus service operations that resulted  
31 in actual or potential liability for the University or a municipal corporation for which  
32 the University provides transportation service;

33 (4) any indemnification agreements between the University and  
34 participating municipal corporations; and

1                   (5) the details of any insurance policies held by the University or  
2 self-insurance plans to cover losses arising from the University's shuttle bus  
3 operations.

4                   SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take  
5 effect June 1, 2011.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.