

# SENATE BILL 402

C5

(11r1986)

## ENROLLED BILL

— Finance/Economic Matters —

Introduced by ~~Senator Glassman~~ Senators Glassman and Pugh

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.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

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; providing that a motor  
7 carrier permit is not required for a motor vehicle used by a privately owned  
8 transportation company exclusively to provide transportation system services  
9 under a certain contract; requiring a certain privately owned transportation  
10 company to obtain a motor carrier permit for certain motor vehicles under  
11 certain circumstances; repealing certain exemptions for particular counties; and  
12 generally relating to motor carriers and motor carrier permits.

13 BY repealing and reenacting, with amendments,  
14 Article – Public Utilities

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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.

*Italics indicate opposite chamber/conference committee amendments.*



Section 9–201 *and 9–207*  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Article – Public Utilities**

9–201.

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

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

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

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

(3) taxicabs;

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

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

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

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

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

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

1            **[(9)] (7) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A**  
2 **MOTOR VEHICLE USED BY A PRIVATELY OWNED TRANSPORTATION COMPANY**  
3 **EXCLUSIVELY TO PROVIDE TRANSPORTATION SYSTEM SERVICES UNDER A**  
4 **CONTRACT WITH THE GOVERNING BODY OF A COUNTY OR MUNICIPAL**  
5 **CORPORATION OR WITH A UNIT OF STATE GOVERNMENT; OR**

6            **(8)** shuttle bus service operated by the University of Maryland,  
7 College Park for students enrolled at the University of Maryland, College Park and, in  
8 exchange for payment by the municipal corporation in which the University of  
9 Maryland, College Park is located, transportation service on the shuttle bus to  
10 residents of the municipal corporation.

11            **(C) A PRIVATELY OWNED TRANSPORTATION COMPANY THAT PROVIDES**  
12 **TRANSPORTATION SYSTEM SERVICES UNDER A CONTRACT WITH THE**  
13 **GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION OR WITH A UNIT**  
14 **OF STATE GOVERNMENT SHALL OBTAIN A MOTOR CARRIER PERMIT FOR MOTOR**  
15 **VEHICLES THAT THE COMPANY DOES NOT USE EXCLUSIVELY TO PROVIDE**  
16 **TRANSPORTATION SYSTEM SERVICES UNDER A CONTRACT WITH THE**  
17 **GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION OR WITH A UNIT**  
18 **OF STATE GOVERNMENT.**

19            ~~(C)~~ **(D)** The public duties of a common carrier may not be imposed on a  
20 person with respect to a vehicle for which a motor carrier permit is required under this  
21 section, if the vehicle is not actually engaged in public transportation.

22            9-207.

23            (a) This section applies to a motor carrier providing transportation for hire by  
24 or through contract with a public authority, or a federal, State, district, or municipal  
25 transportation agency.

26            (b) A motor carrier subject to this section:

27                    (1) is also subject to §§ 5-101 and 5-304 of this article; and

28                    (2) EXCEPT AS PROVIDED IN § 9-201(B)(7) OF THIS SUBTITLE,  
29 shall obtain a motor carrier permit under § 9-201 of this subtitle.

30            (c) A motor carrier permit issued to a motor carrier subject to this section may  
31 be:

32                    (1) subject to conditions under § 9-203 of this subtitle; and

33                    (2) suspended, revoked, or subsequently denied under § 9-204 of this  
34 subtitle.

1           (d)   Except as provided in this section, the provisions of this division do not  
2   apply to a motor carrier subject to this section.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.