

SENATE BILL 402

C5

1lr1986
CF HB 431

By: ~~Senator Glassman~~ **Senators Glassman and Pugh**

Introduced and read first time: February 4, 2011

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 9, 2011

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

15 Section 9–201

16 Annotated Code of Maryland

17 (2010 Replacement Volume)

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

20 **Article – Public Utilities**

21 9–201.

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

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

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

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

9 (3) taxicabs;

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

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

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

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

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

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

25 **[(9)] (7) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A**
26 **MOTOR VEHICLE USED BY A PRIVATELY OWNED TRANSPORTATION COMPANY**
27 **EXCLUSIVELY TO PROVIDE TRANSPORTATION SYSTEM SERVICES UNDER A**
28 **CONTRACT WITH THE GOVERNING BODY OF A COUNTY OR MUNICIPAL**
29 **CORPORATION OR WITH A UNIT OF STATE GOVERNMENT; OR**

30 **(8)** shuttle bus service operated by the University of Maryland,
31 College Park for students enrolled at the University of Maryland, College Park and, in
32 exchange for payment by the municipal corporation in which the University of
33 Maryland, College Park is located, transportation service on the shuttle bus to
34 residents of the municipal corporation.

1 **(C) A PRIVATELY OWNED TRANSPORTATION COMPANY THAT PROVIDES**
2 **TRANSPORTATION SYSTEM SERVICES UNDER A CONTRACT WITH THE**
3 **GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION OR WITH A UNIT**
4 **OF STATE GOVERNMENT SHALL OBTAIN A MOTOR CARRIER PERMIT FOR MOTOR**
5 **VEHICLES THAT THE COMPANY DOES NOT USE EXCLUSIVELY TO PROVIDE**
6 **TRANSPORTATION SYSTEM SERVICES UNDER A CONTRACT WITH THE**
7 **GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION OR WITH A UNIT**
8 **OF STATE GOVERNMENT.**

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.