

SENATE BILL 6

R6

4lr0014

(PRE-FILED)

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

Requested: November 13, 2013

Introduced and read first time: January 8, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Preventive Maintenance Program – Preventive Maintenance**
3 **Technician**

4 FOR the purpose of requiring certain required inspections, maintenance, and repairs
5 of certain commercial motor vehicles to be performed by certain preventive
6 maintenance technicians; defining “preventive maintenance technician” as a
7 person who is able to provide evidence of a demonstrated understanding of
8 certain preventive maintenance inspection criteria through certain experiences;
9 and generally relating to the preventive maintenance program.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 23–301 and 23–302
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2013 Supplement)

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

17 **Article – Transportation**

18 23–301.

19 (a) In this subtitle the following words have the meanings indicated.

20 (b) “Equipment” includes all mechanisms that form part of or relate to
21 vehicle equipment.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) "Hazardous materials inspector" means a person who is assigned by the
2 Department of the Environment and certified by the Department of State Police to
3 perform an inspection authorized under this subtitle.

4 (d) **"PREVENTIVE MAINTENANCE TECHNICIAN" MEANS A PERSON WHO**
5 **CAN PROVIDE EVIDENCE OF A DEMONSTRATED UNDERSTANDING OF THE**
6 **PREVENTIVE MAINTENANCE INSPECTION CRITERIA PROVIDED IN REGULATIONS**
7 **ADOPTED UNDER THIS SUBTITLE THROUGH:**

8 (1) **A MINIMUM OF 1 YEAR EXPERIENCE IN PERFORMING WORK**
9 **TO BRING COMMERCIAL MOTOR VEHICLES INTO COMPLIANCE WITH THE**
10 **REQUIREMENTS OF THE PREVENTIVE MAINTENANCE PROGRAM; OR**

11 (2) **PARTICIPATION IN, AND SUCCESSFUL COMPLETION OF, A**
12 **COMMERCIAL MOTOR VEHICLE TRAINING PROGRAM THAT IS:**

13 (I) **SPONSORED BY A COMMERCIAL MOTOR VEHICLE**
14 **MANUFACTURER; OR**

15 (II) **DESIGNED TO TRAIN STUDENTS IN COMMERCIAL**
16 **MOTOR VEHICLE OPERATION AND MAINTENANCE.**

17 (E) "Public Service Commission inspector" means a person who is assigned by
18 the Public Service Commission and certified by the Department of State Police to
19 perform an inspection authorized under this subtitle.

20 [(e)] (F) "State Police officer" means:

21 (1) Any uniformed law enforcement officer of the Department of State
22 Police; or

23 (2) Any civilian employee of the Department of State Police assigned
24 to enforce any rule or regulation adopted under this subtitle, but only while acting
25 under written authorization of the Secretary of State Police.

26 [(f)] (G) "Vehicle" means any vehicle registered in this State as:

27 (1) A Class E (truck) vehicle with a registered, operating, or rated
28 gross vehicle weight of over 10,000 pounds;

29 (2) A Class F (tractor) vehicle;

30 (3) A Class G (trailer or semitrailer) vehicle with a registered,
31 operating, or rated gross vehicle weight over 10,000 pounds;

1 (4) A Class P (passenger bus) vehicle; or

2 (5) A Class M (multipurpose) vehicle that:

3 (i) Is used primarily to transport passengers; and

4 (ii) 1. Is designed to transport 16 passengers or more,
5 including the driver; or

6 2. Was previously registered under § 13-932 or § 13-933
7 of this article.

8 23-302.

9 (a) (1) Except as provided in paragraph (2) of this subsection, an owner of
10 a vehicle shall have the vehicle inspected, maintained, and repaired **BY A**
11 **PREVENTIVE MAINTENANCE TECHNICIAN** at least every 25,000 miles or at least
12 every 12 months, whichever occurs first.

13 (2) An owner of a vehicle registered under § 13-919 of this article that
14 has been in operation for at least 18 years from the vehicle's model year or first
15 registration date, whichever is later, shall have the vehicle inspected, maintained, and
16 repaired **BY A PREVENTIVE MAINTENANCE TECHNICIAN** at least every 12,500 miles
17 or at least every 6 months, whichever occurs first.

18 (b) A vehicle shall meet or exceed the standards and requirements set under
19 the regulations adopted under this subtitle.

20 (c) A vehicle may not be operated unless at all times it is appropriately
21 registered and the owner is in compliance with this section.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2014.