

Chapter 304

(House Bill 1229)

AN ACT concerning

**Commercial Motor Vehicles – Denial, Cancellation, Suspension, or Revocation
of Registration**

FOR the purpose of authorizing the Motor Vehicle Administration to deny, cancel, suspend, or revoke the commercial motor vehicle registration of a vehicle if the motor carrier responsible for the safety of the vehicle is subject to certain federal sanctions or certain federal determinations; requiring that a denial, cancellation, suspension, or revocation under this Act continue until certain actions are taken; and generally relating to the denial, cancellation, suspension, or revocation of commercial motor vehicle registrations.

BY adding to

Article – Transportation
Section 13–710
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 16–812(i)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2014 Supplement)

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

Article – Transportation

13–710.

(A) THE ADMINISTRATION MAY DENY, CANCEL, SUSPEND, OR REVOKE THE COMMERCIAL MOTOR VEHICLE REGISTRATION OF A VEHICLE IF:

(1) THE MOTOR CARRIER RESPONSIBLE FOR THE SAFETY OF THE VEHICLE IS SUBJECT TO AN OUT–OF–SERVICE ORDER, AS DEFINED IN § 16–812(i)(1) OF THIS ARTICLE, OR OTHER FEDERAL OPERATING AUTHORITY SANCTIONS; OR

(2) THE UNITED STATES DEPARTMENT OF TRANSPORTATION DETERMINES THAT THE MOTOR CARRIER RESPONSIBLE FOR THE SAFETY OF THE

VEHICLE IS ATTEMPTING OR HAS ATTEMPTED TO OPERATE A MOTOR CARRIER UNDER A NEW IDENTITY OR AS AN AFFILIATED ENTITY TO AVOID:

(I) COMPLYING WITH A UNITED STATES DEPARTMENT OF TRANSPORTATION ORDER;

(II) COMPLYING WITH A STATUTORY OR REGULATORY REQUIREMENT;

(III) PAYING A CIVIL PENALTY;

(IV) RESPONDING TO AN ENFORCEMENT ACTION; OR

(V) BEING LINKED WITH A NEGATIVE COMPLIANCE HISTORY.

(B) A DENIAL, CANCELLATION, SUSPENSION, OR REVOCATION UNDER THIS SECTION SHALL CONTINUE UNTIL THE OUT-OF-SERVICE ORDER OR OTHER FEDERAL OPERATING AUTHORITY SANCTIONS HAVE BEEN LIFTED AND THE MOTOR CARRIER IS ALLOWED TO RESUME OPERATIONS.

16-812.

(i) (1) In this subsection the following terms have the meanings indicated:

(i) “Commercial motor vehicle” means:

1. A “commercial motor vehicle” as defined in § 16-803 of this subtitle; and

2. Except as provided in § 16-803(c)(2) of this subtitle, any self-propelled or towed vehicle used on a public highway to transport passengers or property, if the vehicle has a gross vehicle weight rating of 10,001 or more pounds.

(ii) “Out-of-service order” means a declaration by an authorized enforcement officer of a federal, State, Canadian, Mexican or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operation, is put out of service pursuant to Title 49, §§ 386.72, 392.5, 392.9A, 395.13, and 396.9 of the Code of Federal Regulations, compatible laws, or the North American Uniform Out-of-Service Criteria.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

Approved by the Governor, May 12, 2015.