



The Legislative Wrap-Up

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COURTS AND CIVIL PROCEEDINGS

Domestic Violence – Unemployment Insurance

Passing to opposite chambers in identical form, [SB 291/HB 769](#) establish that a “good cause” for voluntarily leaving work for purposes of qualifying for unemployment insurance benefits is that the person or the person’s spouse, minor child, or parent is a victim of domestic violence and continued employment would jeopardize the safety of the person or specified family member. Required documentation substantiating the domestic violence is confidential and not subject to disclosure, and benefits payable to a claimant may not be charged against the employer’s rating record.

Mediation

The Maryland Mediation Confidentiality Act ([SB 856](#)) passed in the Senate and establishes that, with certain exceptions, communications made in a mediation in which the parties are required to mediate by law or are referred to mediation by an administrative agency or arbitrator, or in which the parties agree in writing that the mediation communications will remain confidential, must be kept confidential. The House gave preliminary approval to the companion bill ([HB 762](#)), no longer identical to [SB 856](#).

Child Support – Incarceration

The House approved [HB 651](#), a Task Force on Prisoner Reentry recommendation that establishes that a child support payment is not past due and arrearages may not accrue during any period when an obligor is incarcerated, and continuing for 60 days after the obligor’s release under certain circumstances. The Child Support Enforcement Administration may adjust the incarcerated obligor’s account to reflect the suspension of support payments without filing a court motion and after sending a certain notice to the obligee.

Judiciary – Retirement Age

A constitutional amendment, as originally amended by a Senate committee, would have raised the mandatory retirement age from 70 to 72 for judges of the District Court, circuit court, Court of Special Appeals, and Court of Appeals ([SB 616](#)). But a subsequent floor amendment

removed those provisions and added language to establish a commission to study issues relating to mandatory judicial retirement age, appointment of retired judges to sit temporarily in court, and continuing education for such judges, with a report due by January 1, 2014. The amended bill passed a preliminary Senate floor vote.

CRIMES, CORRECTIONS, AND PUBLIC SAFETY

Justice’s Law

[SB 521/HB 604](#), which are advancing, expand the list of persons who can be convicted of the felony of first degree child abuse to include a family member or household member and increases the maximum penalty from 30 years to 40 years in prison if the violation results in the death of the victim.

Ava’s Law

Advancing to the Senate, [HB 1334](#) increases the maximum penalty for causing life-threatening injury by motor vehicle or vessel while impaired by a controlled dangerous substance from a \$3,000 fine and two years in prison to a \$5,000 fine and three years in prison.

Gun Legislation

The Senate passed [SB 512](#), which establishes recordkeeping, reporting, and inspection requirements for firearms dealer licensees and requires the disapproval of a firearms dealer’s license application if certain persons will participate in the management or operation of the business or hold an interest in the business.

Also passed in the Senate, [SB 514](#) authorizes a law enforcement agency to transfer the handgun of a law enforcement officer who is killed or dies in the line of duty to the officer’s next of kin, if certain firearms application requirements are met and the gun has been rendered inoperable. The companion bill, [HB 396](#), passed in the House last week without the requirement that the gun be made inoperable.

[SB 640/HB 209](#) prohibit a person from possessing a regulated firearm or a rifle or shotgun if the person was

previously convicted of a federal charge or an offense in another state that would constitute a disqualifying crime of violence or drug crime if committed in Maryland. Both bills passed unamended to the opposite chamber.

Of the four measures to repeal the requirement that the Secretary of State Police find that a person has a good and substantial reason to wear, carry, or transport a handgun before issuing a handgun permit to the person, two received unfavorable committee votes ([HB 430](#) and [HB 488](#), both failed) and two have received no committee action ([HB 45](#) and [HB 1135](#)).

Domestic Violence – Strangulation

The Senate passed [SB 612](#), which expands the felony crime of first degree assault to include strangulation as specifically defined in the bill, with a maximum penalty of 25 years in prison.

Fire Sprinkler Systems

The Senate amended and passed [SB 602](#), which prohibits a county or municipal corporation from adopting local amendments to the Maryland Building Performance Standards (MBPS) that weaken the MBPS automatic fire sprinkler systems requirements for townhouses and one- and two-family dwellings, with certain exceptions and grandfathering provisions. The House passed the original crossfiled measure, [HB 366](#), without the grandfathering provisions.

Marijuana – De Minimus Quantity

[HB 350](#) received House preliminary approval with amendments that reduce the maximum penalty for use or possession of less than seven grams of marijuana from one year in prison and a \$1,000 fine to 90 days in prison and a \$500 fine. Since a defendant is typically entitled to a jury trial in a circuit court if the charged offense permits confinement for more than 90 days, a person convicted under the bill would not be entitled to a jury trial.

ECONOMIC AND BUSINESS ISSUES

Injured Workers' Insurance Fund (IWIF)

[SB 745](#), an amended emergency measure, recently passed the Senate. Effective October 1, 2013, the bill converts IWIF from an independent State agency into a private, nonprofit, nonstock workers' compensation insurer, to be named the Chesapeake Employers' Insurance Company. IWIF employees may remain State employees after the conversion, so the IWIF must remain in existence as long as it has employees. The new company will still engage only in the business of workers' compensation insurance and continue to be the

insurer of last resort for this type of insurance. The companion measure is [HB 1017](#).

The Budget Reconciliation and Financing Act of 2012, or the BRFA ([SB 152](#)), requires a \$50 million transfer from IWIF to the general fund by June 2013. This transfer and an additional transfer payment to the State, if required, resolves any claim the State has or may have to the property or assets of the IWIF, except as provided under federal tax law for dissolution of State-sponsored workers' compensation reinsurance organizations.

Religious Corporations – United Methodist Church

Bills concerning the United Methodist Church and its right to retain certain assets of member churches have had committee hearings recently ([SB 759/HB 1344](#)). The bills repeal current provisions of State law which provide that all assets owned by any Methodist Church, including any former Methodist Episcopal Church, Methodist Protestant Church, Methodist Episcopal Church, South, the Washington Methodist Conference, or Evangelical United Brethren Church, whether incorporated, unincorporated, or abandoned, are held in trust for the United Methodist Church and are subject to the discipline, usage, and ministerial appointments of the United Methodist Church.

Alcoholic Beverage Licensing

Proposals that allow patrons in restaurants, hotels, or clubs to consume wine that was not purchased on the licensed premises are advancing through the legislative process. [SB 755/HB 228](#) authorize these licensed establishments to charge "corkage fees," not to exceed \$25. As amended, [HB 228](#) requires licensees to receive a permit from the local licensing board to allow customers to consume wine not purchased from the licensee that is not on the establishment's wine list.

Other Tobacco Products (OTPs)

Measures on the topic of OTPs, which include cigars or any rolled tobacco other than cigarettes, are in opposite chambers. [SB 452/HB 570](#), as amended, remove out-of-state sellers of premium cigars or pipe tobacco from provisions of law governing the licensure of OTP manufacturers, wholesalers, warehouses, retailers, and tobacconists. The bills also allow licensed OTP retailers and tobacconists to ship premium cigars or pipe tobacco purchased by phone or on the Internet to consumers in Maryland.

EDUCATION

Athletics

SB 557 passed the Senate this week in significantly amended form. Initially, the bill created the Maryland Interscholastic Athletic Association (MIAA) to replace the current Maryland Public Secondary Schools Athletic Association (MPSSAA). The new MIAA would be subject to the Maryland Open Meetings Act. The bill has been amended to strike the language creating the new entity and expand the definition of a „public body“ for the purpose of the Open Meetings Act. The new definition includes an entity created by a “memorandum of understanding or a master agreement to which a majority of the county boards of education and the State Department of Education are signatories,” therefore subjecting the MPSSAA to the Open Meetings Act.

SB 564 (failed) would have increased the required daily time spent on physical education instruction and activity in schools in order to reach a total weekly goal of 150 minutes per week.

Auto-injectable Epinephrine

The House passed **HB 497** to require county boards of education to create a policy authorizing the use of auto-injectable epinephrine by certain personnel. The bill is now identical to its amended Senate crossfile, **SB 621**, which has moved to the House.

Compulsory Attendance

SB 362, which passed the Senate, phases in increases in the age of compulsory school attendance from 15 to reach 17 by the 2016-2017 school year. The State Superintendent of Schools may waive the compulsory school attendance age requirement and a number of exemptions from it.

Maintenance of Effort (MOE)

The House passed **HB 1412** as it was amended to reflect **SB 848**, also given House approval. Both emergency bills alter the process for MOE school funding and waiver requests. The legislation requires a county governing body to apply to the State Board of Education for a waiver from the State’s public school MOE requirement if the county is unable to fund the full MOE amount. If a county does not receive a waiver from the State board, it must fund the full MOE amount or the State will intercept the county’s local income tax revenues in the amount by which the county is below MOE and forward the funds to the local school board.

Factors that the State board must consider in reviewing waiver requests are specified. Counties that receive waivers and are making above-average education effort

will be able to request “rebasing waivers” that allow limited decreases to their annual MOE amounts if they can demonstrate ongoing problems with meeting MOE. Counties are given the authority to exceed local tax limitations to fund education, and counties with below-average effort will have to increase their MOE.

Penalties for noncompliance with MOE in fiscal 2012 are waived, and required fiscal 2013 per pupil MOE amounts for counties that did not meet MOE in fiscal 2012 return to the required fiscal 2012 amounts, except in counties with 3.2% local income tax rates.

Online Learning

As amended and advancing, **SB 689/HB 745** establish the Maryland Advisory Council for Virtual Learning in the Maryland State Department of Education (MSDE). Amendments include changes in the membership and responsibilities of the council. The council’s mission is to encourage and support the education of students in accordance with national standards of online learning and State law.

This week the Senate discussed amendments and passed **SB 674**, which addresses the development, review, and approval process for online learning courses in primary and secondary public schools. Amendments develop a timeline by which MSDE must either delegate to a county board a request to develop or approve online courses or services, or work to develop or review the courses themselves. If MSDE delegates a course review, the county boards may charge the vendor a reasonable fee to cover the cost of this evaluation process.

Two bills related to approving online learning courses were withdrawn. **SB 735** (failed) would have set reasonable processing fees for the approval of course evaluations, and **SB 736** (failed) would have allowed the use of courses approved by other states.

Dating Violence

Withdrawn by its sponsor, **HB 1110** (failed) would have included dating violence on the list of incidents that must be reported by a local board of education to MSDE.

ELECTIONS AND ETHICS

Over several floor sessions, senators continued to debate provisions of the Ethics Online Disclosure Act of 2012 (**SB 920**). In particular, discussion centered on the provision that excluded counties, municipal corporations, and school boards from the requirements to post online financial disclosure information on the Internet or to file the statements electronically.

Subsequently, the Senate gave preliminary approval with an amendment that continues to exclude from the requirements municipal corporations and boards of education but not counties.

ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE

Hydraulic Fracturing in the Marcellus Shale Formation

Two bills addressing concerns about use of hydraulic fracturing in the Marcellus Shale formation have moved to the Senate after extensive debate. As amended, [HB 1123](#) establishes a presumptive impact on water supply contamination in an area within 2,500 feet of a deep shale deposit gas well for which the Department of the Environment has issued a gas exploration or production permit. [HB 1204](#) requires the owner of a gas interest in real property underlain by the Marcellus Shale to pay a \$15 per acre fee, to be paid into the State's Oil and Gas Fund and used to fund the ongoing study of the Marcellus Shale.

Bills that would have established specific requirements for gas and oil leases ([SB 471](#) and [SB 773](#), both failed) received unfavorable committee votes.

Sustainable Growth and Agricultural Preservation

An Administration bill that creates four tiers of classification based on the existing or planned sewerage service for use by local jurisdictions in approving major residential subdivision plans, [SB 236](#), was discussed on the Senate floor this week.

[SB 827](#) (failed), which would have limited the restrictions on installation of on-site sewage disposal systems, received an unfavorable committee vote.

State Development Plan

Of the many proposals to alter the process for developing and approving the State Development Plan, [HB 1201](#) has moved to the opposite chamber. As amended, the proposal, among other provisions, prohibits the Plan from being used to deny a State-issued permit or certain State funding; clarifies that the Plan does not supersede any statute, ordinance or regulation; and prohibits the Plan from requiring local governments to change or alter a local plan.

[HB 36](#) and [HB 253](#) (both failed) would have changed the process for approval of the State Development Plan.

Bay Restoration Fund – Flush Tax

[HB 446](#), an Administration bill that doubles the statewide residential wastewater and sewerage fees, received approval from the House. As amended, the bill

also establishes a method for calculating the fee for nonresidential users, clarifies the uses of the Bay Restoration Fund, and reverts the fees to current levels in 2030.

Watershed Implementation Plan

Several bills intended to limit the applicability of the State Watershed Implementation Plan have received unfavorable committee votes: [SB 695](#), [SB 821](#), [SB 823](#) and [HB 486](#) (all failed). A related bill, [HB 987](#), received approval from the House. As amended, the bill requires counties and municipal corporations, by July 1, 2013, to adopt local laws or ordinances necessary to establish an annual stormwater remediation fee and a local watershed protection and restoration fund to provide financial assistance for the implementation of local stormwater management plans, with certain exceptions.

Testimony was given at a recent Senate hearing on [HB 412](#), which requires the Maryland Department of Agriculture to establish criteria for the timing of the winter application of sewage sludge that are the same as or substantially similar to the criteria adopted for the timing of the winter application of animal manure. The bill takes effect July 1, 2015.

Fishing

[HB 915](#), which expands existing provisions of law protecting agricultural and silvicultural operations from nuisance actions to also apply to commercial fishing and seafood operations, has moved to the Senate.

Receiving preliminary approval after extended debate on the Senate floor, [SB 465](#) prohibits a person from possessing, selling, offering for sale, trading, or distributing the raw, dried, or otherwise processed detached fin or tail of a shark or other elasmobranch, except under specific circumstances.

[SB 1032](#), which as introduced would have prohibited the use of gill nets for catching finfish within the State, has been amended in committee to require the Department of Natural Resources to establish a technical advisory group on the use of gill nets to make recommendations on the need for regulations.

Reduction of Lead Risk in Housing

[HB 644](#), which modifies the State's Lead Poisoning Prevention Program, partially in response to the recent Maryland Court of Appeals decision, *Jackson, et al., v. Dackman Co. et al.*, passed the House. The amended bill expands the lead abatement requirements applicable to rental housing to child care centers, family child care centers, and preschools; as of January 1, 2015, expands the provisions to property constructed before 1978; and establishes a rebuttable presumption related to lead

ingestion under certain circumstances. A related bill, [HB 21](#), has moved to the House floor. Another bill, [HB 1013](#) (failed), received an unfavorable committee vote, and [HB 1134](#) (failed) was withdrawn.

FINANCIAL INSTITUTIONS AND COMMERCIAL LAW

Lend Local Act of 2012

The Senate amended and gave preliminary approval to [SB 792](#), one of the “Lend Local” Acts of 2012. As amended, the bill creates a linked deposit program for small businesses in the Department of Housing and Community Development. The purpose of the program is to stimulate business opportunities for small businesses to have access to credit by assisting them in obtaining loans at lower than market interest rates. The amended bill also requires the State Treasurer to meet with the representatives from the Maryland banking industry and related stakeholders to identify impediments to participating in the procurement process for the selection of designated State depositories and any possible solutions. The crossfiled House measure, [HB 571](#), was amended similarly and given final approval by that chamber and now moves to the Senate for consideration.

FISCAL MATTERS

House Fiscal Package

After a nearly 11 hour floor session late this week, the House passed the Budget Bill ([SB 150](#)), the Budget Reconciliation and Financing Act of 2012, or BRFA ([SB 152](#)), and the State and Local Revenue and Financing Act of 2012 ([SB 523](#)), the bill each chamber is using for tax increases. Also included in the House fiscal package are [SB 864/HB 1166](#), concerning electronic instant bingo; [HB 346](#), concerning cigarette tax exemptions; and two bills concerning county maintenance of effort for local school system funding, [SB 848](#) and [HB 1412](#), now passed with identical language.

As passed by the House, the Budget Bill ([SB 150](#)) appropriates \$35.4 billion, excluding \$340.5 million in appropriations to reserve funds, leaving an estimated general fund balance of \$87 million. As passed, general fund expenditure growth for fiscal 2013, excluding appropriations to the Rainy Day Fund, is 1%. The House reduced the Governor’s allowance by \$441.9 million and reduced the structural deficit by 50%, or \$553 million.

Among the highlights of the Budget Bill as passed by the House are:

- Public schools receive \$5.8 billion in State aid, including an increase of \$113.2 million;
- State universities and colleges receive approximately \$1.2 billion in State funds with House reductions of \$12.5 million compared to a Senate reduction of \$6.3 million, while the House restores \$2.5 million for the Keeping Community Colleges Affordable Grant for community colleges. State aid for non-public colleges and universities is reduced by \$1.7 million;
- Medicaid is reduced by \$140.3 million, compared to a \$139.3 million reduction by the Senate. Both chambers replace general funds with additional revenues from a nursing home facility assessment increased from 5.5% to 6% in the BRFA ([SB 152](#));
- The Chesapeake and Atlantic Coastal Bays Trust Fund is reduced by \$8 million by both chambers;
- Program Open Space, Rural Legacy, and Agricultural Land Preservation are reduced by \$65.5 million, with these funds replaced with general obligation bonds; and
- State employees will receive a 2% cost-of-living adjustment effective January 1, 2013, also included in the Senate package.

Among the major differences between the House and Senate fiscal packages are:

- *Teacher Pension Costs*—Both Chambers amend the BRFA ([SB 152](#)) to require that local governments only bear the employers’ share of contributions for public school system employees, including teachers and principals, while continuing to require the State to bear the employers’ share of costs for community college employees and public library system employees. The House phases in local funding of these costs over three years, while the Senate phases in the local funding over four years. The House reduces spending for this purpose by \$136.6 million, while the Senate reduction is \$68.3 million;
- *Income Taxes*—Both chambers strike the income tax provisions from the BRFA ([SB 152](#)) and amend the tax provisions into the State and Local Revenue and Financing Act of 2012 ([SB 523](#)). The House phases out personal exemptions for individuals and joint filers with incomes more than certain amounts from \$3,200 to \$0, raising \$51.7 million in State revenue and \$31.4 million in local revenue. The House also raises \$140.1 million in revenue by increasing the income tax rate by 0.25% for individuals with an income greater than \$100,000 and joint filers with an income greater than \$150,000, as well as increasing

the rates by 0.25% for those with incomes above these amounts, with a maximum rate of 5.75% for individuals and joint filers with incomes greater than \$500,000.

The Senate does not decrease the personal exemptions but increases income tax rates on those with incomes greater than \$3,000, with a maximum rate of 5.75% for both individuals and joint filers with incomes greater than \$500,000. The Senate plan also increases the earned income tax credit. The Senate plan raises \$416.5 million in fiscal 2013, reflecting the revenue impact of one and one-half tax years, and \$297.5 million in fiscal 2014. Both chambers struck the original proposal to reduce itemized deductions for those with income over a certain amount;

- *Sales and Use Tax*—The House deletes the Senate provision in [SB 523](#) for applying the sales tax to internet sales affiliates, also known as the “Amazon” tax. The House eliminates the sales tax exemption for out-of-state direct mail literature and mail order catalogs, while both chambers eliminate the sales tax exemption for gas cylinder demurrage;
- *Cigars and Other Tobacco Products*—Both chambers increase the tax rate on cigars, other than premium cigars, from 15% to 70% of the wholesale price. The Senate increases the tax rate on premium cigars from 15% to 20% of the wholesale price, while the House leaves the tax rate on premium cigars unchanged. The House increases the tax rate on moist snuff and smokeless tobacco from 15% to 50% of the wholesale price, while the Senate increases the tax rate from 15% to 20%;
- *Recordation Tax – Indemnity Mortgages*—Both chambers apply the recordation tax to an “indemnity mortgage” in the same manner as if the guarantor were primarily liable for the guaranteed loan unless certain conditions apply. This tax raises \$39.7 million for local governments.

Luxury Surcharge

[HB 1345](#) imposes a specified luxury surcharge on the retail sales or use of tangible personal property if the taxable price is over \$5,000 and on the sale of a motor vehicle, motorcycle, boat, or plane if the taxable price is over \$35,000, effective July 1, 2012. The bill has a hearing next week.

Tax Credit – Wineries and Vineyards

[SB 757/HB 1128](#) create a tax credit against the State income tax for 25% of qualified capital expenses made to either establish or make capital improvements to a

Maryland winery or vineyard. The Maryland Department of Agriculture is authorized to award a maximum of \$250,000 in credits in calendar 2012, \$375,000 in calendar 2013, and \$500,000 annually thereafter. The bills take effect July 1, 2012, and apply to tax years 2012 and beyond.

GAMING, RACING, AND SPORTS

Instant Bingo – Electronic Machines

[SB 864](#) makes permanent the authority for existing qualified organizations and licensed commercial bingo licensees to operate electronic instant bingo machines that would otherwise be illegal under State law after July 1, 2012. The bill alters the State admissions and amusement (A&A) tax rate imposed on electronic bingo and electronic tip jar machines in Calvert County and alters distributions of related tax revenues. Additionally, the State Lottery Commission is required to certify and regulate the operation, ownership, and manufacture of certain gaming devices.

General fund revenues will be increased by an estimated \$9.5 million annually beginning in fiscal 2013 resulting from the continued collection of the State A&A tax on electronic bingo machines currently in operation. The companion bill is [HB 1166](#).

HEALTH CARE AND HEALTH INSURANCE

Containment Laboratories – Oversight

Under a new division in the Department of Health and Mental Hygiene (DHMH), [SB 758](#) seeks to establish increased State oversight, as well as standards, licensing, and inspection requirements, of oversight containment laboratories. The laboratories, as defined in the bill, are private or academic laboratories that qualify as a biosafety level-3 laboratory (those that work with biological agents that are transmitted through the air and can cause a potentially serious or lethal human disease) or a biosafety level-4 laboratory (those that work with biological agents that may be transmitted through the air and pose a high risk of life-threatening or lethal human disease for which no vaccine or therapy is available).

Containment laboratories are currently regulated by the federal government. Criteria established by NIH for determining biosafety levels depart from those established by the bill. According to DHMH, there are currently 16 level-3 and level-4 laboratories in the State, based on NIH’s criteria. DHMH advises that dozens of laboratories that are classified as level-2 laboratories

under NIH's criteria may be classified as level-3 or level-4 laboratories under the bill.

REAL PROPERTY, ESTATES, AND TRUSTS

SB 196, also known as "Jonathan's Law," failed on third reading in the Senate. The bill would have required a political subdivision to conduct an inspection of every multifamily dwelling unit with a balcony at least once every five years to ensure that the balcony meets the requirements of the applicable local housing code or the Minimum Livability Code. The bill also would have authorized a political subdivision to charge a property owner a fee for each periodic inspection.

STATE GOVERNMENT

Administration Bills

Several Administration bills passed their chambers of origin. Amended measures (**SB 235/HB 440**) prohibit persons who engage in specified investment activities in Iran from doing business with public bodies in the State.

Another of the Governor's bills addresses public-private partnerships (P3s). **HB 576**, now on the House floor, establishes a State policy on the use of P3s, authorizes specified State agencies to enter into P3s, establishes a process and associated reporting requirements for State oversight, and institutes a process for both solicited and unsolicited P3 proposals.

Commemorative Day

With 45 House sponsors, **HB 766** passed the House. The bill requires the Governor to annually proclaim April 3 as Crime Victim and Advocate Commemorative Day to honor the individuals in the State who have become crime victims and the advocates who serve those victims. National Crime Victims' Rights Week has been celebrated and observed at the federal level during April since 1981. The next National Crime Victims' Rights Week will be observed April 22-28, 2012.

On April 3, 1982, Stephanie Roper, a Frostburg State University student, was kidnapped, raped, tortured, and murdered after her car became disabled during a weekend visit with her family. In October 1982, friends and neighbors of Stephanie incorporated the Stephanie Roper Committee and Foundation, Inc. In the fall of 2002, the name was changed to the Maryland Crime Victims' Resource Center, Inc., a statewide nonprofit organization dedicated to service the interests of crime victims in Maryland.

TRANSPORTATION

Child Safety Seats

HB 313 passed the House, amended to provide that passengers under age 8 must ride in a car safety seat unless the child is taller than 4 feet 9 inches. The companion bill, **SB 185**, similarly amended, has passed the Senate and moved to the House and is scheduled for a committee hearing next week.

Helmet Laws

HB 149, which changes the classification of mopeds and motor scooters to "vehicles," requires an owner to title the moped or motor scooter with the Motor Vehicle Administration and display a numbered decal, and requires a driver and rider to wear approved helmets and eye protection. Under current law, motor scooters and mopeds are treated more like bicycles than motor vehicles. The bill was amended and passed second reading in the House this week. The companion bill, **SB 309**, passed the Senate with identical amendments.

HB 569 (failed), which would have required that motor scooters, mopeds, and off-road recreational vehicles be titled and that riders wear helmets, received an unfavorable committee vote.

Plug-In Vehicles

SB 340, which reserves space for electric vehicles near plug-in-vehicle charging stations, passed the Senate. Its companion bill, **HB 108** (failed), was referred to interim study by a House committee.

Perishable Products

SB 116, allowing overweight vehicles carrying perishable products to proceed to their destinations, passed the Senate and will be heard by a House committee next week.

Displaying the Flag

SB 382 (failed) received an unfavorable committee vote. It would have established a permit program for individuals to fly flags in highway roundabouts.

Historic Motor Vehicles

SB 846 (failed), which would have increased the age from 20 to 25 years for a vehicle to be considered "historic," received an unfavorable vote in a Senate committee. The companion bill, **HB 550**, failed earlier in the House.

Bill status is current as of 5:00 p.m. on March 23, 2012.