
By: Delegates McKee, Donoghue, and Poole
Introduced and read first time: January 31, 1996
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 28, 1996

CHAPTER ____

1 AN ACT concerning

2 **Class E (Truck) Vehicles - Passengers - Prohibitions**

3 FOR the purpose of prohibiting an individual from driving a certain Class E (truck)
4 vehicle on a highway while a passenger under a certain age is riding in the
5 unenclosed bed of the vehicle; ~~prohibiting a person under a certain age from riding~~
6 ~~in the unenclosed bed of a certain Class E (truck) vehicle driven on a highway~~
7 specifying certain exceptions; specifying that the exceptions may not be construed as
8 to eliminate certain requirements; and generally relating to prohibiting certain
9 passengers in the unenclosed bed of a certain Class E (truck) vehicle.

10 BY adding to
11 Article - Transportation
12 Section 21-1121
13 Annotated Code of Maryland
14 (1992 Replacement Volume and 1995 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article - Transportation
17 Section 27-101(a) and (b)
18 Annotated Code of Maryland
19 (1992 Replacement Volume and 1995 Supplement)

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

2

1 **Article - Transportation**

2 21-1121.

3 (A) THIS SECTION APPLIES ONLY TO A CLASS E (TRUCK) VEHICLE
4 REGISTERED OR OF A TYPE CAPABLE OF BEING REGISTERED IN THIS STATE AS A
5 CLASS E (TRUCK) VEHICLE WITH A MANUFACTURER'S RATED CAPACITY OF 3/4 TON
6 OR LESS, THE GROSS VEHICLE WEIGHT OF WHICH DOES NOT EXCEED 7,000 POUNDS.

7 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THIS SECTION
8 DOES NOT APPLY TO:

9 (I) A VEHICLE TRAVELING AT A SPEED OF NOT MORE THAN 25
10 MILES PER HOUR; OR

11 (II) THE TRANSPORTATION OF:

12 1. AN EMPLOYEE TO OR FROM A WORK SITE BY THE
13 EMPLOYER OF THE EMPLOYEE; OR

14 2. AN INDIVIDUAL IN A VEHICLE ENGAGED IN FARMING
15 OPERATIONS.

16 (2) THIS SUBSECTION MAY NOT BE CONSTRUED AS TO ELIMINATE
17 APPLICABLE CHILD SAFETY SEAT AND SEAT BELT REQUIREMENTS UNDER §§22-412.2
18 AND 22-412.3 OF THIS ARTICLE.

19 ~~(B) (C)~~ AN INDIVIDUAL MAY NOT DRIVE A CLASS E (TRUCK) VEHICLE ON A
20 HIGHWAY IN THE STATE WHILE A PASSENGER UNDER THE AGE OF 16 YEARS IS
21 RIDING IN AN UNENCLOSED BED OF THE VEHICLE.

22 ~~(C) AN INDIVIDUAL UNDER THE AGE OF 16 YEARS MAY NOT RIDE IN AN~~
23 ~~UNENCLOSED BED OF A CLASS E (TRUCK) VEHICLE WHILE THE VEHICLE IS DRIVEN~~
24 ~~ON A HIGHWAY IN THE STATE.~~

25 27-101.

26 (a) It is a misdemeanor for any person to violate any of the provisions of the
27 Maryland Vehicle Law unless the violation is declared to be a felony by the Maryland
28 Vehicle Law or by any other law of this State.

29 (b) Except as otherwise provided in this section, any person convicted of a
30 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is
31 subject to a fine of not more than \$500.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 1996.

