
By: **Delegate Malone**

Introduced and read first time: February 11, 1999

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Vehicle Law - Equipment Standards**

3 FOR the purpose of modifying certain provisions under the Maryland Vehicle Law
4 pertaining to equipment standards; eliminating and modifying certain obsolete
5 or inaccurate references pertaining to the adoption or approval of certain
6 equipment or standards; authorizing the Motor Vehicle Administrator to adopt
7 federal motor vehicle safety standards; authorizing, rather than requiring, the
8 Administrator to take certain actions in reference to certain equipment, and
9 otherwise modifying the Administrator's authority in reference to certain
10 equipment or standards; providing that certain equipment meet certain
11 applicable federal standards; making stylistic changes; and generally relating to
12 the approval of vehicle equipment or standards, the Motor Vehicle
13 Administrator's authority concerning vehicle equipment, and the modernization
14 of provisions relating to the regulation of equipment under provisions of the
15 Maryland Vehicle Law.

16 BY repealing and reenacting, with amendments,
17 Article - Transportation
18 Section 22-102, 22-221(g), 22-230, 22-401(e), 22-403, 22-405.3, and 22-412
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 1998 Supplement)

21 BY repealing and reenacting, without amendments,
22 Article - Transportation
23 Section 22-221(d), (e), and (f)
24 Annotated Code of Maryland
25 (1998 Replacement Volume and 1998 Supplement)

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

1

Article - Transportation

2 22-102.

3 (a) The Administrator [shall] MAY approve or disapprove any lighting device
4 or other motor vehicle safety equipment components or assemblies of a type for which
5 approval is specifically required in this title, within a reasonable time after approval
6 has been requested. The approvals may be based on [certificates of approval
7 furnished to the Administrator by the American Association of Motor Vehicle
8 Administrators] CONSULTATIONS WITH THE AUTOMOTIVE SAFETY ENFORCEMENT
9 DIVISION OF THE DEPARTMENT OF STATE POLICE.

10 (b) The Administrator may set up the procedure to be followed when requests
11 for approval of any lighting device or other motor vehicle safety equipment component
12 or assembly is submitted. The procedures may provide for submission of these
13 devices, components, or assemblies to the [American Association of Motor Vehicle
14 Administrators instead of submission of the device, component, or assembly to the
15 Administrator] AUTOMOTIVE SAFETY ENFORCEMENT DIVISION OF THE
16 DEPARTMENT OF STATE POLICE.

17 (c) [The Administrator shall maintain and distribute lists published by the
18 American Association of Motor Vehicle Administrators of all of these devices,
19 components, or assemblies that have been approved by him under authority
20 contained in this title. The Administrator shall fix a price for these lists that does not
21 exceed the cost of the publication, as established by the American Association of Motor
22 Vehicle Administrators, and the cost of reasonable handling charges.

23 (d) When the Administrator has reason to believe that a device approved
24 under this title is being sold commercially and does not comply with the applicable
25 standards for the device, [he] THE ADMINISTRATOR may, after giving 30 days'
26 previous notice to the person who has received the approval for the device, conduct a
27 hearing on the question of compliance of the approved device. After the hearing, the
28 Administrator shall determine whether the devices being sold meet the requirements
29 for approval. If the devices do not meet these requirements, [he] THE
30 ADMINISTRATOR shall give notice to the person who has received the previous
31 approval.

32 [(e)] (D) If, at the expiration of 30 days after this notice, the person who has
33 received the approval of the device has failed to satisfy the Administrator that the
34 devices being sold meet the requirements for approval, the Administrator shall
35 suspend or revoke the approval issued for the device until the device is resubmitted to
36 and tested by an independent testing laboratory approved by the American
37 Association of Motor Vehicle Administrators and is found to meet the applicable
38 standards. The Administrator may require that all of these devices sold since the
39 notification following the hearing be replaced by devices that do comply. The
40 Administrator may, at the time of retest, purchase on the open market and submit for
41 retesting one or more sets of these approved devices, and, if the device on retest fails
42 to meet the approval requirements, the Administrator shall revoke or refuse to renew
43 the approval of the device.

1 (E) NOTWITHSTANDING ANY OTHER PROVISION OF THE MARYLAND VEHICLE
2 LAW, THE ADMINISTRATOR MAY ADOPT ANY MOTOR VEHICLE SAFETY STANDARD
3 PRESCRIBED BY THE SECRETARY OF THE UNITED STATES DEPARTMENT OF
4 TRANSPORTATION UNDER 49 U.S.C. § 30111.

5 22-221.

6 (d) Any vehicle may be equipped with lamps used for the purpose of warning
7 the drivers of other vehicles of the presence of a vehicular traffic hazard requiring the
8 exercise of unusual care in approaching, overtaking, or passing, and, when so
9 equipped, may display the warning in addition to any other warning signals required
10 by the Maryland Vehicle Law.

11 (e) The lamps used to display this warning to the front shall be mounted at
12 the same level and as widely spaced laterally as practicable and shall display
13 simultaneously flashing white or amber lights, or any shade of color between white
14 and amber. The lamps used to display this warning to the rear shall be mounted at
15 the same level and as widely spaced laterally as practicable and shall display
16 simultaneously flashing amber or red lights, or any shade of color between amber and
17 red.

18 (f) These warning lights shall be visible from a distance of not less than 1,500
19 feet under normal atmospheric conditions at night.

20 (g) Every motor vehicle that is registered in this State and that was
21 manufactured or assembled after June 30, 1967, and designated as a 1968 or
22 subsequent year model shall be equipped [either] with these WARNING lamps [or
23 with some other device approved by the Administrator,] by means of which the driver
24 may cause both front and both rear turn signals to flash simultaneously as a
25 vehicular traffic hazard warning.

26 22-230.

27 (a) A person may not have for sale, sell, or offer for sale for use on or as a part
28 of the equipment of a motor vehicle, trailer, semitrailer, or pole trailer any headlamp,
29 auxiliary or fog lamp, rear lamp, signal lamp, or reflector, which reflector or lamp is
30 required under this title, or parts of any of the foregoing, which tend to change the
31 original design or performance[, unless of a type that has been submitted to the
32 Administrator and approved by him].

33 (b) A person may not use on a motor vehicle, trailer, semitrailer, or pole trailer
34 a headlamp, auxiliary or fog lamp, rear lamp, signal lamp, or reflector, which reflector
35 or lamp is required under this title, or parts of any of the foregoing, which tend to
36 change the original design or performance[, unless of a type that has been submitted
37 to, and approved by, the Administrator].

38 (c) [A person may not have for sale, sell, or offer for sale for use on or as a part
39 of the equipment of a motor vehicle, trailer, semitrailer, or pole trailer any lamp or
40 device mentioned in this section that has been approved by the Administrator unless

1 the lamp or device bears on it the trademark or name under which it is approved so as
2 to be legible when installed.

3 (d) A person may not use on any motor vehicle, trailer, semitrailer, or pole
4 trailer any lamp or reflector that tends to change its original design or performance[,
5 unless the lamp or reflector is of a type that has been approved by the Administrator
6 and is mounted, adjusted, and aimed in accordance with rules and] IN VIOLATION OF
7 regulations adopted by the Administrator.

8 22-401.

9 (e) Every emergency vehicle shall be equipped with a siren, whistle, or bell
10 capable of emitting sound audible under normal conditions from a distance of not less
11 than 500 feet [and of a type approved by the Administration]. However, the siren
12 may not be used except when the vehicle is operated in response to an emergency call
13 or in the immediate pursuit of an actual or suspected violator of the law, in which
14 latter events the driver of the vehicle shall sound the siren when reasonably
15 necessary to warn pedestrians and other drivers of the approach of the vehicle.

16 22-403.

17 (a) Every motor vehicle shall be equipped with at least one mirror located to
18 reflect to the driver a view of the highway for a distance of at least 200 feet to the rear
19 of the vehicle.

20 (b) Every motor vehicle registered in this State shall be equipped with an
21 outside mirror on the driver's side located to reflect to the driver a view of the
22 highway for a distance of at least 200 feet to the rear of the vehicle and along the
23 driver's side of the vehicle. This subsection does not apply to motorcycles, which are
24 governed by subsection (c) of this section.

25 (c) Every motorcycle shall be equipped with two rearview mirrors, one each
26 attached to the right and left handlebars, which shall meet APPLICABLE FEDERAL
27 MOTOR VEHICLE SAFETY standards [adopted by the Administrator].

28 (d) Where the view through the inside rearview mirror is obstructed, two
29 outside rearview mirrors are required.

30 22-405.3.

31 If a new Class A passenger vehicle is sold in this State, the manufacturer shall
32 equip the vehicle with a spare tire that conforms with the requirements in § 22-405 of
33 this subtitle, unless:

34 (1) The tire-wheel system of the vehicle provides a run-flat capability by
35 which a partially inflated driving surface becomes available in the event of a tire
36 failure; or

1 (2) Technological improvements, [determined by the Administrator to be
2 equivalent to paragraph (1)] CONSISTENT WITH APPLICABLE FEDERAL MOTOR
3 VEHICLE SAFETY STANDARDS, become available.

4 22-412.

5 (a) Every motor vehicle registered in this State and manufactured or
6 assembled after June 1, 1964, shall be equipped with two sets of seat belts on the
7 front seat of the vehicle.

8 (b) Every motor vehicle registered in this State and manufactured or
9 assembled with a rear seat after June 1, 1969, shall be equipped with two sets of seat
10 belts on the rear seat of the vehicle.

11 (c) A person may not sell or offer for sale any vehicle in violation of this
12 section.

13 (d) For the purpose of this section only, "motor vehicle" does not include any
14 motorcycle, bus, truck, or taxicab.

15 (e) For the purpose of this section only, "seat belt" means any belt, strap,
16 harness, or like device.

17 (f) A seat belt may not be sold or offered for sale for use in connection with the
18 operation of a motor vehicle in this State after June 1, 1964, unless it meets [the
19 current standards and specifications of the Society of Automotive Engineers
20 applicable to these belts or other standard adopted by the Administrator]
21 APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 1999.