
By: **Delegate Wood**

Introduced and read first time: January 27, 2000

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Law - Vehicles Over 10,000 Pound Rating - Restriction on**
3 **Passengers in Cargo Area**

4 FOR the purpose of prohibiting drivers of certain vehicles from allowing a person to
5 occupy an area in the vehicle intended primarily for cargo while the vehicle is
6 being operated on a highway; prohibiting a person from occupying the cargo
7 area while the vehicle is being operated on a highway; providing certain
8 exceptions; and generally relating to prohibiting persons from occupying the
9 cargo area in certain trucks and trailers operating on the highway.

10 BY adding to

11 Article - Transportation
12 Section 21-1107
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 1999 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article - Transportation
17 Section 27-101(a) and (b)
18 Annotated Code of Maryland
19 (1999 Replacement Volume and 1999 Supplement)

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

22 **Article - Transportation**

23 21-1107.

24 (A) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THIS SECTION APPLIES
25 TO:

26 (1) A TRUCK THAT HAS A GROSS VEHICLE WEIGHT RATING OF 10,001
27 POUNDS OR MORE; AND

1 (2) A TRUCK/TRAILER OR TRUCK TRACTOR/SEMITRAILER OR TRAILER
2 COMBINATION THAT HAS A COMBINED GROSS VEHICLE WEIGHT RATING OF 10,001
3 POUNDS OR MORE.

4 (B) WHILE A VEHICLE SUBJECT TO THIS SECTION IS BEING OPERATED ON A
5 HIGHWAY:

6 (1) THE DRIVER MAY NOT ALLOW A PERSON TO OCCUPY THE AREA OF
7 THE VEHICLE PRIMARILY INTENDED TO CARRY CARGO; AND

8 (2) A PERSON MAY NOT OCCUPY THE AREA OF THE VEHICLE PRIMARILY
9 INTENDED TO CARRY CARGO.

10 (C) THIS SECTION DOES NOT APPLY TO:

11 (1) AN ATTENDANT DELEGATED TO CARE FOR LIVESTOCK;

12 (2) A VEHICLE THAT IS CONTROLLED OR OPERATED BY A FARMER AND
13 IS:

14 (I) USED TO TRANSPORT AGRICULTURAL PRODUCTS, FARM
15 MACHINERY, OR FARM SUPPLIES TO OR FROM A FARM;

16 (II) NOT USED IN THE OPERATIONS OF A COMMON OR CONTRACT
17 MOTOR CARRIER; AND

18 (III) USED WITHIN 150 MILES OF THE FARMER'S FARM;

19 (3) A VEHICLE OWNED OR OPERATED BY THE U.S. DEPARTMENT OF
20 DEFENSE IF THE VEHICLE IS CONTROLLED OR OPERATED BY:

21 (I) ACTIVE DUTY MILITARY PERSONNEL; OR

22 (II) A MEMBER OF THE MILITARY RESERVES OR NATIONAL GUARD
23 ON ACTIVE DUTY, INCLUDING PERSONNEL ON FULL-TIME NATIONAL GUARD DUTY
24 AND PERSONNEL ON PART-TIME TRAINING; OR

25 (4) A VEHICLE TRAVELING AT A SPEED OF NOT MORE THAN 25 MILES
26 PER HOUR.

27 27-101.

28 (a) It is a misdemeanor for any person to violate any of the provisions of the
29 Maryland Vehicle Law unless the violation:

30 (1) Is declared to be a felony by the Maryland Vehicle Law or by any
31 other law of this State; or

32 (2) Is punishable by a civil penalty under the applicable provision of the
33 Maryland Vehicle Law.

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2000.