

SENATE BILL 46

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2000 Regular Session
0lr0131

(PRE-FILED)

By: **Chairman, Judicial Proceedings Committee (Departmental -
Transportation)**

Requested: November 3, 1999

Introduced and read first time: January 12, 2000

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Nonresident Motor Carrier Citation Program - Repeal**

3 FOR the purpose of repealing the provisions of the motor vehicle law relating to the
4 nonresident motor carrier citation program.

5 BY repealing

6 Article - Transportation

7 Section 26-205

8 Annotated Code of Maryland

9 (1999 Replacement Volume and 1999 Supplement)

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

12 **Article - Transportation**

13 [26-205.

14 (a) (1) In this section the following words have the meanings indicated.

15 (2) "Commercial motor vehicle" means any vehicle used in the taxable
16 operations of a motor carrier under Title 9, Subtitle 2 of the Tax - General Article.

17 (3) "Motor carrier" means any person subject to the motor carrier tax
18 under Title 9, Subtitle 2 of the Tax - General Article.

19 (b) A nonresident motor carrier that operates a commercial motor vehicle
20 registered in another state may apply in writing to the Department of State Police for
21 the benefits of subsection (d) of this section.

22 (c) (1) The Department of State Police shall adopt rules and regulations to
23 carry out the provisions of this section.

24 (2) These rules and regulations shall include:

- 1 (i) The form of application to be used under this section;
- 2 (ii) Any requirements that the Department of State Police
3 considers necessary to qualify an applicant for the benefits of subsection (d) of this
4 section;
- 5 (iii) Standards and procedures for the approval, disapproval,
6 renewal, suspension, and revocation of approved status under this section; and
- 7 (iv) Those provisions of the Maryland Vehicle Law or other traffic
8 laws or ordinances for which the benefits of subsection (d) of this section apply.

9 (d) If, for a violation of the Maryland Vehicle Law, a police officer stops a
10 commercial motor vehicle that belongs to a nonresident motor carrier approved under
11 this section, the officer, in his determination of whether or not there is reasonable
12 grounds to believe that the driver will disregard a traffic citation, shall consider the
13 fact that compliance with the citation would be secured under this section.

14 (e) Failure to comply with a citation is grounds for:

15 (1) Forfeiture of the bond posted by the motor carrier under § 13-824 of
16 the Tax - General Article; and

17 (2) Revocation of the registration and operating privileges issued to the
18 motor carrier under Title 9, Subtitle 2 of the Tax - General Article.

19 (f) Notice of revocation sent by certified mail, return receipt requested,
20 bearing a postmark from the United States Postal Service, to the motor carrier at its
21 last known address is sufficient notice that its registration and operating privileges
22 are revoked under this section.

23 (g) (1) After 30 days from the date a notice is sent under subsection (f) of
24 this section, a motor carrier that has had its operator's registration or operating
25 privileges revoked under this section may not operate a commercial motor vehicle in
26 this State.

27 (2) Each operation of a vehicle in violation of this subsection is a
28 separate offense and is punishable under the Road Tax on Motor Carriers Act.]

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