
By: **Chairman, Judiciary Committee (Departmental - Transportation)**

Introduced and read first time: February 9, 2001

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Vehicle Laws - Motor Carriers and Commercial Motor Vehicles -**
3 **Penalties**

4 FOR the purpose of providing that any motor carrier that requires or permits any
5 person to operate any vehicle in violation of Title 24 of the Maryland Vehicle
6 Law may be charged with a certain violation; establishing certain enhanced
7 penalties for drivers of commercial motor vehicles and motor carriers who are
8 convicted of certain violations of the Maryland Vehicle Law and Code of Federal
9 Regulations that result in bodily injury to, or death of, another person; clarifying
10 language; and generally relating to penalties for violations by drivers of
11 commercial motor vehicles and motor carriers.

12 BY repealing and reenacting, with amendments,
13 Article - Transportation
14 Section 24-101 and 27-101(l) and (s)
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 2000 Supplement)

17 BY adding to
18 Article - Transportation
19 Section 27-101(v)
20 Annotated Code of Maryland
21 (1999 Replacement Volume and 2000 Supplement)

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

24 **Article - Transportation**

25 24-101.

26 (a) The provisions of this subtitle governing size, weight, and load do not apply
27 to:

28 (1) Fire apparatus;

- 1 (2) Farm equipment temporarily moved on a highway; or
2 (3) A vehicle driven under the terms of a special permit issued under this
3 subtitle.

4 (b) A person may not drive on any publicly maintained highway any vehicle or
5 combination of vehicles with a gross weight that exceeds:

- 6 (1) The maximum registered weight limit for which the vehicle or
7 combination is registered under § 24-110 of this subtitle; or
8 (2) Any other weight limit established under the Maryland Vehicle Law.

9 (c) A person may not permit to be driven on any publicly maintained highway
10 any vehicle or combination of vehicles with a gross weight that exceeds:

- 11 (1) The maximum registered weight limit for which the vehicle or
12 combination is registered under § 24-110 of this subtitle; or
13 (2) Any other weight limit established under the Maryland Vehicle Law.

14 (D) ANY MOTOR CARRIER THAT REQUIRES OR PERMITS ANY PERSON TO
15 OPERATE ANY VEHICLE IN VIOLATION OF THIS TITLE MAY BE CHARGED WITH A
16 VIOLATION OF THE APPLICABLE PROVISION OF THIS TITLE.

17 [(d)] (E) A violation of the maximum weight provisions of this subtitle is not a
18 moving violation for purposes of Title 16, Subtitle 4 of this article.

19 27-101.

20 (l) [Any] EXCEPT AS PROVIDED IN SUBSECTION (V) OF THIS SECTION, ANY
21 person who is convicted of a violation of any of the provisions of § 22-409 of this
22 article ("Transportation of hazardous materials"), § 23-403(b) of this article (Obeying
23 signs to stop for a diesel emissions test), § 24-111(d) or (e) of this article (Obeying
24 signs to stop for inspection), § 24-111.1(b), (d)(2), or (e)(2) of this article (Overweight
25 vehicles), or § 25-111 of this article (Motor carrier safety violations) is subject to a fine
26 of:

- 27 (1) Not more than \$1,000 for a first offense;
28 (2) Not more than \$2,000 for a second offense; and
29 (3) Not more than \$3,000 for a third or subsequent offense.

30 (s) [Any] EXCEPT AS PROVIDED IN SUBSECTION (V) OF THIS SECTION, ANY
31 person who is convicted of a violation of any of the provisions of § 16-808 of this
32 article ("Persons ineligible to drive commercial motor vehicles") is subject to:

- 33 (1) For a first offense, a fine of not more than \$1,000 or imprisonment for
34 not more than 6 months or both;

1 (2) For a second offense, a fine of not more than \$2,000 or imprisonment
2 for not more than 1 year or both; and

3 (3) For a third or subsequent offense, a fine of not more than \$3,000 or
4 imprisonment for not more than 2 years or both.

5 (V) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE
6 MEANINGS INDICATED.

7 (II) "COMMERCIAL MOTOR VEHICLE" HAS THE MEANING STATED IN
8 § 11-109.1 OF THIS ARTICLE.

9 (III) "MOTOR CARRIER" HAS THE MEANING STATED IN § 11-134.2 OF
10 THIS ARTICLE.

11 (2) (I) THIS PARAGRAPH APPLIES TO THE FOLLOWING VIOLATIONS OF
12 THIS ARTICLE:

13 1. § 16-113(H) ("RESTRICTED LICENSE");

14 2. § 16-808 ("PERSONS INELIGIBLE TO DRIVE COMMERCIAL
15 MOTOR VEHICLES");

16 3. § 16-813(A) ("ALCOHOL CONCENTRATION - DRIVING,
17 OPERATING, ETC., OF COMMERCIAL MOTOR VEHICLE PROHIBITED");

18 4. § 16-815 ("CLASSES AND ENDORSEMENTS OF LICENSES");

19 5. § 22-101(A)(1) ("DRIVING UNSAFE VEHICLE PROHIBITED");

20 6. § 24-102 ("WIDTH OF VEHICLES");

21 7. § 24-104 ("HEIGHT OF VEHICLES AND LOADS");

22 8. § 24-104.1 ("LENGTH OF VEHICLES AND LOADS");

23 9. § 24-104.2 ("LENGTH OF SEMITRAILER OPERATED IN
24 COMBINATION WITH TRUCK TRACTORS");

25 10. § 24-105 ("LOAD EXTENSIONS");

26 11. § 24-106 ("SECURING LOADS ON VEHICLES - IN GENERAL");

27 12. § 24-106.1 ("ENCLOSURES ON VEHICLES CARRYING LOOSE
28 MATERIALS");

29 13. § 24-106.2 ("TRANSPORTING LUMBER, PIPE, STEEL, OR
30 SIMILAR MATERIALS");

31 14. § 24-112(E) ("VIOLATION OF EXCESS SIZE AND WEIGHT
32 PERMITS"); AND

