

**Department of Legislative Services**  
Maryland General Assembly  
2003 Session

**FISCAL AND POLICY NOTE**

Senate Bill 759

(Senator Ruben)

Judicial Proceedings

Environmental Matters

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**Motor Carrier Safety Regulations - Applicability of Medical and Certification Requirements**

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This bill authorizes the Motor Vehicle Administration (MVA) to adopt regulations for intrastate motor carrier transport that apply specified federal medical examination and certification requirements to a driver who operates a vehicle or vehicle combination weighing a total of less than 26,001 pounds.

The bill also authorizes the MVA to, except in the case of bus drivers, apply specified federal physical qualification regulations on or after October 1, 2023 to any person who: (1) on October 1, 2003, was otherwise qualified to operate and operated a vehicle or vehicle combination used in intrastate commerce and weighing a total of 10,001 pounds or more; (2) after October 1, 2003, remained qualified and continued to operate such a vehicle; (3) operates the vehicle only in intrastate commerce; and (4) meets certain other conditions.

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**Fiscal Summary**

**State Effect:** This bill would not materially affect State government operations.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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## Analysis

**Current Law:** The MVA may not adopt regulations for intrastate motor carrier transport that would apply specified medical and certification requirements under the Federal Motor Carrier Safety Regulations (FMCSR) to a driver who operates a vehicle or vehicle combination with a gross weight of less than 26,001 pounds.

Except in the case of bus drivers, the MVA also may not adopt regulations for that same purpose to apply specified physical qualifications under FMCSR to any person who: (1) was otherwise qualified to operate and operated a commercial motor vehicle in intrastate commerce on or before October 1, 1992; (2) operates only in intrastate commerce; and (3) has a mental or physical condition that would otherwise disqualify the person under FMCSR, the condition existed on October 1, 1992 or at the time of a specified physical examination thereafter, and an examining physician has determined that the condition has not substantially worsened.

**Background:** Maryland annually receives federal grants, averaging approximately \$2.4 million, from the Federal Motor Carrier Safety Administration under the Motor Carrier Safety Assistance Program for commercial vehicle safety enforcement. A condition of this grant money is that State law be consistent with federal motor carrier safety regulations.

**State Expenditures:** The MVA indicates that \$1,585 in additional special fund expenditures will be required in fiscal 2004 to revise the Department of Transportation Physical Card (Form DL-171) that commercial drivers' license carriers are required to possess. The Department of Legislative Services believes that an expenditure of that magnitude can be absorbed within existing resources.

**Small Business Effect:** The MVA estimates that there are approximately 10,125 intrastate drivers who would be impacted by the provisions of this bill. With medical examinations estimated to average \$100 every two years, biennial costs to either businesses or drivers would be \$1,012,500. The MVA notes that small carriers typically have fewer than ten drivers. The maximum additional cost to a small business, if it pays for the examinations of its drivers, would therefore generally be a maximum of \$1,000 every two years.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Transportation, Department of Legislative Services

**Fiscal Note History:** First Reader - March 17, 2003  
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