

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1583
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Vehicle" insert "Allegany County and Garrett County -"; in line 4, after "permit" insert "valid in certain counties"; in line 8, strike "to annually" and substitute ", twice each year, to"; in line 18, after "revocation;" insert "requiring certain records to be provided to the State Highway Administrator or the Administrator's designee on request; authorizing the State Highway Administrator to take certain action if certain records are not received;"; and in line 20, after "report;" insert "authorizing the State Highway Administrator to stop issuing or renewing exceptional hauling permits under certain circumstances; requiring a certain report to the General Assembly if the State Highway Administration stops issuing or renewing exceptional hauling permits under this Act; providing for the termination of this Act;".

AMENDMENT NO. 2

On page 2, after line 2, insert:

"(A) AN EXCEPTIONAL HAULING PERMIT ISSUED UNDER THIS SECTION IS VALID ONLY IN ALLEGANY COUNTY AND GARRETT COUNTY.";

in lines 3, 12, 13, 26, and 27, strike "(A)", "(B)", "(A)", "(C)", and "(A)", respectively, and substitute "(B)", "(C)", "(B)", "(D)", and "(B)", respectively; in line 22, strike "ANNUALLY" and substitute "TWICE EACH YEAR,"; and in line 32, after "SYSTEM" insert ", AS DEFINED IN § 8-101(J) OF THIS ARTICLE".

On page 3, in lines 6 and 15, strike "(D)" and "(E)", respectively, and substitute "(E)" and "(E)", respectively; in line 13, strike "12 MONTHS" and substitute "180 DAYS"; in line 17, strike "(A)" and substitute "(B)"; and after line 37 insert:

"(G) (1) ON REQUEST FROM THE STATE HIGHWAY ADMINISTRATOR OR

(Over)

THE ADMINISTRATOR'S DESIGNEE, WEIGHT AND DELIVERY RECORDS OF THE HOLDER OF AN EXCEPTIONAL HAULING PERMIT THAT ARE KEPT IN THE NORMAL COURSE OF BUSINESS SHALL BE PROVIDED BY:

(I) THE HOLDER OF THE EXCEPTIONAL HAULING PERMIT; OR

(II) A FACILITY THAT RECEIVES FORESTRY PRODUCTS DELIVERED BY A VEHICLE OPERATING UNDER THE AUTHORITY OF AN EXCEPTIONAL HAULING PERMIT.

(2) IF THE HOLDER OF AN EXCEPTIONAL HAULING PERMIT OR A FACILITY THAT RECEIVES FORESTRY PRODUCTS DOES NOT COMPLY WITH A REQUEST UNDER THIS SUBSECTION, THE STATE HIGHWAY ADMINISTRATION MAY:

(I) SUSPEND THE HOLDER'S EXCEPTIONAL HAULING PERMIT;
OR

(II) PROHIBIT A VEHICLE FROM DELIVERING FORESTRY PRODUCTS UNDER THE AUTHORITY OF THE EXCEPTIONAL HAULING PERMIT TO THE NONCOMPLIANT FACILITY."

On page 4, in lines 1, 6, 12, and 14, strike "(F)", "(E)(1)(III)", "(G)", and "(H)", respectively, and substitute "(H)", "(E)(1)(III)", "(I)", and "(J)", respectively; in line 19, strike "2007" and substitute "2008"; after line 22, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the issuance of permits under this Act is at the discretion of the State Highway Administrator. The State Highway Administrator may stop issuing and renewing permits under this Act if the Administrator determines that the use of exceptional hauling permits is adversely affecting any part of the State highway system. The State Highway Administrator shall promptly report to the General Assembly, in accordance with § 2-1246 of the State Government Article, regarding any decision to stop issuing or renewing permits under this Act and the reason for the decision."

in line 23, strike "3." and substitute "4."; and in line 24, after "2006." insert "It shall remain effective for a period of 4 years and, at the end of September 30, 2010, with no further action required by the

General Assembly, this Act shall be abrogated and of no further force and effect.”.