

HOUSE BILL 340

C5, F2

8lr0887

By: **Delegates Pena–Melnik, Barnes, and Frush**

Introduced and read first time: January 25, 2008

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 2008

CHAPTER _____

1 AN ACT concerning

2 **Public Utility Companies – Bus Service Provided by ~~Institutions of Higher~~**
3 **~~Education~~ University of Maryland, College Park – Exemption from Motor**
4 **Carrier Permit Requirement**

5 FOR the purpose of providing that a motor carrier permit is not required for a shuttle
6 bus service operated by ~~an institution of higher education~~ the University of
7 Maryland, College Park for its students that also is used to provide, in exchange
8 for payment by the municipal corporation in which the ~~institution~~ University of
9 Maryland, College Park is located, transportation service to the residents of the
10 municipal corporation; requiring the Department of Transportation Services in
11 the University of Maryland, College Park to report to certain committees by a
12 certain time on certain findings; providing for the termination of this Act; and
13 generally relating to bus service provided by ~~an institution of higher education~~
14 the University of Maryland, College Park to its students and to the residents of
15 a certain municipal corporation.

16 BY repealing and reenacting, with amendments,
17 Article – Public Utility Companies
18 Section 9–201
19 Annotated Code of Maryland
20 (1998 Volume and 2007 Supplement)

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

23 **Article – Public Utility Companies**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 9-201.

2 (a) Except as provided in subsection (b) of this section, a motor carrier permit
3 is required for a passenger motor vehicle used in the transportation of persons for hire.

4 (b) A motor carrier permit is not required for:

5 (1) a motor vehicle used exclusively for the transportation of pupils to
6 and from public or private schools;

7 (2) a motor vehicle operated for a period of not more than 3 months in
8 any registration year in the transportation of persons employed at a cannery located in
9 a county;

10 (3) taxicabs;

11 (4) public transportation for hire authorized to operate on the
12 boardwalk in Ocean City;

13 (5) a vanpool operation as defined in § 11-175.1 of the Transportation
14 Article;

15 (6) the public transportation system for Washington County
16 established under § 1-603 of the Code of Public Local Laws of Washington County,
17 Article 22 of the Code of Public Local Laws of Maryland;

18 (7) the public transportation system for Allegany County established
19 under § 23-24 of the Code of Public Local Laws of Allegany County, Article 1 of the
20 Code of Public Local Laws of Maryland; [or]

21 (8) the public transportation system for Frederick County established
22 by the Board of County Commissioners for Frederick County; **OR**

23 **(9) SHUTTLE BUS SERVICE OPERATED BY ~~AN INSTITUTION OF~~**
24 **~~HIGHER EDUCATION~~ THE UNIVERSITY OF MARYLAND, COLLEGE PARK FOR**
25 **STUDENTS ENROLLED AT THE ~~INSTITUTION~~ UNIVERSITY OF MARYLAND,**
26 **COLLEGE PARK AND, IN EXCHANGE FOR PAYMENT BY THE MUNICIPAL**
27 **CORPORATION IN WHICH THE ~~INSTITUTION~~ UNIVERSITY OF MARYLAND,**
28 **COLLEGE PARK IS LOCATED, TRANSPORTATION SERVICE ON THE SHUTTLE BUS**
29 **TO RESIDENTS OF THE MUNICIPAL CORPORATION.**

30 (c) The public duties of a common carrier may not be imposed on a person
31 with respect to a vehicle for which a motor carrier permit is required under this
32 section, if the vehicle is not actually engaged in public transportation.

33 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before
34 December 31, 2010, the Department of Transportation Services in the University of

1 Maryland, College Park shall report, in accordance with § 2-1246 of the State
2 Government Article, to the Senate Finance Committee and the House Economic
3 Matters Committee on the implementation of a transportation services program with
4 the City of College Park for the residents of the City of College Park.

5 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
6 effect ~~October 1, 2008~~ July 1, 2008. It shall remain effective for a period of 3 years
7 and, at the end of June 30, 2011, with no further action required by the General
8 Assembly, this Act shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.