

# HOUSE BILL 241

P2, P1

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By: **Delegates Taylor, Boteler, Carr, Hucker, Kaiser, Krebs, Montgomery, Robinson, Shewell, Stocksdale, and V. Turner**

Introduced and read first time: January 29, 2009

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Finance – Purchasing and Use of Motor Vehicles**

3 FOR the purpose of requiring that the standards for the purchase of motor vehicles for  
4 State use be based on a certain determination by the Secretary of Budget and  
5 Management; prohibiting the purchase of motor vehicles for certain purposes  
6 under certain circumstances; requiring certain regulations to prohibit the use of  
7 State-owned vehicles for certain purposes; requiring certain regulations to  
8 require the sale of State-owned vehicles under certain circumstances; and  
9 generally relating to the purchasing and use of vehicles by the State.

10 BY repealing and reenacting, without amendments,  
11 Article – State Finance and Procurement  
12 Section 3–501  
13 Annotated Code of Maryland  
14 (2006 Replacement Volume and 2008 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – State Finance and Procurement  
17 Section 3–502 and 3–503  
18 Annotated Code of Maryland  
19 (2006 Replacement Volume and 2008 Supplement)

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

22 **Article – State Finance and Procurement**

23 3–501.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 This subtitle does not apply to the purchase, lease, or rental of motor vehicles by  
2 the University College of the University of Maryland for use in University College  
3 overseas programs or by the Maryland Port Administration.

4 3-502.

5 (a) Consistent with Division II of this article **AND SUBJECT TO**  
6 **SUBSECTION (C) OF THIS SECTION**, the Secretary shall approve and submit to the  
7 Board of Public Works for concurrence:

8 (1) standards for purchase by the Department of General Services of  
9 motor vehicles for State use; and

10 (2) all leases or rentals of motor vehicles for use by officials or  
11 employees of any unit of the Executive Branch of the State government, other than  
12 any individual motor vehicle lease or rental made under the Standard State Travel  
13 Regulations.

14 (b) As far as practicable and feasible, the standards for purchase of motor  
15 vehicles shall be based on:

16 (1) the lowest possible life cycle cost; **AND**

17 (2) **A DETERMINATION MADE BY THE SECRETARY THAT THE USE**  
18 **OF A STATE-OWNED MOTOR VEHICLE IS REQUIRED FOR THE EFFICIENT**  
19 **OPERATION OF A STATE PROGRAM.**

20 (C) **A MOTOR VEHICLE MAY NOT BE PURCHASED FOR STATE USE IF IT**  
21 **WOULD PREDOMINATELY BE USED FOR A PURPOSE FOR WHICH IT IS MORE**  
22 **COST-EFFECTIVE FOR A STATE EMPLOYEE'S PERSONAL VEHICLE TO BE USED.**

23 [(c)] (D) The purchase of State-owned motor vehicles for any unit of the  
24 Executive Branch of the State government shall be reviewed and approved by the  
25 Secretary before the purchase to ensure compliance with this section and § 3-503 of  
26 this subtitle and any implementing regulations.

27 3-503.

28 (a) (1) To ensure economical and efficient use of motor vehicles by units of  
29 the Executive Branch of the State government, the Secretary shall adopt and enforce  
30 regulations to carry out the provisions of this subtitle.

31 (2) The regulations adopted under this section shall apply to:

32 (i) all phases of the use and maintenance of State-owned motor  
33 vehicles; and

(ii) the reimbursement of owners of privately owned motor vehicles.

(3) The regulations shall be directed to:

(i) requiring the effective, efficient, and inexpensive use of all motor vehicles; and

(ii) compiling and maintaining accurate and detailed cost accounting records for all use of motor vehicles.

(4) The regulations shall provide that, unless the Secretary determines on the basis of published criteria that the use of a State-owned motor vehicle is required for the efficient operation of a State program regardless of miles traveled, State-owned motor vehicles:

(I) shall be allocated to those State employees accumulating the greatest mileage for official use;

(II) **MAY NOT BE USED FOR A PURPOSE FOR WHICH IT IS MORE COST-EFFECTIVE FOR A STATE EMPLOYEE'S PERSONAL VEHICLE TO BE USED; AND**

(III) **SHALL BE SOLD IF THE VEHICLE IS PREDOMINATELY USED FOR A PURPOSE FOR WHICH IT IS MORE COST-EFFECTIVE FOR A STATE EMPLOYEE'S PERSONAL VEHICLE TO BE USED.**

(b) Consistent with this section, the Secretary may reassign State-owned motor vehicles between or among units of the Executive Branch of the State government if federally funded programs are substantially reduced or discontinued.

(c) Subject to § 2-1246 of the State Government Article, the Secretary shall submit to the General Assembly an annual report that includes, in detail:

(1) the text of any regulations that have been adopted under this section and are currently in effect; and

(2) a statement of any problems involved in ensuring compliance with this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.