

# HOUSE BILL 656

R7, R1

9lr1942

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By: **Delegates Boteler, Aumann, Eckardt, Elmore, Frank, George, Glenn, Jennings, Love, Myers, Norman, Olszewski, Schuler, Shewell, Smigiel, Stein, Stull, Walkup, and Weir**

Introduced and read first time: February 9, 2009

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Highway Administration – Emergency Snow Removal – Use of Farm**  
3 **Trucks**

4 FOR the purpose of authorizing the State Highway Administration to request the use  
5 of certain farm trucks to assist in snow removal under certain circumstances;  
6 authorizing the owner of a farm truck to refuse to allow the Administration to  
7 use the farm truck; requiring the Administration to compensate the owner of a  
8 farm truck that is used by the Administration for snow removal; authorizing the  
9 Administration to adopt certain regulations; defining a certain term; and  
10 generally relating to the use of farm trucks by the State Highway  
11 Administration for snow removal.

12 BY repealing and reenacting, with amendments,  
13 Article – Transportation  
14 Section 8–602  
15 Annotated Code of Maryland  
16 (2008 Replacement Volume)

17 BY repealing and reenacting, with amendments,  
18 Article – Transportation  
19 Section 13–921  
20 Annotated Code of Maryland  
21 (2006 Replacement Volume and 2008 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**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 8-602.

2 (a) The Administration shall:

3 (1) Keep all State highways reasonably clear of brush, snow, and other  
4 debris; and

5 (2) Remove from a State highway, as soon as its presence is made  
6 known to the Administration, any animal carcass that will impede traffic or  
7 substantially endanger the safety of the traveling public.

8 (b) (1) In removing snow from highways in Garrett County, the  
9 Administration:

10 (i) Shall avoid blocking completely the entrance to any home or  
11 business adjacent to the highway; and

12 (ii) May not throw or pile snow against any building in any way  
13 that interferes with the use of the building by its owner or occupant.

14 (2) If, in unusual circumstances, the entrance to any home or business  
15 is blocked in the course of snow removal, the Administration shall unblock the  
16 entrance within a reasonable time.

17 (c) (1) (i) **IN THIS SUBSECTION THE FOLLOWING WORDS HAVE**  
18 **THE MEANINGS INDICATED.**

19 (ii) **“FARM TRUCK” HAS THE MEANING STATED IN § 13-921**  
20 **OF THIS ARTICLE.**

21 (iii) **“LOCAL STATE OF EMERGENCY” MEANS AN EMERGENCY**  
22 **DECLARED UNDER § 14-111 OF THE PUBLIC SAFETY ARTICLE.**

23 (iv) **“STATE OF EMERGENCY” MEANS AN EMERGENCY**  
24 **DECLARED UNDER § 14-107 OF THE PUBLIC SAFETY ARTICLE.**

25 (2) **IN THE EVENT OF A STATE OF EMERGENCY OR LOCAL STATE**  
26 **OF EMERGENCY, THE ADMINISTRATION MAY REQUEST THAT THE OWNER OF A**  
27 **FARM TRUCK ALLOW THE ADMINISTRATION TO USE THE FARM TRUCK TO ASSIST**  
28 **IN SNOW REMOVAL.**

29 (3) **THE OWNER OF A FARM TRUCK MAY REFUSE A REQUEST**  
30 **MADE UNDER PARAGRAPH (2) OF THIS SUBSECTION TO ALLOW THE**  
31 **ADMINISTRATION TO USE THE FARM TRUCK.**

1 (4) THE ADMINISTRATION SHALL COMPENSATE THE OWNER OF A  
2 FARM TRUCK THAT IS USED BY THE ADMINISTRATION FOR SNOW REMOVAL.

3 (5) THE ADMINISTRATION MAY ADOPT REGULATIONS TO CARRY  
4 OUT THE PROVISIONS OF THIS SUBSECTION.

5 13-921.

6 (a) In this section, "farm truck" means a farm vehicle that:

7 (1) Is a Class E (truck) vehicle; and

8 (2) Has a shipping weight of its chassis and battery, as certified by the  
9 manufacturer, of more than 3/4 ton.

10 (b) On application, the Administration shall issue a Class E "farm truck  
11 registration" to any applicant who certifies:

12 (1) That the applicant is a farmer; and

13 (2) That the vehicle for which the application is made is a farm truck,  
14 specifying its proposed use.

15 (c) For each vehicle registered under this section, the annual registration fee  
16 is based on the maximum gross vehicle weight, as follows:

|    |                           |                       |
|----|---------------------------|-----------------------|
| 17 | Maximum Gross Weight      | Fee (per 1,000 Pounds |
| 18 | Limit (in Pounds)         | or Fraction Thereof)  |
| 19 | 10,000 (minimum) – 40,000 | \$5.00                |
| 20 | 40,001 – 65,000 (maximum) | \$5.25                |

21 (d) [A] EXCEPT AS PROVIDED IN § 8-602(C) OF THIS ARTICLE, A vehicle  
22 registered under this section may not be used:

23 (1) [for] FOR hire except to haul farm products for another [farmer.]  
24 FARMER; OR

25 [(e) A vehicle registered under this section may not be used]

26 (2) [in] IN any manner other than as a farm truck.

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