

SENATE BILL 209

R7, R1
SB 939/08 – FIN

9lr1603

By: **Senator Stone**
Introduced and read first time: January 23, 2009
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

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

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

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

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

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

23 **Article – Transportation**

24 8–602.

25 (a) The Administration shall:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

15 (c) (1) **(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE**
16 **THE MEANINGS INDICATED.**

17 **(II) “FARM TRUCK” HAS THE MEANING STATED IN § 13-921**
18 **OF THIS ARTICLE.**

19 **(III) “LOCAL STATE OF EMERGENCY” MEANS A LOCAL STATE**
20 **OF EMERGENCY DECLARED UNDER § 14-111 OF THE PUBLIC SAFETY ARTICLE.**

21 **(IV) “STATE OF EMERGENCY” MEANS A STATE OF**
22 **EMERGENCY DECLARED UNDER § 14-107 OF THE PUBLIC SAFETY ARTICLE.**

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

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

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

1 **(5) THE ADMINISTRATION MAY ADOPT REGULATIONS TO CARRY**
 2 **OUT THE PROVISIONS OF THIS SUBSECTION.**

3 13-921.

4 (a) In this section, “farm truck” means a farm vehicle that:

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

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

8 (b) On application, the Administration shall issue a Class E “farm truck
 9 registration” to any applicant who certifies:

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

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

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

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

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

21 (1) **[for] FOR** hire except to haul farm products for another **[farmer.]**
 22 **FARMER; OR**

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

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

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