

SENATE BILL 209

R7, R1
SB 939/08 – FIN

9lr1603

By: ~~Senator Stone~~ Senators Stone, Garagiola, Glassman, Klausmeier, and Middleton

Introduced and read first time: January 23, 2009
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 25, 2009

CHAPTER _____

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; providing that
8 the provisions of this Act apply only if a farm truck meets certain minimum
9 requirements; authorizing the Administration to adopt certain regulations;
10 defining certain terms; and generally relating to the use of farm trucks by the
11 State Highway 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)

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

3 **Article – Transportation**

4 8–602.

5 (a) The Administration shall:

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

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

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

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

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

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

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

22 (II) **“FARM TRUCK” HAS THE MEANING STATED IN § 13–921**
23 **OF THIS ARTICLE.**

24 (III) **“LOCAL STATE OF EMERGENCY” MEANS A LOCAL STATE**
25 **OF EMERGENCY DECLARED UNDER § 14–111 OF THE PUBLIC SAFETY ARTICLE.**

26 (IV) **“STATE OF EMERGENCY” MEANS A STATE OF**
27 **EMERGENCY DECLARED UNDER § 14–107 OF THE PUBLIC SAFETY ARTICLE.**

28 (2) **IN THE EVENT OF A STATE OF EMERGENCY OR A LOCAL STATE**
29 **OF EMERGENCY, INCLUDING SNOW, HURRICANE, WINDSTORM, OR A SIMILAR**
30 **EVENT, THE ADMINISTRATION MAY REQUEST THAT THE OWNER OF A FARM**
31 **TRUCK ALLOW THE ADMINISTRATION TO USE THE FARM TRUCK TO ASSIST IN**
32 **SNOW REMOVAL.**

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

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

6 **(5) THIS SUBSECTION APPLIES ONLY IF THE FARM TRUCK MEETS**
 7 **THE FOLLOWING MINIMUM REQUIREMENTS:**

8 **(I) THE FARM TRUCK PASSED ITS MOST RECENT**
 9 **INSPECTION UNDER § 23-302 OF THIS ARTICLE;**

10 **(II) THE OPERATOR OF THE FARM TRUCK POSSESSES A**
 11 **VALID COMMERCIAL DRIVER’S LICENSE AND A CURRENT MEDICAL CARD;**

12 **(III) THE OWNER OF THE FARM TRUCK MEETS MINIMUM**
 13 **INSURANCE REQUIREMENTS; AND**

14 **(IV) THE FARM TRUCK USES ULTRA-LOW SULFUR DIESEL**
 15 **FUEL WHILE BEING USED TO ASSIST THE ADMINISTRATION IN SNOW REMOVAL.**

16 ~~(5)~~ **(6) THE ADMINISTRATION MAY ADOPT REGULATIONS TO**
 17 **CARRY OUT THE PROVISIONS OF THIS SUBSECTION.**

18 13-921.

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

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

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

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

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

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

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

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| | Maximum Gross Weight Limit (in Pounds) | Fee (per 1,000 Pounds or Fraction Thereof) |
|---|---|---|
| 1 | 10,000 (minimum) – 40,000 | \$5.00 |
| 2 | 40,001 – 65,000 (maximum) | \$5.25 |

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

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.