

Chapter 126

(House Bill 544)

AN ACT concerning

Vehicle Laws – Motor Carriers – Application of Federal Safety Regulations

FOR the purpose of requiring that motor carrier safety regulations adopted jointly by the Motor Vehicle Administration and the Department of State Police duplicate or be consistent with certain federal regulations; clarifying the scope of certain State motor carrier safety regulations; and generally relating to the application of motor carrier safety regulations.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 25–111(f)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Article – Transportation

25–111.

(f) (1) Except as provided in subsection (i) of this section, the Administration may adopt rules and regulations as are necessary for the safe operation of vehicles that:

- (i) Exceed a gross vehicle weight rating of 10,000 pounds;
- (ii) Are required to be marked or placarded for the transportation of hazardous materials; or
- (iii) Are designed to transport 16 or more passengers including the driver over the highways of this State.

(2) Any rule or regulation adopted pursuant to this subsection shall:

- (i) Be formulated jointly by the Motor Vehicle Administration and the Department of State Police;

(ii) Duplicate or be consistent with the Federal Motor Carrier Safety Regulations contained in:

1. 49 C.F.R., PART 385, SUBPARTS A, C, AND D (“NEW ENTRANT SAFETY ASSURANCE PROGRAM”);

2. 49 C.F.R., PART 386, SUBPARTS F AND G (“INJUNCTIONS AND IMMINENT HAZARDS; PENALTIES”); AND

3. 49 C.F.R., Parts 390 through 399 (“GENERAL SAFETY REQUIREMENTS”);

(iii) Apply to all vehicles over 10,000 pounds rated gross vehicle weight that are subject to the Federal Motor Carrier Safety Regulations;

(iv) Apply to vehicles over 10,000 pounds gross vehicle weight rating that are not subject to the Federal Motor Carrier Safety Regulations, if the rule or regulations adopted by the Motor Vehicle Administration specifically states that it applies to the vehicle; and

(v) Be consistent with 49 C.F.R., Parts 40 and 382, with respect to alcohol and drug testing regulations applicable to drivers required by regulation to possess a commercial driver’s license.

(3) The rules or regulations adopted under this subsection may require that registrants of motor vehicles subject to this subsection have knowledge of applicable federal and State motor carrier safety regulations.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, April 10, 2012.