

# HOUSE BILL 1229

R4

5lr0015

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By: **Chair, Environment and Transportation Committee (By Request –  
Departmental – Transportation)**

Introduced and read first time: March 2, 2015

Assigned to: Rules and Executive Nominations

Re-referred to: Environment and Transportation, March 5, 2015

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Committee Report: Favorable

House action: Adopted

Read second time: March 20, 2015

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Commercial Motor Vehicles – Denial, Cancellation, Suspension, or Revocation**  
3 **of Registration**

4 FOR the purpose of authorizing the Motor Vehicle Administration to deny, cancel, suspend,  
5 or revoke the commercial motor vehicle registration of a vehicle if the motor carrier  
6 responsible for the safety of the vehicle is subject to certain federal sanctions or  
7 certain federal determinations; requiring that a denial, cancellation, suspension, or  
8 revocation under this Act continue until certain actions are taken; and generally  
9 relating to the denial, cancellation, suspension, or revocation of commercial motor  
10 vehicle registrations.

11 BY adding to  
12 Article – Transportation  
13 Section 13–710  
14 Annotated Code of Maryland  
15 (2012 Replacement Volume and 2014 Supplement)

16 BY repealing and reenacting, without amendments,  
17 Article – Transportation  
18 Section 16–812(i)(1)  
19 Annotated Code of Maryland  
20 (2012 Replacement Volume and 2014 Supplement)

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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 MARYLAND,  
2 That the Laws of Maryland read as follows:

3 **Article – Transportation**

4 **13–710.**

5 (A) THE ADMINISTRATION MAY DENY, CANCEL, SUSPEND, OR REVOKE THE  
6 COMMERCIAL MOTOR VEHICLE REGISTRATION OF A VEHICLE IF:

7 (1) THE MOTOR CARRIER RESPONSIBLE FOR THE SAFETY OF THE  
8 VEHICLE IS SUBJECT TO AN OUT-OF-SERVICE ORDER, AS DEFINED IN § 16–812(I)(1)  
9 OF THIS ARTICLE, OR OTHER FEDERAL OPERATING AUTHORITY SANCTIONS; OR

10 (2) THE UNITED STATES DEPARTMENT OF TRANSPORTATION  
11 DETERMINES THAT THE MOTOR CARRIER RESPONSIBLE FOR THE SAFETY OF THE  
12 VEHICLE IS ATTEMPTING OR HAS ATTEMPTED TO OPERATE A MOTOR CARRIER  
13 UNDER A NEW IDENTITY OR AS AN AFFILIATED ENTITY TO AVOID:

14 (I) COMPLYING WITH A UNITED STATES DEPARTMENT OF  
15 TRANSPORTATION ORDER;

16 (II) COMPLYING WITH A STATUTORY OR REGULATORY  
17 REQUIREMENT;

18 (III) PAYING A CIVIL PENALTY;

19 (IV) RESPONDING TO AN ENFORCEMENT ACTION; OR

20 (V) BEING LINKED WITH A NEGATIVE COMPLIANCE HISTORY.

21 (B) A DENIAL, CANCELLATION, SUSPENSION, OR REVOCATION UNDER THIS  
22 SECTION SHALL CONTINUE UNTIL THE OUT-OF-SERVICE ORDER OR OTHER  
23 FEDERAL OPERATING AUTHORITY SANCTIONS HAVE BEEN LIFTED AND THE MOTOR  
24 CARRIER IS ALLOWED TO RESUME OPERATIONS.

25 16–812.

26 (i) (1) In this subsection the following terms have the meanings indicated:

27 (i) “Commercial motor vehicle” means:

28 1. A “commercial motor vehicle” as defined in § 16–803 of this  
29 subtitle; and

1                                   2.     Except as provided in § 16–803(c)(2) of this subtitle, any  
2 self-propelled or towed vehicle used on a public highway to transport passengers or  
3 property, if the vehicle has a gross vehicle weight rating of 10,001 or more pounds.

4                                   (ii)   “Out-of-service order” means a declaration by an authorized  
5 enforcement officer of a federal, State, Canadian, Mexican or local jurisdiction that a driver,  
6 a commercial motor vehicle, or a motor carrier operation, is put out of service pursuant to  
7 Title 49, §§ 386.72, 392.5, 392.9A, 395.13, and 396.9 of the Code of Federal Regulations,  
8 compatible laws, or the North American Uniform Out-of-Service Criteria.

9                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2015.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.