

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
First Reader

Senate Bill 844 (Senator Peters)  
Judicial Proceedings

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Vehicle Laws - Commercial Motor Carriers - Safety, Maintenance, and  
Insurance Information (James's Law)

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This bill requires employers of commercial motor vehicle drivers to provide a prospective employee with (1) a copy of the employer’s safety record maintained by the Federal Motor Carrier Safety Administration; (2) access to up-to-date service and maintenance records; and (3) proof of insurance, including information on policy coverage. Likewise, a contract between an employer and a subcontractor must require periodic updates by the subcontractor to the employer regarding (1) safety records; (2) maintenance records; and (3) proof of insurance.

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Fiscal Summary

**State Effect:** The bill does not materially affect State finances or operations.

**Local Effect:** The bill does not materially affect local government finances or operations.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** An “employer” is any individual (including the United States, a state, or a political subdivision of a state) who owns or leases a commercial motor vehicle or assigns drivers to operate such a vehicle. An individual who employs himself or herself as a commercial motor vehicle driver is considered to be both an employer and a driver for purposes of State law.

Each employer must require an applicant to provide specified information related to previous employment.

An employer may not knowingly allow, require, permit, or authorize a driver to drive a commercial motor vehicle in the United States:

- during any period in which the driver has a driver's license suspended, revoked, or canceled by a state or has lost the privilege to operate a commercial motor vehicle in a state;
- during any period in which the driver has been disqualified from driving a commercial motor vehicle;
- during any period in which the driver has more than one driver's license;
- during any period in which the driver, the motor vehicle he or she is driving, or the motor carrier operation, is subject to an out-of-service order; or
- in violation of specified provisions of State law related to railroad crossing or any other federal, state, or local law or regulation substantially similar to those provisions.

An employer that is convicted of violating the prohibitions related to out-of-service orders or railroad crossings is subject to the civil penalties specified in regulation by the U.S. Secretary of Transportation.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** HB 1036 (Delegate R. Watson, *et al.*) - Environment and Transportation.

**Information Source(s):** Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 26, 2020  
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Analysis by: Eric F. Pierce

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510