HOUSE BILL 1303

By: Delegates Mautz, Adams, Boteler, Buckel, Hornberger, McComas, and Otto

Introduced and read first time: February 11, 2022
Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning

Motor Vehicles – Emergency Commercial Driver’s Licenses – Establishment

FOR the purpose of establishing the emergency commercial driver’s license issued by the Motor Vehicle Administration; authorizing the Administration to establish a program to authorize certain former holders of a commercial driver’s license to obtain, under certain circumstances, an emergency commercial driver’s license during certain states of emergency declared by the Governor; requiring the Administration to waive a certain driver skills test for program participants; establishing that an individual driving under the authority of an emergency commercial driver’s license may only travel intrastate; and generally relating to the establishment of the emergency commercial driver’s license.

BY adding to

Article – Transportation
Section 16–807.3
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)

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

Article – Transportation

16–807.3.

(A) THE ADMINISTRATION SHALL ESTABLISH A PROGRAM TO AUTHORIZE A FORMER HOLDER OF A COMMERCIAL DRIVER’S LICENSE TO OBTAIN AN EMERGENCY COMMERCIAL DRIVER’S LICENSE DURING A STATE OF EMERGENCY DECLARED BY THE GOVERNOR THAT IS EXPECTED TO BE IN EFFECT FOR 6 MONTHS OR MORE.
(B) Under the program, the Administration may issue emergency commercial driver’s licenses only:

(1) During a state of emergency declared by the Governor and for 6 months following the termination of the state of emergency;

(2) If the Governor determines that there is a shortage of commercial driver’s license holders in the State; and

(3) If the Governor determines that the shortage of commercial driver’s license holders significantly inhibits the transportation of goods and transportation services in the State during or immediately after the state of emergency.

(C) The Administration may issue an emergency commercial driver’s license only:

(1) To an individual who:

   (I) Has held a commercial driver’s license issued by the Administration within the past 5 years;

   (II) Is otherwise qualified to operate a commercial motor vehicle;

   (III) Has the required medical certifications for interstate travel under a commercial driver’s license;

   (IV) Has passed the appropriate vision screening tests;

   AND

   (V) Has the documentation required by federal law, as enumerated in § 16–103.1(10) and (11) of this title, on file with the Administration; and

(2) In the same class and with the same endorsements as was the case for the individual’s previously held commercial driver’s license.

(D) The Administration shall waive the skills test required under § 16–807(b) of this subtitle for program participants.

(E) An individual driving under the authority of an emergency
COMMERCIAL DRIVER’S LICENSE MAY ONLY TRAVEL INTRASTATE.

(F) (1) An emergency commercial driver’s license shall expire on the earlier of 6 months after:

   (I) the termination of the state of emergency; or

   (II) issuance.

(2) Within the period between the beginning of the state of emergency and 6 months after the termination of the state of emergency, the administration may renew an emergency commercial driver’s license in its discretion.

(3) If appropriate, an emergency commercial driver’s license shall be renewed electronically.

(G) The administration may adopt regulations to implement this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.