

SENATE BILL 361

K3

3lr1767

By: **Senator Salling**

Introduced and read first time: January 30, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Delivery Employees – Reimbursement for Mileage – Requirement**

3 FOR the purpose of requiring an employer of a delivery employee to reimburse the delivery
4 employee for mileage in an amount that is at least equal to the most recent Internal
5 Revenue Service standard mileage rate; requiring the employer to post a certain
6 notice of the provisions of this Act in a certain manner; and generally relating to
7 reimbursement for mileage for delivery employees.

8 BY adding to

9 Article – Labor and Employment

10 Section 3–103(e)(7) and 3–718

11 Annotated Code of Maryland

12 (2016 Replacement Volume and 2022 Supplement)

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

15 **Article – Labor and Employment**

16 3–103.

17 (e) **(7) THE COMMISSIONER MAY INVESTIGATE WHETHER § 3–718 OF**
18 **THIS TITLE HAS BEEN VIOLATED ON RECEIPT OF A WRITTEN COMPLAINT OF AN**
19 **EMPLOYEE.**

20 **3–718.**

21 **(A) IN THIS SECTION, “DELIVERY EMPLOYEE” MEANS AN EMPLOYEE WHOSE**
22 **EMPLOYMENT REQUIRES THE EMPLOYEE TO CUSTOMARILY AND REGULARLY USE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 THE EMPLOYEE'S PERSONAL VEHICLE TO PERFORM DELIVERY JOBS, DELIVERY
2 SERVICES, AND OTHER DUTIES INSIDE THE USUAL COURSE OF BUSINESS.

3 (B) IF AN EMPLOYER USES A DELIVERY EMPLOYEE TO DELIVER A PRODUCT,
4 THE EMPLOYER SHALL:

5 (1) REIMBURSE THE DELIVERY EMPLOYEE FOR MILEAGE IN AN
6 AMOUNT THAT IS AT LEAST EQUAL TO THE MOST RECENT INTERNAL REVENUE
7 SERVICE STANDARD MILEAGE RATE; AND

8 (2) POST CONSPICUOUSLY IN A PLACE WHERE THE DELIVERY
9 EMPLOYEE IS EMPLOYED A PRINTED NOTICE OF THE PROVISIONS OF THIS SECTION
10 IN A FORM THAT THE COMMISSIONER REQUIRES.

11 (C) FOR CALCULATING REIMBURSEMENT FOR MILEAGE UNDER THIS
12 SECTION, A DELIVERY EMPLOYEE SHALL CALCULATE THE DISTANCE IN MILES
13 DRIVEN USING A RECOGNIZED, REPUTABLE, INTERNET MAPPING PROGRAM OR
14 APPLICATION.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2023.