

Part G

Transportation and Motor Vehicles

Transportation

Transportation Planning

The *Consolidated Transportation Program* (CTP) is the Maryland Department of Transportation's (MDOT) six-year budget for the construction, development, and evaluation of transportation capital projects. It is revised annually to reflect updated information and changing priorities. The CTP contains a list of current and anticipated major and minor capital projects for the fiscal year in which it is issued and for the next five fiscal years, including an expanded description of major capital projects; a detailed breakdown of the costs of a project, project expenditures to date, expected expenditures for the current fiscal year, projected annual expenditures for the next five years, and total project costs; and MDOT's estimates of the source and amount of revenues required to fund projects in the CTP.

House Bill 1155 (passed) alters the process under which MDOT evaluates and selects capital projects to be included in the construction program of the CTP. A local government or other government agency that requests a major capital project for inclusion in the CTP is required to submit a document to MDOT discussing the need for the project and how the project addresses the State's transportation goals and supports local government land use plans. MDOT must evaluate requests for major capital projects based on the State's goals and, as appropriate, criteria as determined by the information submitted by the proposing entity and the availability of funding. As part of this evaluation, MDOT must acknowledge the difference between urban and rural transportation needs.

The CTP must include a purpose and need summary statement that includes (1) a general description and summary that describes why a project is necessary and satisfies State goals, including the current State transportation and climate action plan goals; (2) the location of the project, including a map of the project limits, project area, or transportation corridor; and (3) a summary of how the project meets the selection criteria for inclusion in the capital program.

The Smart Growth Subcabinet is required under the bill to conduct an annual review of transportation goals, benchmarks, and indicators. MDOT and a previously established advisory committee, consisting of various transportation experts, representatives of State and local government, and representatives of environmental, business, and community interests, are required to consider the impact of the State's transportation investment on the environment, environmental justice, communities, and economic development. The bill also requires consideration of the State's climate plan action goals when establishing the State's transportation goals, benchmarks, and indicators.

MDOT develops several different transportation planning documents. MDOT published a Statewide 20-Year Bicycle-Pedestrian Master Plan in 2002 and recently confirmed that the plan is still relevant. The *Maryland Transportation Plan* (MTP) is a 20-year forecast of State transportation needs based on MDOT's anticipated financial resources during that 20-year period, and it must be revised every five years through an inclusive public participation process. The latest MTP was released in January 2009, and the next update is expected in 2014.

House Bill 282 (Ch. 145) requires MDOT to review and update the Statewide 20-year Bicycle-Pedestrian Master Plan each year that the MTP is revised. Additionally, the bill requires MDOT, in developing the CTP, to (1) ensure that there is an appropriate balance between funding for new highway construction projects and projects that retrofit existing transportation projects with facilities for pedestrians and bicycle riders; and (2) place increased emphasis, in transit-oriented areas within priority funding areas (PFAs), on projects that retrofit existing transportation projects with additional facilities and accessibility for pedestrians and bicycle riders. By directing State spending to PFAs, the State seeks to make the most efficient and effective use of existing infrastructure; preserve existing neighborhoods; and preserve Maryland's fields, farms, and open spaces.

Transportation Funding

The General Assembly addressed a number of issues concerning the funding of Transportation needs in the State. **Senate Bill 229/House Bill 710 (both passed)** establish a Blue Ribbon Commission on Maryland Transportation Funding. The commission must review, evaluate, and make recommendations on (1) the current State funding sources and structure of the Transportation Trust Fund; (2) short- and long-term transit construction and maintenance funding needs; (3) short- and long-term highway construction and maintenance funding needs; (4) short- and long-term pedestrian and bicycle facility construction and maintenance funding needs; (5) options for public-private partnerships to meet transportation funding needs; (6) the structure of regional transportation authorities and their ability to meet transportation needs; (7) the impact of economic development and smart growth on transportation funding; and (8) options for sustainable, long-term revenue sources for transportation. The commission must submit an interim report by January 1, 2011, and a final report by November 1, 2011, providing findings and recommendations to the Governor and the General Assembly.

Senate Bill 828 (passed) exempts certain financing costs for transportation improvements from a county tax limitation that would apply to *ad valorem* or special taxing districts. For a

more detailed discussion of this issue, see the subpart “County and Municipal Governments” within Part D – Local Government of this *90 Day Report*.

Also, several changes were made to the distribution of Highway User Revenues in fiscal 2011 and future years. For a more detailed discussion of this issue, see the subpart “Operating Budget” within Part A – Budget and State Government of this *90 Day Report*.

Public-Private Partnerships

Across the nation, there is growing interest in utilizing private-sector financing as a means to maintain and expand capital infrastructure investment. In Maryland, public-private partnership (P3) agreements have been utilized primarily to finance transportation infrastructure. More recently, however, P3s have also facilitated the proposed multi-year phased redevelopment of the State center complex in Baltimore City and the financing of the Department of Health and Mental Hygiene’s new public health laboratory. *Senate Bill 979/House Bill 1370 (both passed)* define a P3 and establish a framework of P3 reporting requirements and oversight procedures for State entities. The bills require the State Treasurer or the Maryland Transportation Authority to analyze each proposed public-private partnership agreement, and the Board of Public Works is prohibited from approving a public-private partnership agreement until the budget committees of the General Assembly have had 30 days to review and comment on the analysis of the agreement. The bills also establish a Joint Legislative and Executive Commission on Oversight of Public-Private Partnerships. Among other duties, the commission is required to study and make recommendations concerning the appropriate manner of conducting legislative oversight of public-private partnerships and recommend broad policy parameters within which public-private partnerships should be negotiated. The commission must submit a final report by December 1, 2011, to the Governor and the General Assembly. The commission terminates at the end of June 30, 2012.

Transportation Personnel Policy

The Maryland Transportation Authority (MDTA) manages, operates, and maintains the State’s seven toll facilities (four bridges, two tunnels, and one highway) and operates the seventh largest police force in the State. While Maryland’s collective bargaining law applies to employees of the Executive Branch’s principal departments, since MDTA is not considered a unit of MDOT, it is not subject to State collective bargaining law. *House Bill 815 (passed)* expands the application of collective bargaining provisions to all MDTA police officers at or below the rank of first sergeant and requires these officers to have a separate bargaining unit.

While most Executive Branch employees are members of the State Personnel Management System, MDOT employees are members of the independent Transportation Service Human Resources System. *Senate Bill 368 (passed)* repeals the authority of the Secretary of Transportation to abolish any position other than positions specifically provided for in the Transportation Article of the Annotated Code; however, the Secretary maintains the authority to create any position in accordance with State law and determine the qualifications, appointment, removal, tenure, terms of employment, and compensation of employees.

State Highways

Sidewalk or Bicycle Pathway Construction

To ensure that the State's investments in transportation retain their value and remain safe, MDOT allocates funds for activities aimed at preserving the existing transportation system before pursuing capacity expansion projects. In addition, PFAs were established by the Smart Growth and Neighborhood Conservation Act of 1997 to focus State spending in order to strengthen the State's efforts to control sprawl, enhance land use, and control pollution. *House Bill 786 (passed)* requires the State Highway Administration (SHA) to categorize a sidewalk or bicycle pathway construction project as "system preservation" and give the project funding priority if (1) it is located in a PFA; (2) the adjacent roadway is not being concurrently constructed or reconstructed; and (3) SHA determines a substantial public safety risk or significant impediment to pedestrian access exists. The State is authorized to assume all costs for constructing or reconstructing these sidewalks or bicycle pathways.

Mobile Produce Vendors along State Highways

While mobile seafood vendors may be authorized to operate in a State highway right-of-way with a lease from the State, mobile produce vendors have not been afforded this opportunity. *Senate Bill 477/House Bill 611 (both passed)* extend existing State leasing requirements for mobile seafood vendors operating on a State highway right-of-way to mobile produce vendors. The State is authorized to require a mobile seafood or produce vendor to submit an application and pay a reasonable fee to be applied to administrative costs. The State may not enter into a lease with a mobile produce vendor unless the applicable county licenses mobile produce vendors.

Road Salt Management

Ensuring mobility and safety on roads during inclement weather is a priority for SHA as well as local governments, businesses, and homeowners. When ice does form on roads, salt (sodium chloride) is the most commonly used deicer. However, salt can saturate and destroy a soil's natural structure and result in more erosion and sediment transport to the Chesapeake Bay; damage and kill vegetation; and damage exposed rebar, bridges, and automobiles. While SHA primarily uses salt, other more environmentally benign materials such as sugar beet molasses and potassium acetate are also used to keep roads clear during the winter. *Senate Bill 775/House Bill 903 (both passed)* state the findings of the General Assembly regarding the adverse environmental impacts of road salt, and state the intent of the General Assembly to "reduce to the greatest extent possible" those adverse impacts. Toward that end, the bills require SHA, in consultation with the Maryland Department of the Environment, to develop a road salt management best practices guidance document by October 1, 2011, for use by local jurisdictions and the State to minimize the adverse environmental impacts of road salt runoff. The SHA is required under the bills to update the best practices document each year and publish the document on the SHA website.

High Occupancy Vehicle Lanes

Senate Bill 602 /House Bill 674 (both passed) authorize a plug-in vehicle affixed with a State permit designating it as such to use high occupancy vehicle (HOV) lanes. A plug-in vehicle is defined in the bills as a motor vehicle that, among the requirements, “is propelled to a significant extent by an electric motor that draws electricity” from a rechargeable battery. A plug-in vehicle that obtains a specified permit may use each HOV lane designated by SHA, regardless of the number of passengers in the vehicle. SHA is authorized to limit the number of permits issued. The bills will remain in effect for three years and, unless extended by future legislation, will terminate at the end of September 2013.

Motor Vehicles

Distracted Driving

Handheld Cell Phones

Senate Bill 321 (passed) would allow Maryland to join six states (California, Connecticut, New Jersey, New York, Oregon, and Washington) and the District of Columbia in prohibiting the use of handheld phones by drivers while operating a motor vehicle. The bill prohibits the use of a handheld telephone by the driver of a school vehicle that is carrying passengers and is in motion and by the holder of a learner’s instructional permit or provisional driver’s license who is age 18 or older. Any other driver over the age of 18, while driving, a motor vehicle that is in motion, is prohibited from using a handheld telephone other than to initiate or terminate a wireless telephone call or to turn the handheld telephone on or off. (Note that drivers under the age of 18 were already subject to a prohibition on the use of telephone and text messaging devices while driving.) These prohibitions do not apply to the emergency use of a handheld telephone, including calls to a 9-1-1 system, a hospital, an ambulance service provider, a fire department, a law enforcement agency, or a first aid squad, or to law enforcement or emergency personnel when acting within the scope of official duty. In addition, *House Bill 934 (passed)* establishes an exemption from the prohibition established in *Senate Bill 321* for the use of a handheld telephone utilizing push-to-talk technology by an individual operating a commercial motor vehicle.

The offense is enforceable as a secondary action only. Accordingly, a police officer must detain a driver for another violation of the Maryland Vehicle Law before issuing a citation for using a handheld cell phone. For a first offense, the violator is subject to a maximum fine of up to \$40 and points may not be assessed against the driver’s license unless the offense contributes to an accident. The court is authorized to waive the fine for a first-time conviction if the person proves that the person has acquired a hands-free accessory, attachment, add-on, or built-in feature for the handheld telephone that will allow the person to operate a motor vehicle in compliance with the provisions of the bill. For a second or subsequent offense, the fine is \$100.

Video Display Devices

DVD players and other types of electronic video display devices are becoming increasingly popular in vehicles. Most DVD players are intended to be viewed by passengers; however, in-dash models are becoming more common. Many of these video players have built-in safety functions that prevent them from being used while the vehicle is in motion; however, these functions can be easily bypassed.

Many states (at least 38) prohibit the operation of televisions within the view of drivers. According to the National Conference of State Legislatures, at least 14 of those states have enacted prohibitions to include other types of video displays, with some of these states also providing specific exemptions for visual displays that assist with navigation, parking, or safe driving. Since 2009, however, there has been a concerted push by auto makers to include full Internet connectivity, with access to video feeds, in vehicles for all occupants – including the driver. This push has occurred in spite of concerns about the impact of such systems on the problem of driver distraction. The trend toward use of video displays has been driven, in part, by a desire for additional vehicle safety features including real-time displays of the vehicle perimeter, better location tracking by GPS, and more targeted roadside assistance.

During the 2010 session, the General Assembly considered various issues related to the use of video display devices in vehicles. *Senate Bill 322 (passed)* establishes equipment standards that prohibit television-type receiving equipment and video display equipment that is turned on and displaying an image visible to the driver in a motor vehicle driven on a highway. The bill prohibits a person from driving in violation of the equipment standards but adds certain exceptions including electronic display equipment displaying information or images related to the operation or safety of the motor vehicle. The bill does not apply to video display equipment on a vehicle used by a public service company.

Traffic Citations

Failure to Appear

The Department of State Police (DSP) has provided anecdotal evidence that, in over 50% of the traffic cases scheduled for trial, the trooper who issued the citation was not needed because the violator did not appear for the trial. For example, in Somerset County, on February 3, 2009, 115 cases were scheduled where DSP troopers were required to appear. Fifty-five cases were heard but 63, or 55%, of the cases were not heard due to the failure of the violator to appear. In Washington County, from January 7, 2009, to February 4, 2009, DSP troopers were required to appear at 381 cases scheduled for trial. In 225 cases, the violator did not appear for trial. For a typical day within that period, the violators failed to appear between 38.0% and 63.6% of the time. This anecdotal evidence appears to indicate what DSP and other local police departments have claimed to experience; specifically, that the violator fails to appear for traffic court about 50% of the time.

As a result, *Senate Bill 560/House Bill 829 (both passed)* alter how a person must comply on receipt of a traffic citation for an offense not punishable by incarceration. The bills

require that the citation contain a notice that a person must, within 30 days after receipt of the citation, either (1) pay the full amount of the preset fine; (2) request a hearing for sentencing and disposition in lieu of trial; or (3) request a trial date at the date, time, and place established by the District Court by writ or trial notice. The citation is also a notice that, on the failure of the person to take one of the above-mentioned actions within 30 days, the Motor Vehicle Administration (MVA) will be notified, which may result in the suspension of the person's driver's license. The bills also require notification to the person charged with a traffic offense that, if MVA decides to suspend the person's driver's license for failing to respond to the citation, driving on a suspended license is an incarcerable offense.

Surcharges

House Bill 1389 (passed) expands the list of motor vehicle violations for which a \$7.50 surcharge is added after a conviction. Since 2006, the surcharges have been credited 50% to the Volunteer Company Assistance Fund (VCAF) and 50% to the State Police Helicopter Replacement Fund (SPHRF). After \$20 million is credited to VCAF, 100% of the surcharges collected thereafter must be credited to SPHRF. *House Bill 1389* alters this distribution of collected surcharges. The bill provides that, as of October 1, 2010, collected surcharges would no longer be credited to SPHRF. Instead, the bill requires the Comptroller, each year, to credit the collected surcharges to the VCAF until a total of \$20 million is credited. After that threshold is met, the collected surcharges would be credited to the State general fund.

Rules of the Road

Limited Speed Vehicles

Senate Bill 344 (passed) prohibits the sale of a passenger or multipurpose vehicle that is designed with a maximum speed of between 25 and 55 miles per hour unless a standard emblem designating it as a "limited speed vehicle" is affixed to the vehicle by the dealer. The bill also prohibits a person from driving a designated passenger or multipurpose vehicle on a highway if the maximum speed capability of the vehicle does not exceed the speed limit by at least five miles per hour.

Drunk Driving

According to the National Conference of State Legislatures, about 1.4 million drivers are arrested nationwide for alcohol impairment annually. About 146,000 ignition interlock devices are in use, a proportion of 10%. Forty-seven states and the District of Columbia authorize or mandate the use of an ignition interlock system to deter alcohol-impaired driving. In states where the use of ignition interlock is mandatory, it is usually required either for repeat offenders, drivers with a high blood alcohol content (BAC), as a condition of probation, or in exchange for limited restoration of driving privileges.

Increasingly, however, states are requiring the use of ignition interlock devices for any standard drunk driving conviction (BAC of 0.08 or higher), even for first offenses. In 2005, New Mexico became the first state in the country to enact legislation requiring the use of ignition

interlock devices for all convicted drunk drivers, including first-time offenders. As of January 2010, 10 other states (Alaska, Arizona, Arkansas, Hawaii, Illinois, Louisiana, Nebraska, New York, Utah, and Washington) mandate the use of ignition interlock for any drunk driving conviction. *Senate Bill 564 (failed)* would have required, rather than authorized, MVA to establish an Ignition Interlock System Program, with a fee to cover program costs, and to establish minimum standards for all ignition interlock service providers. The bill would have required participation from persons who have been convicted of a first or subsequent violation of driving while under the influence of alcohol, under the influence of alcohol *per se*, or impaired by alcohol. A person required to participate in the program would have to successfully complete the program or be subject to suspension of the driver's license. A violator would have been required to participate in the program for six months for a first violation, one year for the second violation, and three years for the third or subsequent violation, unless the court ordered a longer period of program participation.

Bicycles and Other Vehicles

Senate Bill 624 (passed) repeals the general requirement that a bicycle operator use the shoulder if it is safe and paved to a smooth surface. *Senate Bill 624* also specifies that, in a place where a person may ride a bicycle on a sidewalk, a person may ride from the curb or edge of the roadway in or through a crosswalk to the opposite curb or edge. The bill alters the definition of "bicycle" by repealing provisions that specify that a bicycle must have a rear drive and a specified wheel configuration and establishes instead that a bicycle is a vehicle that (1) is designed to be operated by human power; (2) has two or three wheels, with one being more than 14 inches in diameter; and (3) has a drive mechanism other than by pedals directly attached to a drive wheel. The definition of "crosswalk" is expanded to mean the connection of lateral lines of a bicycle way where a bicycle way and roadway of any type meet as measured from the curbs or the edges of the roadway.

Senate Bill 51 (passed) requires a driver of a vehicle to safely overtake a bicycle, electric personal assistive mobility device (EPAMD), or a motor scooter at a distance of at least three feet, unless at the time, the bicycle, EPAMD, or motor scooter rider fails to ride to the right side of the roadway, comply with a requirement to ride in a bike lane or shoulder, or maintain a steady course. The passing rule under the bill also does not apply if the highway on which the vehicle is being driven is not wide enough to lawfully pass the bicycle, EPAMD, or motor scooter at a distance of at least three feet.

Titling and Registration

Off-highway Recreational Vehicles

An off-highway recreational vehicle (OHRV) is a vehicle commonly known as an all-terrain vehicle, dirt bike, or snowmobile. *Senate Bill 466 (passed)* incorporates an "off-highway recreational vehicle" within the definition of a "vehicle" and, as such, subjects OHRVs to the requirement to be titled. For an OHRV purchased on or after October 1, 2010, an

excise tax will be imposed, unless a sales and use tax is collected at the time of the OHRV's purchase.

Motor Vehicle Salvage

“Salvage” refers to a vehicle that has been (1) damaged to the extent that the cost to repair the vehicle for legal operation on a highway exceeds 75% of the fair market value of the vehicle prior to sustaining the damage; (2) acquired by an insurance company as a result of a claim settlement; or (3) acquired by an automotive dismantler and recycler as an abandoned vehicle or for rebuilding or use as parts.

An insurance company must obtain a salvage certificate for each vehicle acquired as a result of a claim settlement following an accident in the State. On a salvage application, an insurance company is required to check any of the following statements that apply to the salvage vehicle:

- the cost to repair the vehicle for highway operation is greater than 75% of the fair market value of the vehicle before sustaining the damage, and the vehicle is repairable;
- the cost to repair the vehicle for highway operation is greater than 75% of the fair market value of the vehicle before sustaining the damage, and the damage is cosmetic only;
- the vehicle is not rebuildable, will be used for parts only, and is not to be retitled;
- the vehicle has been stolen; or
- the vehicle has sustained flood damage.

House Bill 1199 (passed) alters the consideration of costs in making the determination as to whether a vehicle is deemed to be salvage and the statements to be reflected on a salvage or title certificate. If a vehicle is acquired by an insurance company as a result of a claim settlement and the cost to repair the vehicle is *75% or less* of the fair market value of the vehicle before sustaining damage, under the bill the vehicle is considered salvage. The bill also establishes a new title certificate brand that reads “X-Salvage” for a vehicle for which the cost to repair is 75% or less of the fair market value of the vehicle before incurring damage. However, in determining whether a vehicle is salvage or which statement to display on a salvage certificate, the bill prohibits consideration of any cost associated with the vehicle's towing or storage, any costs associated with repairing cosmetic damage, or the cost of renting another vehicle. In addition, the bill repeals the “cosmetic damage” title brand and the statement reflecting cosmetic damage on the salvage application form.

Vehicle Equipment

Temporary Tire Repair and Inflation System

All Class A passenger vehicles sold in Maryland must be equipped by the manufacturer with a spare tire, unless the vehicle is equipped with “run-flat” tires, or unless other technological improvements become available that are consistent with federal motor vehicle safety standards. According to DSP, several major automobile manufacturers have developed a tire repair and inflation system to be installed in newly sold vehicles, which is designed to render the spare tire obsolete. Because these systems do not qualify as run-flat systems and are not federally sanctioned, *House Bill 485 (passed)* establishes an exemption from the spare tire requirement for Class A passenger and Class M multipurpose vehicles equipped with the factory-installed temporary tire repair and inflation system.

Seat Belts on Former School Buses

Senate Bill 245/House Bill 550 (both passed) exempt vehicles formerly registered as Type I school buses that are used to transport children by nursery schools, camps, day nurseries, or day care centers for children with intellectual disabilities from the requirement to have each seat equipped with a seatbelt.

Miscellaneous Vehicle Laws

Motor Vehicle Towing

The Task Force to Study Motor Vehicle Towing Practices made several recommendations regarding statewide regulation of private, nonconsensual towing, the creation of penalties (civil and criminal), consumer protection measures, and providing towers with a regulated process for the disposal of unclaimed vehicles. *Senate Bill 788/House Bill 1120 (both failed)* would have generally implemented the recommendations of the task force. The bills would have made the current private parking lot towing protections for Baltimore City and Baltimore County applicable statewide; capped the maximum tow distance and towing, storage, and overall fees; required the towing service to provide specified notice of a tow to the police and to the owner and other interested parties; established a towing and storage lien as well as applicable procedures governing the use and enforcement of such liens; regulated the disposition of a vehicle subject to a lien and sold at auction; and established new penalties.

Exceptional Hauling Permits

The State Highway Administration may issue exceptional hauling permits to forest product-transport vehicles of a certain size and configuration for use only in Allegany and Garrett counties. The permits address concerns that trucks bearing forest products are allowed to carry loads of up to 88,000 pounds in West Virginia and Pennsylvania but had been subject to a lower weight limit in Maryland. The permits allow heavier loads to be hauled in the two Western Maryland counties subject to the required use of a sixth axle to help redistribute the

load. *Senate Bill 509/House Bill 667 (both passed)* extend the program to Dorchester, Somerset, Talbot, Wicomico, and Worcester counties on the Eastern Shore.

Parking for Individuals with Disabilities

Each parking lot that is constructed or altered after October 1, 1996, must conform to the requirements of the Maryland Accessibility Code and, by October 1, 2010, all parking lots in the State must conform to these requirements. The Accessibility Code references the Americans with Disabilities Act (ADA) guidelines and requires a certain number of compliant parking spaces for individuals with disabilities, including van accessible spaces, depending on a property's characteristics. *Senate Bill 940/House Bill 1416 (both passed)* allow for compliance with the Accessibility Code parking space requirements by restriping a parking lot to provide the required number of parking spaces. If the restriping reduces the total number of parking spaces below what is required by local zoning law, the bill requires the relevant jurisdiction to grant the property owner an exception to the zoning ordinance.

Fatal Traffic Accidents

Generally, states allow some type of victim impact statement in the judicial forum, usually at the sentencing of an individual convicted of a crime. Most states also allow victim impact statements at parole hearings, and some even allow victim impact statements at bail hearings. However, states traditionally have not extended participation by victims or victims' representatives to administrative hearings.

Senate Bill 189/House Bill 1156 (both passed) authorizes MVA to suspend, for a maximum of six months, the license of a driver convicted of a moving violation that contributed to a traffic fatality, and establishes the right of the victim's representative to be notified of the license suspension hearing held as a result of the moving violation. The bill gives the victim's representative the right to give an oral or written statement for consideration at the hearing. As is required for other specified instances when MVA initiates an action to suspend a driver's license, the licensee must receive adequate notice of the action and may request a hearing as specified under the Maryland Vehicle Law.

Saddle-mount and Full-mount Combination Vehicles

A "saddle-mount and full-mount combination" refers to a tractor-trailer or unloaded truck towing one or more other trucks in "piggyback" configuration, with the front wheels up on the preceding truck. In 2007, the Federal Highway Administration prohibited states from imposing an overall length limit of other than 97 feet for these vehicle combinations. Failure to comply with the new federal regulations would subject the State to withholding of 10% of federal highway funds. Thus, *Senate Bill 66 (passed)* increases the maximum allowable length of saddle-mount and full-mount combinations on publicly maintained highways from 75 to 97 feet.

Sale of Motor Fuel for Dirt Bikes

The Baltimore City Code prohibits a service station and any other person from selling, transferring, or dispensing motor fuel for delivery into a dirt bike or an unregistered motorcycle or similar vehicle. This prohibition may be enforced by issuance of a civil citation but does not preclude additional civil or criminal remedies. *Senate Bill 1006/House Bill 1025 (Chs. 114 and 115)* prohibit a person from dispensing motor fuel into a “dirt bike” from a retail pump at a service station in Baltimore City and requires these service stations to post a conspicuous sign stating the bill’s prohibition and the similar prohibition for service stations in the Baltimore City Code. The Acts make a violation a misdemeanor and impose maximum penalties of a fine of up to \$1,000 or imprisonment for up to 90 days or both.

A court that convicts a person must also notify MVA of the conviction. MVA may suspend the person’s driver’s license for up to 30 days for a first offense and is required to suspend the license for 30 days for a subsequent offense. If the defendant is a minor, the court may order that a fine be paid by the minor, a parent or guardian, or both, but may only order a parent or guardian to pay a fine if given the opportunity to be heard and to present evidence.

The bill’s prohibition on dispensing motor fuel for use in a dirt bike does not extend to an owner or employee of a service station. However, if a service station does not post a conspicuous sign in accordance with the bill, the dealer must receive a warning for the first offense and is subject to a civil penalty of \$100 for a subsequent offense.