

farmer in the transportation of supplies to a farm or the transportation of farm products as defined in § 10-601 of the Agriculture Article within 150 air miles of the farmer's farm; or

(v) Except in the case of bus drivers, apply the provisions of § 391.41(b)(1) through (11) of the Federal Motor Carrier Safety Regulations before October 1, 2023 to any person who:

1. On October 1, 2003, was otherwise qualified to operate and operated a vehicle or vehicle combination used in intrastate commerce with a gross vehicle weight rating or gross combination weight rating of 10,001 pounds or more and, after October 1, 2003, remained qualified to operate and continued to operate such a vehicle;

2. Operates only in intrastate commerce; and

3. Has a mental or physical condition which would disqualify the person under the Federal Motor Carrier Safety Regulations and:

A. The condition existed on October 1, 2003 or at the time of the first physical examination after that date to which the person submitted as required by regulations adopted by the Administration under subsection (k) of this section; and

B. A physician who has examined the person has determined that the condition has not substantially worsened and that no other disqualifying medical or physical condition has developed since October 1, 2003 or the time of the first required physical examination after that date.

(2) Nothing contained in this subsection limits regulation of the qualifications or hours of service of a driver of a vehicle:

(i) In interstate commerce;

(ii) Transporting hazardous materials of a type and quantity requiring placarding under Federal Hazardous Materials Regulations; or

(iii) Designed to transport 16 or more passengers, including the driver.

(j) (1) Notwithstanding the provisions of § 14-107 of the Public Safety Article, the Governor may delegate the power to declare a utility or transportation emergency to the Secretary or the Secretary's designee.

(2) (i) The Secretary or the Secretary's designee may declare a utility or transportation emergency.

(ii) 1. During the time in which a [declared] utility or transportation emergency DECLARED UNDER THIS SUBSECTION exists, the Secretary or the Secretary's designee shall waive the maximum hours-of-service time limits contained in this section, or in regulations [promulgated pursuant thereto] ADOPTED UNDER THIS SECTION for all interstate and intrastate drivers providing direct assistance in restoring utility services affected by a utility emergency.