

1. WAS OTHERWISE QUALIFIED TO OPERATE AND OPERATED A COMMERCIAL MOTOR VEHICLE IN INTRASTATE COMMERCE ON OR BEFORE OCTOBER 1, 1992;

2. OPERATES WHOLLY WITHIN THIS STATE; 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, 1992 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 (J) OF THIS SECTION; AND

B. A PHYSICIAN WHO HAS EXAMINED THE PERSON HAS DETERMINED THAT THE CONDITION HAS NOT SUBSTANTIALLY WORSENEED SINCE OCTOBER 1, 1992 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) FOR THE PURPOSES OF SUBSECTION (I) OF THIS SECTION, THE ADMINISTRATION SHALL ADOPT REGULATIONS REQUIRING PHYSICAL EXAMINATIONS FOR INTRASTATE COMMERCIAL MOTOR VEHICLE DRIVERS.

**Chapter 126 of the Acts of 1992**

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, [1992] 1993 provided, however, that § 25-111(i)(1)(v) of the Transportation Article as enacted by this Act may not be applied to a driver who is employed by a company, corporation, or other entity that employs more than 500 drivers who are affected by this Act until October 1, [1993] 1994 if the employer submits a written notice to the Commercial Vehicle Enforcement Division of the Maryland State Police before October 1, [1992] 1993 stating the number of drivers that are affected by § 25-111(i)(1)(v) as enacted by this Act.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.~~

~~SECTION 2. AND BE IT FURTHER ENACTED; That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.~~