

Motor Vehicle Administration relating to alcohol and drug testing of certain drivers be consistent with certain federal regulations; altering certain requirements relating to regulations limiting a driver's hours on duty; making stylistic changes; and generally relating to motor carrier safety regulations.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 25-111(f) and (i)

Annotated Code of Maryland

(1992 Replacement Volume and 1993 Supplement)

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

**Article – Transportation**

25-111.

(f) (1) Except as provided in subsection (i) of this section the [Motor Vehicle] Administration may adopt rules and regulations as are necessary for the safe operation of vehicles that exceed 10,000 pounds registered gross weight and are engaged in the transportation of property or passengers over the highways of this State.

(2) Any rule or regulation adopted pursuant to this subsection shall:

(i) Be formulated jointly by the [Motor Vehicle] Administration and the Maryland State Police;

(ii) Duplicate or be consistent with the Federal Motor Carrier Safety Regulations contained in 49 CFR, Parts 390 through 399;

(iii) Apply to all vehicles over 10,000 pounds registered gross vehicle weight that are subject to the Federal Motor Carrier Safety Regulations; [and]

(iv) Apply to vehicles over 10,000 pounds registered gross vehicle weight that are not subject to the Federal Motor Carrier Safety Regulations, if the rule or regulations adopted by the Motor Vehicle Administration specifically states that it applies to the vehicle; AND

(V) BE CONSISTENT WITH 49 CFR, PARTS 40 AND 382, WITH RESPECT TO ALCOHOL AND DRUG TESTING REGULATIONS APPLICABLE TO DRIVERS OF:

1. VEHICLES WITH A GROSS VEHICLE WEIGHT RATING OVER 26,000 POUNDS;

2. VEHICLES TRANSPORTING HAZARDOUS MATERIALS OF A TYPE AND QUANTITY REQUIRING PLACARDING; AND

3. VEHICLES DESIGNED TO TRANSPORT 16 OR MORE PASSENGERS, INCLUDING THE DRIVER.