

Defined terms: "Agricultural work" § 7-101

"Commissioner" § 7-101

"Farm labor contractor" § 7-101

"Migrant agricultural worker" § 7-101

7-404. TRANSPORTATION OF MIGRANT AGRICULTURAL WORKERS.

(A) VEHICLE.

EACH FARM LABOR CONTRACTOR SHALL ENSURE THAT EACH VEHICLE THAT THE FARM LABOR CONTRACTOR USES OR CAUSES TO BE USED TO TRANSPORT A MIGRANT AGRICULTURAL WORKER IN THE STATE MEETS APPLICABLE FEDERAL AND STATE STANDARDS FOR SAFETY.

(B) DRIVER.

EACH FARM LABOR CONTRACTOR SHALL ENSURE THAT THE DRIVER OF EACH VEHICLE THAT THE FARM LABOR CONTRACTOR USES OR CAUSES TO BE USED TO TRANSPORT A MIGRANT AGRICULTURAL WORKER IN THE STATE IS AUTHORIZED UNDER TITLE 16 OF THE TRANSPORTATION ARTICLE TO DRIVE THE VEHICLE.

(C) INSURANCE.

(1) EACH FARM LABOR CONTRACTOR SHALL ENSURE THAT THE OWNER OF EACH VEHICLE THAT THE FARM LABOR CONTRACTOR USES OR CAUSES TO BE USED TO TRANSPORT A MIGRANT AGRICULTURAL WORKER IN THE STATE HAS A POLICY THAT INSURES AGAINST LIABILITY FOR BODILY INJURY AND DAMAGE TO PROPERTY THAT ARISES FROM THE OWNERSHIP OR OPERATION OF THE VEHICLE.

(2) THE COMMISSIONER SHALL SET, BY REGULATION, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, BUT THE AMOUNT MAY NOT EXCEED THE COVERAGE REQUIRED UNDER FEDERAL LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 100, § 80C(f).

In subsection (b) of this section, the reference to "Title 16 of the Transportation Article" is substituted for the former reference to "State law" for accuracy. Similarly, the words "authorized ... to drive the vehicle" are substituted for the former words "has a valid and appropriate license ... to operate the vehicle", since TR § 16-102 exempts certain individuals from the licensing requirements of Title 16 of the Transportation Article.

Subsection (c)(1) of this section is revised to require the owner of a vehicle, rather than the farm labor contractor who uses or causes a vehicle to be used, to have a policy of insurance on the vehicle, since the Commissioner does not require a farm labor contractor to have a policy but only to prove that the