

SENATE BILL 64

M3

3lr0052

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Transportation)**

Requested: November 15, 2012

Introduced and read first time: January 9, 2013

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Controlled Hazardous Substance Vehicles – Display of Certificates**

3 FOR the purpose of repealing the requirement that certain haulers, while transporting
4 a controlled hazardous substance, display a certain certificate on the outside of
5 the cab of the controlled hazardous substance vehicle; and generally relating to
6 controlled hazardous substance vehicle certificates.

7 BY repealing and reenacting, with amendments,
8 Article – Environment
9 Section 7–252
10 Annotated Code of Maryland
11 (2007 Replacement Volume and 2012 Supplement)

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

14 **Article – Environment**

15 7–252.

16 (a) Each controlled hazardous substance hauler:

17 (1) Shall maintain a bond or other security that the Department
18 considers sufficient to indemnify this State for abatement of any pollution that may
19 result from the improper transportation of a controlled hazardous substance;

20 (2) Shall pay an annual vehicle certificate fee set by the Department
21 but not more than \$50;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) When transporting any controlled hazardous substance, shall[:

2 (i) Carry] **CARRY** the manifest **AND THE VEHICLE**
3 **CERTIFICATE** in the cab of the controlled hazardous substance vehicle; [and

4 (ii) Display prominently the vehicle certificate or affix the
5 vehicle certificate to the outside of the left door of the cab of the controlled hazardous
6 substance vehicle;]

7 (4) May not transport a controlled hazardous substance unless the
8 controlled hazardous substance is labeled properly and in secure containers in
9 accordance with the rules and regulations of the Department that apply to that
10 particular controlled hazardous substance;

11 (5) On the request of any police officer, shall stop the controlled
12 hazardous substance vehicle and display to the police officer all required
13 documentation and allow inspection and sampling of the controlled hazardous
14 substance to determine if there is a violation of:

15 (i) The provisions of the vehicle certificate; or

16 (ii) Any federal or state law;

17 (6) Except under the supervision of the Department during an
18 emergency, may not remove the controlled hazardous substance from the controlled
19 hazardous substance vehicle, or treat, store for any period of time, or mix any
20 controlled hazardous substance except in a controlled hazardous substance facility;
21 and

22 (7) Shall report periodically, on a form required by the Department,
23 the following information about shipments of controlled hazardous substances:

24 (i) The source of the controlled hazardous substance;

25 (ii) The nature of the controlled hazardous substance; and

26 (iii) The disposal destination.

27 (b) Each controlled hazardous substance vehicle driver, when transporting
28 any controlled hazardous substance, shall comply with subsection (a)(3), (4), (5), and
29 (6) of this section and all applicable State rules and regulations.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2013.