



Baltimore
Metropolitan
Council

**TRANSPORTATION, AIR QUALITY, AND COMMUNITY
DEVELOPMENT-RELATED LEGISLATION
INTRODUCED IN THE 2012 SESSION
OF THE MARYLAND GENERAL ASSEMBLY**

2012 Legislative Report

As of February 1, 2012

**This session of the Maryland General Assembly began on
January 11, 2012 and adjourns on April 19, 2012**

**The filing deadline for bills and resolutions is February 3 for the Senate,
and February 10 for the House. March 5 is the final deadline in both
chambers for introduction of legislation without rules suspension.**

LEGISLATION INTRODUCED IN THE MARYLAND GENERAL ASSEMBLY

2012 LEGISLATIVE SESSION

For the last nineteen years, the Baltimore Metropolitan Council has provided timely reports to the Baltimore Regional Transportation Board, public agencies, and interested community groups on the status of legislation introduced in the Maryland General Assembly. Historically, these reports focus on transportation and air quality legislation. In recent years, the report has expanded to cover legislation affecting our member jurisdictions or the region, the operation of local and state government and sustainable growth and development.

The Maryland General Assembly meets annually in Annapolis for a 90-day session. The 2012 session began on January 11 and will adjourn on April 9. There are 47 Senators and 141 Delegates in the General Assembly.

The legislation in this report is organized into Senate and House of Delegates bills. The following categories of information are provided for each bill: Bill Number/Title, Sponsor and Synopsis. Additional information, including status and hearing dates is available by clicking on the link attached to the bill number, which will take you directly to the General Assembly's website. The entirety of the information in this report is provided by the Maryland General Assembly, Department of Legislative Services.

This legislative report is for information purposes only.

For further information on specific bills, fiscal notes, and related information, contact Maryland General Assembly, Department of Legislative Services: Baltimore region phone 1-410-946-5400; Rest of Maryland phone 1-301-970-5400; Outside Maryland phone 1-800-492-7122.

See <http://mlis.state.md.us/2012RS/synopsis/synindx.htm> for a complete listing of all bills filed during the 2012 session based on the date of filing.

**CATEGORIES OF LEGISLATION INTRODUCED IN THE
2012 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

BICYCLE AND PEDESTRIAN-RELATED

STATE & LOCAL GOVERNMENT, COMMUNITY DEVELOPMENT RELATED

BILL	TITLE	STATUS	CROSS FILE
HB32	Department of Planning - State Development Plan - Approval by the General Assembly	First Reading, Environmental Matters	n/a
HB33	Environment - Watershed Implementation Plans - Implementation Deadlines	First Reading, Environmental Matters	n/a
HB35	Private Property Rights - Regulatory Infringement - Compensation	First Reading, Environmental Matters	n/a
HB36	Department of Planning - State Development Plan - Approval or Modification by the General Assembly	First Reading, Environmental Matters	n/a
HB47	Environment - County Plans – Authority	First Reading, Environmental Matters	n/a
HB250	Elections – Baltimore City – Election Dates	First Reading Ways and Means	n/a
HB253	Department of Planning – Local and Regional Planning and Land Use Powers – Prohibition on Restriction	First Reading Environmental Matters	n/a

BILL	TITLE	STATUS	CROSS FILE
SB88	Local States of Emergency - Time Period - Extension	First Reading Education Health and Environmental Affairs	n/a
SB126	Department of Natural Resources - Maryland Land Preservation and Recreation Plan	First Reading Education Health and Environmental Affairs	n/a
SB236	Sustainable Growth and Agricultural Preservation Act of 2012	First Reading Education, Health, and Environmental Affairs	n/a

SB358	Public-Private Partnerships	First Reading Budget and Taxation	n/a
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ENVIRONMENTAL, AIR QUALITY, ENERGY, WATER QUALITY

BILL	TITLE	STATUS	CROSS FILE
HB1	Environment - Recycling - Apartment Buildings and Condominiums	First Reading Environmental Matters	SB208
HB108	Vehicle Laws – Stopping, Standing, and Parking – Plug-In Vehicles	First Reading Environmental Matters	SB340
HB121	Dedicated Funds – Prohibition of Transfer – Chesapeake and Atlantic Coastal Bays 2010 Trust Fund and Bay Restoration Fund	First Reading Appropriations	SB65
HB169	Environment – At-Store Recycling – Plastic Carryout Bags	First Reading Environmental Matters	n/a
HB186	Department of the Environment – Permit Proceedings – Judicial Review	First Reading Environmental Matters	n/a
HB229	Maryland Plastic Bag Recycling Act	First Reading Environmental Matters	SB164
HB258	Renewable Energy Portfolio Standard – Sale or Transfer of Solar Renewable Energy Credits – Elimination of Minimum Required Term	First Reading Economic Matters	n/a
HB259	Maryland Strategic Energy Investment Fund – Municipal Electric Utility – Exemption	First Reading Economic Matters	n/a
HB296	Environment – Hydraulic Fracturing Wastewater – Prohibited Acts	First Reading Environmental Matters	n/a
HB298	Procurement – State Funds – Energy Efficient Outdoor Lighting Fixtures	First Reading Health and Government Operations	n/a

BILL	TITLE	STATUS	CROSS FILE
SB65	Dedicated Funds - Prohibition of Transfer - Chesapeake and Atlantic Coastal Bays 2010 Trust Fund and	First Reading Budget and Taxation	HB121

	Bay Restoration Fund		
SB117	Environment – Water Appropriation Permits – Construction Dewatering Projects	First Reading Education, Health and Environmental Affairs	n/a
SB118	Voluntary Agricultural Nutrient and Sediment Credit Certification Program	First Reading Education Health and Environmental Affairs	n/a
SB164	Maryland Plastic Bag Recycling Act	First Reading, Education Health and Environmental Affairs	HB229
SB208	Environment – Recycling – Apartment Buildings and Condominiums	First Reading, Education, Health and Environmental Affairs	HB1
SB237	Maryland Offshore Wind Energy Act of 2012	First Reading Finance	n/a
SB240	Environment – Bay Restoration Fund – Fees	First Reading Education, Health, and Environmental Affairs	n/a
SB330	Agriculture – Total Maximum Daily Load – Regulations	First Reading Education, Health and Environmental Affairs	n/a
SB340	Vehicle Laws – Stopping, Standing, and Parking – Plug-In Vehicles	First Reading Judicial Proceedings	HB108
SB345	Environment – Water and Sewer Authorities – Number of Directors	First Reading Education, Health and Environmental Affairs	n/a

HIGHWAY

PUBLIC TRANSPORTATION

BILL	TITLE	STATUS	CROSS FILE
SB125	Vehicle Laws - Public Transit Vehicles - Right-of-Way	First Reading Judicial Proceedings	n/a

TRAFFIC OPERATIONS, PUBLIC SAFETY AND TRANSPORTATION SAFETY

BILL	TITLE	STATUS	CROSS FILE
HB55	Motor Vehicles - Use of Text	First Reading	n/a

	Messaging Device While Driving	Environmental Matters	
HB67	Vehicle Laws - Nonfunctioning Traffic Control Signals - Requirement to Stop	First Reading Environmental Matters	SB177
HB104	Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties	First Reading Environmental Matters	SB217
HB123	Vehicle Laws – Wireless Communication Devices – Enforcement of Prohibitions on Use While Driving	First Reading Environmental Matters	n/a
HB149	Mopeds and Motor Scooters – Titling, Registration, Insurance, and Required Use of Protective Headgear	First Reading Environmental Matters	SB309
HB163	Motor Vehicles – Prohibition on Use of Text Messaging Device While Driving – Exceptions	First Reading Environmental Matters	n/a
HB282	Vehicle Laws – Speed Monitoring Systems – Warnings	First Reading Environmental Matters	n/a
HB313	Motor Vehicles – Child Seating and Safety Seats – Requirements and Prohibition	First Reading Environmental Matters	SB185
HB326	Vehicle Laws – Use of Work Zone Speed Control Systems – Presence of Workers Required	First Reading Environmental Matters	SB57
HB340	Vehicle Laws – Seat Belts and Child Safety Seats	First Reading Environmental Matters	n/a
HB343	Vehicle Laws – Child Safety Seats and Seat Belts – Penalty	First Reading Environmental Matters	n/a
HB354	Speed Monitoring Systems and School Bus Monitoring Cameras – Use of Fines – Public Education	First Reading Environmental Matters	n/a

BILL	TITLE	STATUS	CROSS FILE
SB7	Vehicle Laws - Nonfunctioning Traffic Control Signals	First Reading Judicial Proceedings	n/a
SB57	Vehicle Laws - Use of Work Zone Speed Control Systems - Presence of Workers Required	First Reading Judicial Proceedings	HB326

SB110	Motor Vehicle Administration – Young Driver Improvement Program – Parent and Guardian Attendance	First Reading Judicial Proceedings	n/a
SB116	Vehicle Laws – Weight and Load Requirements – Vehicles Carrying Perishable Products	First Reading Judicial Proceedings	n/a
SB124	Motor Vehicles – Eligibility for Driver’s License Test	First Reading Judicial Proceedings	n/a
SB177	Vehicle Laws – Nonfunctioning Traffic Control Signals – Requirement to Stop	First Reading Judicial Proceedings	HB67
SB185	Motor Vehicles – Child Seating and Safety Seats – Requirements and Prohibition	First Reading Judicial Proceedings	HB313
SB217	Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties	First Reading Judicial Proceedings	HB104
SB306	Baltimore City – Vehicle Height Monitoring Systems	First Reading Judicial Proceedings	n/a
SB309	Mopeds and Motor Scooters – Titling, Registration, Insurance, and Required Use of Protective Headgear	First Reading Judicial Proceedings	HB149

TRANSPORTATION FUNDING

BILL	TITLE	STATUS	CROSS FILE
HB23	Dedicated State Funds Protection Act	First Reading Appropriations	n/a
HB40	Transportation - Toll, Fee, or Other Charge Increases - Notice and Public Comment	First Reading Ways and Means	n/a
HB146	Transportation Trust Fund Protection Act	First Reading Appropriations	n/a
HB213	Baltimore City Community Enhancement Transit-Oriented Development Fund	First Reading Economic Matters and Environmental Matters	SB252

BILL	TITLE	STATUS	CROSS FILE
SB3	Maryland Toll Accountability Act	First Reading Finance	n/a

SB62	Maryland Transportation Authority - Fixing or Revising Tolls - Legislative Approval Required	First Reading Finance	n/a
SB233	Transportation Trust Fund – Appropriation of General Fund Surplus	First Reading Budget and Taxation	n/a
SB252	Baltimore City Community Enhancement Transit-Oriented Development Fund	First Reading Finance	HB213
SB325	Regional Mass Transit Account	First Reading Budget and Taxation	n/a

2012 HOUSE BILLS

HB1 – Environment – Recycline – Apartment Buildings and Condominiums

Sponsored By: Delegate Lafferty

Synopsis: Requiring owners or managers of apartment buildings or condominiums that contain 10 or more units to provide residents with the opportunity for recycling on or before October 1, 2013; requiring specified owners or managers, beginning on March 1, 2014, to report annually on recycling activities to the county in which the property is located; requiring that the recycling required under the Act be done in accordance with county recycling plans; specifying a civil penalty for a violation of the Act; etc.

VARIOUS EFFECTIVE DATES

EN, § 9-1703(b) - amended and § 9-1711 - added

Assigned to: Environmental Matters

HB23 – Dedicated State Funds Protection Act

Sponsored By: Delegate McMillan, et al

Synopsis: Proposing an amendment to the Maryland Constitution prohibiting specified transfers of dedicated State funds to the General Fund except for specified purposes under specified circumstances; requiring the Governor to include specified provisions in the budget that provide for the repayment of specified dedicated State funds under specified circumstances within a specified period of time; submitting the amendment to the qualified voters of the State for their adoption or rejection; etc.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Maryland Constitution, Art. III, § 53 - added

Assigned to: Appropriations

HB32 – Department of Planning – State Development Plan – Approval of the General Assembly

Sponsored By: Delegate Clagett

Synopsis: Requiring the Secretary of Planning to submit a State Development Plan to the General Assembly; prohibiting a specified plan from being finalized until it is approved by an Act of the General Assembly; requiring the Governor to file with the Secretary of State the Plan, part of the Plan, or revision to the Plan, together with any comments made by the Governor after enactment of a law that approves the Plan; and making the Act an emergency measure.

EMERGENCY BILL

SF, § 5-605 - amended

Assigned to: Environmental Matters

HB33 – Environment – Watershed Implementation Plans – Implementation Deadlines

Sponsored By: Delegate Clagett

Synopsis: Prohibiting the State from submitting Watershed Implementation Plan documents to the U.S. Environmental Protection Agency that are based on nutrient or sediment reduction goals that exceed federal requirements; and making the Act an emergency measure.

EMERGENCY BILL

EN, §§ 4-801 and 4-802 - added

Assigned to: Environmental Matters

HB35 – Private Property Rights – Regulatory Infringement – Compensation

Sponsored By: Delegate Smigiel, et al

Synopsis: Giving an owner of private property a cause of action under specified circumstances against the Department of the Environment, the Department of Natural Resources, or the Department of Planning if the application of specified regulations infringes on a private property right; providing that the cause of action shall be filed in a specified court; providing for the sum that a private property owner may recover; etc.

EFFECTIVE OCTOBER 1, 2012

CJ, § 5-120 and SG, §§ 12-601 through 12-604 - added and CJ, § 6-203(b) - amended

Assigned to: Environmental Matters

HB36 – Department of Planning – State Development Plan – Approval or Modification by the General Assembly

Sponsored By: Delegate Smigiel, et al

Synopsis: Requiring the Secretary of Planning to submit the State Development Plan and any substantial part or revision of the Plan to the General Assembly; prohibiting the Plan from being finalized until it is approved by an Act of the General Assembly; authorizing the General Assembly to modify the Plan as submitted by the Secretary; requiring the Governor to file with the Secretary of State the Plan, part of the Plan, or a revision to the Plan, together with specified comments, after enactment of a law that approves or modifies the Plan; etc.

EFFECTIVE JUNE 1, 2012

SF, § 5-605 - amended

Assigned to: Environmental Matters

HB40 – Transportation – Toll, Fee, or other Charge Increases – Notice and Public Comment

Sponsored By: Delegate Smigiel, et al

Synopsis: Requiring specified staff of the Maryland Transportation Authority to provide, by a specified date, public notice regarding a proposal to increase specified tolls, fees, or other charges; requiring the Authority to make the proposal available to the public in a specified manner; and requiring the Authority to receive comments from the public at the meeting at which the Authority votes to implement the proposal.

EFFECTIVE OCTOBER 1, 2012
TR, § 4-312 - amended
Assigned to: Ways and Means

HB47 – Environment – County Plans – Authority

Sponsored By: Delegate Smigiel, et al

Synopsis: Repealing the authority of the Department of the Environment to order a person to prepare and submit specified subdivision plans under specified circumstances; repealing the Department’s authority to order the installation of specified water supply or sewerage systems for subdivisions under specified circumstances; repealing a requirement that a specified county plan be approved by the Department; repealing a requirement that a county adopt a revision or amendment to a specified county plan; etc.

EFFECTIVE JUNE 1, 2012

EN, §§ 9-206, 9-501, 9-503, 9-510, 9-521(c), and 9-1703(a) - amended and §§ 9-507 and 9-508 - repealed

Assigned to: Environmental Matters

HB55 – Motor Vehicles – Use of Text Messaging Device While Driving

Sponsored By: Delegate Malone

Synopsis: Altering the definition of “wireless communication device” to include a hand–held or handsfree telephone but to remove from the definition a text messaging device; establishing that a specified prohibition against a minor using a wireless communication device while operating a motor vehicle does not apply to the use of a text messaging device; altering the enforcement provision of the prohibition against a minor texting while driving; etc.

EFFECTIVE OCTOBER 1, 2012

TR, §§ 21-1124 and 21-1124.1 - amended

Assigned to: Environmental Matters

HB67 – Vehicle Laws – Nonfunctioning Traffic Control Signals – Requirement to Stop

Sponsored By: Delegate S. Robinson, et al

Synopsis: Altering a provision of law requiring vehicular traffic to stop and take specified actions when approaching a nonfunctioning traffic control signal at specified intersections to apply the requirement to all intersections; and requiring vehicular traffic approaching a nonfunctioning traffic control signal at an intersection to stop in a specified manner, yield to other vehicles or pedestrians in the intersection, and remain stopped until it is safe to enter and continue through the intersection.

EFFECTIVE OCTOBER 1, 2012

TR, § 21-209 - amended

Assigned to: Environmental Matters

HB104 – Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement and Penalties

Sponsored By: Delegates Malone and Kach

Synopsis: Repealing provisions of law that require enforcement as a secondary offense of specified violations involving the use of a wireless communication device while operating a motor vehicle; repealing provisions of law that apply prohibitions involving the use of a wireless communication device to specified operators of motor vehicles only if the motor vehicle is in motion; providing that specified prohibitions apply only if the motor vehicle is in the travel portion of a roadway; altering a specified penalty; etc.

EFFECTIVE OCTOBER 1, 2012

TR, §§ 21-1124 and 21-1124.2 - amended

Assigned to: Environmental Matters

HB108 – Vehicle Laws – Stopping, Standing and Parking – Plug-In-Vehicles

Sponsored By: Delegate Luedtke, et al

Synopsis: Prohibiting a person from stopping, standing, or parking a vehicle that is not a plug-in vehicle in a space that is marked for the use of plug-in vehicles and provides access to a plug-in vehicle recharging station.

EFFECTIVE OCTOBER 1, 2012

TR, §§ 11-145.1 and 21-1003(ff) - added

Assigned to: Environmental Matters

HB121 – Dedicated funds – Prohibition of Transfer – Chesapeake and Atlantic Coastal Bays 2010 Trust Fund and Bay Restoration Fund

Sponsored By: Delegate Beitzel

Synopsis: Proposing an amendment to the Maryland Constitution to prohibit the transfer to the General Fund of funds dedicated to the Bay Restoration Fund or the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; and submitting the amendment to the qualified voters of the State of Maryland for their adoption or rejection.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Maryland Constitution, Art. III, § 53 - added

Assigned to: Appropriations

HB123 – Vehicle Laws – Wireless Communication Devices – Enforcement of Prohibitions on Use While Driving

Sponsored By: Delegate Clagett

Synopsis: Repealing provisions of law that require enforcement as a secondary offense of specified prohibitions against the use of a wireless communication device while operating a motor vehicle.

EFFECTIVE OCTOBER 1, 2012

TR, §§ 21-1124 and 21-1124.2 - amended
Assigned to: Environmental Matters

HB146 – **Transportation Trust Fund Protection Act**

Sponsored By: Delegate Krebs, et al

Synopsis: Proposing an amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation with a specified exception; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; requiring that specified taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; etc.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Maryland Constitution, Art. III, § 53 - added

Assigned to: Appropriations

HB149 – **Mopeds and Motor Scooters – Titling, Registration, Insurance, and Required Use of Protective Headgear**

Sponsored By: Delegate Beidle, et al

Synopsis: Requiring a moped or motor scooter in the State to be titled and registered by the Motor Vehicle Administration; requiring an owner or prospective owner of a moped or motor scooter to obtain or maintain required security; establishing an annual registration fee and surcharge; prohibiting an individual from operating or riding on a moped or motor scooter unless the individual is wearing protective headgear and specified eye protection; providing for the registration classification of mopeds and motor scooters; etc.

EFFECTIVE OCTOBER 1, 2012

TR, Various Sections - amended and §§ 13-939.3, 21-1306.1, and 23-206.2(c) - added and IN, §§ 19-505(c) and 20-501 - amended

Assigned to: Environmental Matters

HB163 – **Motor Vehicles – Prohibition on Use of Text Messaging Devices While Driving – Exceptions**

Sponsored By: Delegate Arora

Synopsis: Establishing that the prohibition on using a text messaging device while driving does not apply to the use of voice recognition technology that allows the hands-free sending of a text message or an electronic message or the use of a text messaging device to listen to a text message or an electronic message; etc.

EFFECTIVE OCTOBER 1, 2012

TR, § 21-1124.1 - amended

Assigned to: Environmental Matters

HB169 – Environment – At-Store Recycling- Plastic Carryout Bags

Sponsored By: Delegate Lafferty

Synopsis: Requiring the operator of specified stores to establish an at–store recycling program for plastic carryout bags; requiring specified stores to print or display specified language on plastic carryout bags; requiring specified stores to provide collection bins for the recycling of plastic carryout bags; etc.

EFFECTIVE OCTOBER 1, 2012

EN, § 9-1701 - amended and §§ 9-1733 through 9-1736 - added

Assigned to: Environmental Matters

HB186 – Department of the Environment – Permit Proceedings – Judicial Review

Sponsored By: Chair, Environmental Matters Committee (By Request – Departmental Environment)

Synopsis:

Clarifying the right of parties to appeal to the Court of Special Appeals a decision by a circuit court regarding specified final permit determinations by the Department of the Environment; applying the Act retroactively to affect specified appeals pending in a circuit court on the effective date of the Act; and making the Act an emergency measure.

EMERGENCY BILL

EN, §§ 1-601 and 5-204(i) - amended

Assigned to: Environmental Matters

HB213 – Baltimore City Community Enhancement Transit-Oriented Development Fund

Sponsored By: Delegate Branch, et al

Synopsis: Establishing the Baltimore City Community Enhancement Transit–Oriented Development Fund as a special, nonlapsing fund for specified purposes; providing for the contents and uses of the Fund; requiring that a portion of revenues from projects and other money, as specified, be paid into the Fund; requiring the Comptroller to pay specified money from the Fund to the Mayor and City Council of Baltimore City in a specified manner; authorizing the Mayor and City Council to use or award money from the Fund for specified purposes; etc.

EFFECTIVE OCTOBER 1, 2012

EC, §§ 15-101 through 15-107 - added and SF, § 10-306 - amended

Assigned to: Economic Matters and Environmental Matters

HB229 – Maryland Plastic Bag Recycling Act

Sponsored By: Delegate Lafferty, et al

Synopsis: Prohibiting a plastic carryout bag manufacturer from providing, selling, or offering for sale plastic carryout bags for use or distribution in the State unless specified language is printed or displayed on the bags and the manufacturer has registered with the Department of the Environment in a specified manner; requiring a plastic carryout bag manufacturer to register every 2 years by submitting to the Department a specified registration form, fee, and plan; terminating the Act after September 30, 2020; etc.
EFFECTIVE OCTOBER 1, 2012
EN, §§ 9-1701 and 9-1707(f)(2) - amended and §§ 9-1733 through 9-1743 - added
Assigned to: Environmental Matters

HB250 – Elections – Baltimore City – Election Dates

Sponsored By: Delegate Oaks, et al

Synopsis: Altering the dates of specified elections for municipal offices in Baltimore City; and specifying the terms of municipal officers in Baltimore City who were elected in a specified year.
EFFECTIVE OCTOBER 1, 2012
EL, §§ 8-201 and 8-301 - amended
Assigned to: Ways and Means

HB253 – Department of Planning – Local and Regional Planning and Land Use Powers – Prohibition on Restriction

Sponsored By: Delegate Smigiel

Synopsis: Prohibiting the Department of Planning from adopting any regulation or taking any action that restricts the planning and land use powers of local governments or regional planning agencies; etc.
EFFECTIVE JUNE 1, 2012
SF, § 5-312 - added
Assigned to: Environmental Matters

HB258 – Renewable Energy Portfolio Standard – Sale or Transfer of Solar Renewable Energy Credits – Elimination of Minimum Required Term

Sponsored By: Delegate Haddaway-Riccio

Synopsis: Eliminating the minimum required term for specified contracts involving the sale or transfer of solar renewable energy credits.
EFFECTIVE OCTOBER 1, 2012
PU, § 7-709(c) - amended
Assigned to: Economic Matters

HB259 – Maryland Strategic Energy Investment Fund – Municipal Electric Utility – Exemption

Sponsored By: Delegate Haddaway-Riccio

Synopsis: Providing that a specified provision of law relating to the use of specified proceeds received by the Maryland Strategic Energy Investment Fund and credited to a specified account does not apply to residential customers of a municipal electric utility.
EFFECTIVE OCTOBER 1, 2012
SG, § 9-20B-05(g-2) - amended
Assigned to: Economic Matters

HB282 – Vehicle Laws – Speed Monitoring Systems Warnings

Sponsored By: Delegate McConkey, et al

Synopsis: Requiring specified agencies to mail warning notices instead of citations for specified violations recorded by a speed monitoring system during the first 30 days that the speed monitoring system is in use.
EFFECTIVE OCTOBER 1, 2012
TR, §§ 21-809(d)(2) - amended
Assigned to: Environmental Matters

HB296 – Environment – Hydraulic Fracturing Wastewater – Prohibited Acts

Sponsored By: Delegate Robinson, et al

Synopsis: Prohibiting a person from shipping or transporting into the State, or storing, treating, discharging, or disposing of in the State, wastewater resulting from hydraulic fracturing activities occurring in another state.
EFFECTIVE OCTOBER 1, 2012
EN, § 9-293 - added
Assigned to: Environmental Matters

HB298 – Procurement – State Funds – Energy Efficient Outdoor Lighting Fixtures

Sponsored By: Delegate Carr

Synopsis: Expanding the prohibition on the use of State funds to install or replace a permanent outdoor luminaire to include all permanent outdoor luminaires unless the luminaire meets specified requirements.
EFFECTIVE OCTOBER 1, 2012
SF, § 14-412 - amended
Assigned to: Health and Government Operations

HB313 – Motor Vehicles – Child Seating and Safety Seats – Requirements and Prohibition

Sponsored By: Delegate Stein, et al

Synopsis: Requiring a person transporting a child under the age of 2 years in a motor vehicle to secure the child in a rear-facing child safety seat in accordance with specified instructions; repealing the exception for children weighing more than 65 pounds to the requirement that a child under the age of 8 years must be secured in a child safety seat; prohibiting a person from transporting a child under the age of 13 years in a motor vehicle if the child is seated in the outboard front seat of the motor vehicle; etc.

EFFECTIVE OCTOBER 1, 2012

TR, § 22-412.2 - amended

Assigned to: Environmental Matters

HB326 – Vehicle Laws – Use of Work Zone Speed Control Systems – Presence of Workers Required

Sponsored By: Delegate Frank, et al

Synopsis: Altering the definition of “work zone” as it relates to work zone speed control systems; and providing that a work zone speed control system may be used only when a worker is present on the roadway, median divider, or shoulder within or adjacent to the work zone.

EFFECTIVE OCTOBER 1, 2012

TR, § 21-810(a)(6) and (b) - amended

Assigned to: Environmental Matters

HB340 – Vehicle Laws – Seat Belts and Child Safety Seats

Sponsored By: Delegates Arora and Wilson

Synopsis: Requiring restrictions on specified provisional driver’s licenses to prohibit specified licensees from operating a motor vehicle unless each occupant is restrained by a seat belt or a child safety seat; altering the standard for the number of seat belts required to be equipped in the front and back seats of specified motor vehicles; redefining a specified term; clarifying the circumstances under which specified restraint devices may be sold; altering specified penalties for violating specified provisions of this Act; etc.

EFFECTIVE OCTOBER 1, 2012

TR, §§ 16-113(d-1), 22-412, 22-412.2, 22-412.3, and 27-106(b) - amended

Assigned to: Environmental Matters

HB343 – Vehicle Laws – Child Safety Seats and Seat Belts – Penalty

Sponsored By: Delegate Reznik, et al

Synopsis: Increasing the fine from \$25 to \$75 for failing to secure a child under a specified age in a child safety seat or seat belt while transporting the child in a motor vehicle or operating a motor vehicle; and repealing a requirement that court costs are included in a specified fine.

EFFECTIVE OCTOBER 1, 2012

TR, §§ 22-412.2, 22-412.3, and 27-106(b) - amended

Assigned to: Environmental Matters

HB354 – Speed Monitoring Systems and School Bus Monitoring Cameras – Use of Fines – Public Education

Sponsored By: Delegate Holmes

Synopsis: Authorizing a political subdivision that collects fines as a result of violations enforced by speed monitoring systems or school bus monitoring cameras, after recovering costs of implementing and administering the speed monitoring systems or school bus monitoring cameras, to spend the remaining balance on public education purposes.

EFFECTIVE OCTOBER 1, 2012

CJ, § 7-302(e)(4) - amended

Assigned to: Environmental Matters

2012 SENATE BILLS

SB3 – Maryland Toll Accountability Act

Sponsored By: Senator Simonaire

Synopsis: Prohibiting the Maryland Transportation Authority from fixing or revising a toll on any part of any transportation facilities project unless the General Assembly approves the toll through legislation; and prohibiting the Authority, on or after June 1, 2012, from charging and collecting a toll that exceeds the amount in effect on February 1, 2012, under specified circumstances.

EFFECTIVE JUNE 1, 2012

TR, § 4-312 - amended

Assigned to: Finance

SB7 – Vehicle Laws – Nonfunctioning Traffic Control Signals

Sponsored By: Senator Klausmeier

Synopsis: Requiring a driver who is approaching a traffic control signal with no visible lighted indication to reduce speed and prepare to yield to other vehicles in or approaching the intersection under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2012

TR, § 21-202(m) - added and amended

Assigned to: Judicial Proceedings

SB57 – Vehicle Laws – Use of Work Zone Speed Control Systems – Presence of Workers Required

Sponsored By: Senator Brochin

Synopsis: Altering the definition of “work zone” as it relates to work zone speed control systems; and providing that a work zone speed control system may be used only when a worker is present on the roadway, median divider, or shoulder within or adjacent to the work zone.

EFFECTIVE OCTOBER 1, 2012

TR, § 21-810(a)(6) and (b) - amended

Assigned to: Judicial Proceedings

SB62 – Maryland Transportation Authority – Fixing or Revising Tolls – Legislative Approval Required

Sponsored By: Senator Stone

Synopsis: Prohibiting the Maryland Transportation Authority from fixing or revising a toll on any part of any transportation facilities project unless the General Assembly approves the toll through legislation enacted into law; and authorizing the Authority, on or after the effective date of the Act, to continue to charge and collect a toll of the same amount in effect before the effective date of the Act.

EFFECTIVE JULY 1, 2012

TR, § 4-312 - amended

Assigned to: Finance and Budget and Taxation

SB65 – Dedicated Funds – Prohibition of Transfer – Chesapeake and Atlantic Coastal Bays 2010 Trust Fund and Bay Restoration Fund

Sponsored By: Senator Astle

Synopsis: Proposing an amendment to the Maryland Constitution to prohibit the transfer to the General Fund of funds dedicated to the Bay Restoration Fund or the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; and submitting the amendment to the qualified voters of the State of Maryland for their adoption or rejection.

CONSTITUTIONAL AMENDMENT – CONTINGENT

Maryland Constitution, Art. III, § 53 - added

Assigned to: Budget and Taxation

SB88 – Local States of Emergency – Time Period – Extension

Sponsored By: Senator Glassman

Synopsis: Increasing from 7 to 30 days the time period that a local state of emergency may continue or be renewed without the consent of the local governing body.

EFFECTIVE OCTOBER 1, 2012

PS, § 14-111 - amended

Assigned to: Education, Health, and Environmental Affairs

SB110 – Motor Vehicle Administration – Young Driver Improvement Program – Parent and Guardian Attendance

Sponsored By: Chair, Judicial Proceedings (By request – MDOT)

Synopsis: Authorizing the Motor Vehicle Administration to require a parent, guardian, or other responsible adult cosigner of an application for a driver's license to attend a young driver improvement program with a specified minor offender under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2012

TR, § 16-213 - amended

Assigned to: Judicial Proceedings

SB116 – Vehicle Laws – Weight and Load Requirements – Vehicles Carrying Perishable Products

Sponsored By: Chair Education, Health and Environmental Affairs (By request – MDOT)

Synopsis: Altering the circumstances under which a police officer is required to allow an overweight vehicle carrying perishable products as its only load to proceed to its destination; providing that an overweight vehicle carrying perishable products as its only load shall be allowed to proceed to its destination if it is the first perishable load overweight violation by the motor carrier following a period of at least 365 consecutive days without a specified violation and the overweight does not exceed 5,000 pounds; etc.

EFFECTIVE OCTOBER 1, 2012

TR, § 24-111.1 - amended

Assigned to: Judicial Proceedings

SB117 – Environment – Water Appropriation Permits – Construction Dewatering Projects

Sponsored By: Chair Education, Health and Environmental Affairs (By request – MDE)

Synopsis: Authorizing the Department of the Environment to waive the notice and hearing requirements for water appropriation or use permit applications for construction dewatering projects.

EFFECTIVE OCTOBER 1, 2012

EN, § 5-506 - amended

Assigned to: Education, Health, and Environmental Affairs

SB118 – Voluntary Agricultural Nutrient and Sediment Credit Certification Program

Sponsored By: Chair, Education, Health and Environmental Affairs (By request – MDE)

Synopsis: Authorizing the Department of Agriculture to establish requirements for the voluntary certification and registration of sediment credits on agricultural land under the

Voluntary Agricultural Nutrient Credit Certification Program; clarifying the authority of the Department of the Environment to establish specified requirements under specified circumstances; and altering the intent of the General Assembly.

EFFECTIVE JUNE 1, 2012

AG, §§ 8-901, 8-902, and 8-904 and Chapter 447 of the Acts of 2010, § 3 - amended

Assigned to: Education, Health, and Environmental Affairs

SB124 – Motor Vehicles – Eligibility for Driver’s License Test

Sponsored By: Chair, Judicial Proceedings (By Request –MDOT)

Synopsis: Reducing the time period that specified individuals at least 25 years old who hold a learner’s instructional permit are required to wait before taking a provisional driver’s license examination; reducing the amount of driving practice that an individual at least 25 years old is required to obtain before taking a provisional driver’s license examination; establishing additional driver training requirements for an individual who does not pass a provisional driver’s license examination after making a specified number of attempts; etc.

EFFECTIVE OCTOBER 1, 2012

TR, §§ 16-105(d), 16-111, and 16-115(c) - amended

Assigned to: Judicial Proceedings

SB125 – Vehicle Laws – Public Transit Vehicles – Right-of-Way

Sponsored By: Chair, Judicial Proceedings (By request – MDOT)

Synopsis: Requiring the driver of a motor vehicle to yield the right-of-way to a public transit vehicle under specified circumstances; and requiring transit agencies in the State to conduct specified public information campaigns.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2012

TR, §§ 21-101(y) and 21-406 - added and § 21-101(y) and (z) - amended

Assigned to: Judicial Proceedings

SB126 – Department of Natural Resources – Maryland Land Preservation and Recreation Plan

Sponsored By: Chair, Education, Health and Environmental Affairs (By Request – DNR)

Synopsis: Establishing a minimum time frame for preparation and revision of the Maryland Land Preservation and Recreation Plan; and requiring consultation with local governments when preparing the Plan.

EFFECTIVE JUNE 1, 2012

NR, § 5-906(b) - amended

Assigned to: Education, Health, and Environmental Affairs

SB164 – Maryland Plastic Bag Recycling Act

Sponsored By: Senator Conway

Synopsis: Prohibiting a plastic carryout bag manufacturer from providing, selling, or offering for sale plastic carryout bags for use or distribution in the State unless specified language is printed or displayed on the bags and the manufacturer has registered with the Department of the Environment in a specified manner; requiring a plastic carryout bag manufacturer to register every 2 years by submitting to the Department a specified registration form, fee, and plan; terminating the Act after September 30, 2020; etc.

EFFECTIVE OCTOBER 1, 2012

EN, §§ 9-1701 and 9-1707(f)(2) - amended and §§ 9-1733 through 9-1743 - added

Assigned to: Education, Health, and Environmental Affairs

SB177 – Vehicle Laws – Nonfunctioning Traffic Control Signals – Requirement to Stop

Sponsored By: Senators Robey and Klausmeier

Synopsis: Altering a provision of law requiring vehicular traffic to stop and take specified actions when approaching a nonfunctioning traffic control signal at specified intersections to apply the requirement to all intersections; and requiring vehicular traffic approaching a nonfunctioning traffic control signal at an intersection to stop in a specified manner, yield to other vehicles or pedestrians in the intersection, and remain stopped until it is safe to enter and continue through the intersection.

EFFECTIVE OCTOBER 1, 2012

TR, § 21-209 - amended

Assigned to: Judicial Proceedings

SB185 – Motor Vehicles – Child Seating and Safety Seats – Requirements and Prohibition

Sponsored By: Senator Forehand, et al

Synopsis: Requiring a person transporting a child under the age of 2 years in a motor vehicle to secure the child in a rear-facing child safety seat in accordance with specified instructions; repealing the exception for children weighing more than 65 pounds to the requirement that a child under the age of 8 years must be secured in a child safety seat; prohibiting a person from transporting a child under the age of 13 years in a motor vehicle if the child is seated in the outboard front seat of the motor vehicle; etc.

EFFECTIVE OCTOBER 1, 2012

TR, § 22-412.2 - amended

Assigned to: Judicial Proceedings

SB208 – Environment – Recycling – Apartment Buildings and Condominiums

Sponsored By: Senator Pinsky, et al

Synopsis: Requiring owners or managers of apartment buildings or condominiums that contain 10 or more units to provide residents with the opportunity for recycling or before

October 1, 2013; requiring specified owners or managers, beginning on March 1, 2014, to report annually on recycling activities to the county in which the property is located; requiring that the recycling required under the Act be done in accordance with specified recycling plans; specifying a civil penalty for a violation of the Act; etc.

VARIOUS EFFECTIVE DATES

EN, § 9-1703(b) - amended and § 9-1711 - added

Assigned to: Education, Health, and Environmental Affairs

SB217 – Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement and Penalties

Sponsored By: Senator Robey, et al

Synopsis: Repealing provisions of law that require enforcement as a secondary offense of specified violations involving the use of a wireless communication device while operating a motor vehicle; repealing provisions of law that apply prohibitions involving the use of a wireless communication device to specified operators of motor vehicles only if the motor vehicle is in motion; providing that specified prohibitions apply only if the motor vehicle is in the travel portion of a roadway; altering a specified penalty; etc.

EFFECTIVE OCTOBER 1, 2012

TR, §§ 21-1124 and 21-1124.2 - amended

Assigned to: Judicial Proceedings

SB233 – Transportation Trust Fund – Appropriation of General Fund Surplus

Sponsored By: Senator Jacobs, et al

Synopsis: Requiring the Governor to include in the budget bill in specified fiscal years an appropriation to the Transportation Trust Fund of a specified amount of an unappropriated General Fund surplus; etc.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2012

SF, § 7-311(j) - amended and TR, § 3-218 - added

Assigned to: Budget and Taxation

SB236 – Sustainable Growth and Agricultural Preservation Act of 2012

Sponsored By: The President (By request – Administration) et al

Synopsis: Altering the contents of a specified element that is required in a specified plan; prohibiting the approval of a residential major subdivision if a local jurisdiction has established specified tiers unless a planning board reviews and recommends the approval under specified circumstances; prohibiting the Department of the Environment from approving a major residential subdivision under specified circumstances on or before a specified date; etc.

EFFECTIVE JULY 1, 2012

Art. 66B, EN, and LU, Various Sections - amended and added

Assigned to: Education, Health, and Environmental Affairs

SB237 – Maryland Offshore Wind Energy Act of 2012

Sponsored By: The President (By request – Administration) et al

Synopsis: Altering the Maryland renewable energy portfolio standard program to include a specified amount of energy derived from offshore wind energy; prohibiting the portion of the renewable energy portfolio that represents offshore wind energy from applying to retail electricity sales by a supplier in excess of a specified amount of industrial process load; etc.
EFFECTIVE JUNE 1, 2012

PU, §§ 7-208, 7-701, 7-703, 7-704(e), and 7-705(b) and (f) - amended and §§ 7-704.1 and 7-704.2 - added and NR, § 8-1102 - amended

Assigned to: Finance

SB240 – Environment – Bay Restoration Fund – Fees

Sponsored By: The President (By request – Administration) et al

Synopsis: Increasing specified Bay Restoration Fees paid by users of specified wastewater facilities, onsite sewage disposal systems, and sewage holding systems beginning on July 1, 2012; and providing for the collection of specified fees by specified billing authorities under specified circumstances.

EFFECTIVE JULY 1, 2012

EN, § 9-1605.2(b) - amended

Assigned to: Education, Health, and Environmental Affairs

SB252 – Baltimore City Community Enhancement Transit-Oriented Development Fund

Sponsored By: Senator Jones-Rodwell

Synopsis: Establishing the Baltimore City Community Enhancement Transit–Oriented Development Fund as a special, nonlapsing fund for specified purposes; providing for the contents and uses of the Fund; requiring that a portion of revenues from projects and other money, as specified, be paid into the Fund; requiring the Comptroller to pay specified money from the Fund to the Mayor and City Council of Baltimore City in a specified manner; authorizing the Mayor and City Council to use or award money received from the Fund for specified purposes; etc.

EFFECTIVE OCTOBER 1, 2012

EC, §§ 15-101 through 15-107 - added and SF, § 10-306 - amended

Assigned to: Finance

SB306 – Baltimore City – Vehicle Height Monitoring Systems

Sponsored By: Senator Ferguson (By Request – Baltimore City Administration)

Synopsis: Authorizing and establishing requirements for the use of specified vehicle height monitoring systems in Baltimore City to enforce specified State and local laws restricting

vehicle height; establishing that a vehicle height monitoring system may be used under the Act only if its use is authorized by an ordinance adopted by the Baltimore City Council; providing for the contents of a citation under the Act; establishing a maximum fine of \$500 for a violation under the Act; etc.

EFFECTIVE OCTOBER 1, 2012

CJ, IN, and SG, Various Sections - amended and TR, § 24-111.3 - added and § 26-401 - amended

Assigned to: Judicial Proceedings

SB309 – Mopeds and Motor Scooters – Titling, Registration, Insurance, and Required Use of Protective Headgear

Sponsored By: Senator Klausmeier, et al

Synopsis: Requiring a moped or motor scooter in the State to be titled and registered by the Motor Vehicle Administration; requiring an owner or prospective owner of a moped or motor scooter to obtain or maintain required security; establishing an annual registration fee and surcharge; prohibiting an individual from operating or riding on a moped or motor scooter unless the individual is wearing protective headgear and specified eye protection; providing for the registration classification of mopeds and motor scooters; etc.

EFFECTIVE OCTOBER 1, 2012

TR, Various Sections - amended and §§ 13-939.3, 21-1306.1, and 23-206.2(c) - added and IN, §§ 19-505(c) and 20-501 - amended

Assigned to: Judicial Proceedings

SB325 – Regional Mass Transit Account

Sponsored By: Senator Colburn

Synopsis: Increasing the sales and use tax rate in Anne Arundel County, Baltimore City, Baltimore County, Montgomery County, and Prince George’s County by a specified amount; creating the Regional Mass Transit Account in the Transportation Trust Fund to pay the cost of transit facilities and transit service in Anne Arundel County, Baltimore City, Baltimore County, Montgomery County, and Prince George’s County; etc.

EFFECTIVE JULY 1, 2012

TG, §§ 2-1302.2 and 11-104(a-1) and TR, § 7-309 - added and TG and TR, Various Sections - amended

Assigned to: Budget and Taxation

SB330 – Agriculture – Total Maximum Daily Load – Regulations

Sponsored By: Senator Glassman, et al

Synopsis: Prohibiting the Department of Agriculture, the Department of the Environment, and the Department of Natural Resources from adopting regulations to help the State meet the agricultural sector requirements of the Total Maximum Daily Load for the Chesapeake Bay unless New York, Pennsylvania, Virginia, West Virginia, and the District of Columbia

achieve or exceed the percentage reduction of nitrogen and the percentage reduction of phosphorus that the State has achieved from 2009 levels under specified circumstances.
EFFECTIVE JUNE 1, 2012

AG, § 8-803.9 - amended

Assigned to: Education, Health, and Environmental Affairs

SB340 – Vehicle Laws – Stopping, Standing, and Parking – Plug-In Vehicles

Sponsored By: Senator Raskin

Synopsis: Prohibiting a person from stopping, standing, or parking a vehicle that is not a plug-in vehicle in a space that is marked for the use of plug-in vehicles and provides access to a plug-in vehicle recharging station.

EFFECTIVE OCTOBER 1, 2012

TR, §§ 11-145.1 and 21-1003(ff) - added

Assigned to: Judicial Proceedings

SB345 – Environment – Water and Sewer Authorities – Number of Directors

Sponsored By: Senator Glassman

Synopsis: Altering the apportionment of the number of directors between or among member political subdivisions required for a water and sewer authority.

EFFECTIVE OCTOBER 1, 2012

EN, § 9-915 - amended

Assigned to: Education, Health, and Environmental Affairs

SB358 – Public-Private Partnerships

Sponsored By: The President (By Request – Administration), et al

Synopsis: Establishing the policy of the State on public-private partnerships; altering provisions of law relating to public-private partnerships; authorizing a reporting agency to establish a public-private partnership and execute a partnership agreement in connection with specified functions, services, or assets; requiring a reporting agency to adopt regulations and establish processes for the development, screening, solicitation, evaluation, award, and delivery of public-private partnerships; etc.

EFFECTIVE JULY 1, 2012

SF, § 10A-101 - amended, § 10A-102 - repealed, Various Sections -added, and TR, §§ 4-205 and 4-406 - repealed

Assigned to: Budget and Taxation
