Commercial Motor Vehicles

Presented by the
Montgomery County Police
Commercial Vehicle Unit

Officer Phil Butler
Traffic Division
A law took effect in Maryland in 2009 that banned texting while driving. The primary texting law prohibits a driver from writing or sending text messages while operating a motor vehicle that is in motion or in the travel portion of the roadway. This law does not apply to texting 9-1-1 or using a global position system. Only a few 911 centers in Maryland can receive text messages.
Things to remember

• A driver of a motor vehicle that is in motion may not use the driver’s hands to use a handheld telephone (cell phone) other than to initiate or terminate a wireless telephone call or to turn on or turn off the handheld telephone

• It does not apply to law enforcement and emergency personnel when those individuals are acting within the scope of their safety and emergency duties

• Calls to 9-1-1, a hospital, ambulance provider, fire department, law enforcement agency and first aid squad are all exempt for emergency situations only
What am I?

• I am more powerful than the combined armies of the world. I have destroyed more men than all wars of all nations. I massacre thousands of people every year. I am more deadly than bullets and bombs. I have wrecked more homes than any natural disaster.

• I find my victims among the rich, the poor, the young, the old, the weak and the strong. You are warned against me, yet, you heed me not.

• I lurk in unseen places and do most of my work silently. I am everywhere: in the home, on the streets, in the factory, in the air and on the sea.

• I am relentless, merciless and cruel. I bring sickness, degradation and death, yet few seek me out to destroy me. I crush, I maim, I will give you nothing and rob you of all you have.

• I know you will not see me coming even though I am your worst enemy! I am undefeated.
Carelessness
Pre-Trip and Post Trip Inspections

15 minutes can save you hundreds of dollars...
Response begins with identification!
State Law Violations

- Covered Loads/Loose Materials
- Projected Loads
- Extended Loads
- Bed Enclosures
- Removal of Spillage
- Load Securement
- Gross Weight
Commercial Vehicle Alcohol and Drug violations

Commercial vehicle Regulations
Transportation Article
Civil Violations
FMSCA Penalties
Maryland Transportation Article DUI Laws

• **21-902 A1**
  - A person may not drive or attempt to drive any vehicle while under the influence of alcohol

• **21-902 A2**
  - A person may not drive or attempt to drive any vehicle while under the influence per se

  • Penalties for A charge
  • $1000 and/or 1 year in jail 1\text{st} offense
  • $1000 and or 2 years in jail 2\text{nd} or subsequent
• 21-902 B
  • Driving while impaired by alcohol
    • A person may not drive or attempt to drive any vehicle while impaired by alcohol
    • Penalty $500 and or 60 days in jail

• 21 -903
  • consumption of Alcoholic beverages while driving on highway
    • A driver of a motor vehicle may not consume an alcoholic beverage in the passenger area of a motor vehicle on a highway
    • Penalty - $530 and 1 point
Maryland Civil Violations

• CR 10-125 (b)(2) - It is illegal for passenger to consume alcohol in a motor vehicle.
  • Penalty $25.00

• CR 10-125(a) – An occupant of a motor vehicle may not possess an open container that contains any amount of alcoholic beverage in a passenger area of a motor vehicle on a highway (driven, stopped or standing)
  • Penalty $25.00
### CDL Suspension Lengths

<table>
<thead>
<tr>
<th>Violation</th>
<th>In CMV</th>
<th>HazMat</th>
<th>Non CMV</th>
<th>In CMV</th>
<th>HazMat</th>
<th>Non CMV</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1st</td>
<td>2nd</td>
<td>3rd</td>
<td>1st</td>
<td>2nd</td>
<td>3rd</td>
</tr>
<tr>
<td>D.U.I./Refusal</td>
<td>1 Year</td>
<td>LIFE</td>
<td>3 Years</td>
<td>LIFE</td>
<td>1 Year</td>
<td>LIFE</td>
</tr>
<tr>
<td>.04 or Greater</td>
<td>1 Year</td>
<td>LIFE</td>
<td>3 Years</td>
<td>LIFE</td>
<td>N/A</td>
<td>LIFE</td>
</tr>
<tr>
<td>C.D.S</td>
<td>1 Year</td>
<td>LIFE</td>
<td>3 Years</td>
<td>LIFE</td>
<td>1 Year</td>
<td>LIFE</td>
</tr>
<tr>
<td>Leaving the scene</td>
<td>1 Year</td>
<td>LIFE</td>
<td>3 Years</td>
<td>LIFE</td>
<td>1 Year</td>
<td>LIFE</td>
</tr>
<tr>
<td>Using vehicle in felony</td>
<td>1 Year</td>
<td>LIFE</td>
<td>3 Years</td>
<td>LIFE</td>
<td>1 Year</td>
<td>LIFE</td>
</tr>
<tr>
<td>Suspended/Revoked*</td>
<td>1 Year</td>
<td>LIFE</td>
<td>3 YEARS</td>
<td>LIFE</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Fatality(Negligent Op)</td>
<td>1 Year</td>
<td>LIFE</td>
<td>3 Years</td>
<td>LIFE</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Felony CDS**</td>
<td>LIFE</td>
<td>LIFE</td>
<td>LIFE</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

### Violation

<table>
<thead>
<tr>
<th>Violation</th>
<th>Within 3 Years</th>
<th>Non CMV ***</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2nd</td>
<td>3rd</td>
</tr>
<tr>
<td>Speeding (+15)</td>
<td>60 Days</td>
<td>120 Days</td>
</tr>
<tr>
<td>Reckless</td>
<td>60 Days</td>
<td>120 Days</td>
</tr>
<tr>
<td>Improper Lane Change</td>
<td>60 Days</td>
<td>120 Days</td>
</tr>
<tr>
<td>Follow Too Closely</td>
<td>60 Days</td>
<td>120 Days</td>
</tr>
<tr>
<td>Drive CMV w/o CDL</td>
<td>60 Days</td>
<td>120 Days</td>
</tr>
<tr>
<td>Drive CMV w/o CDL in Posession</td>
<td>60 Days</td>
<td>120 Days</td>
</tr>
<tr>
<td>Drive CMV w/o Endorsements</td>
<td>60 Days</td>
<td>120 Days</td>
</tr>
<tr>
<td>Texting</td>
<td>60 Days</td>
<td>120 Days</td>
</tr>
<tr>
<td>Cell Phone</td>
<td>60 Days</td>
<td>120 Days</td>
</tr>
</tbody>
</table>

### Violation

<table>
<thead>
<tr>
<th>Violation</th>
<th>(Within 10 Years)</th>
<th>HazMat &amp; Buses</th>
<th>1st</th>
<th>2nd</th>
<th>3rd</th>
<th>1st</th>
<th>2nd</th>
<th>3rd</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>180-365 D</td>
<td>2-5 Years</td>
<td>3-5 Years</td>
<td>180 D-2 Y</td>
<td>3-5 Years</td>
<td>3-5 Years</td>
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<tr>
<td>Violate OOS Order</td>
<td></td>
<td></td>
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</tbody>
</table>

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*As a result of prior violations committed operating a CMV, the CDL is revoked, suspended or canceled. Driver DQ

**Using vehicle in comission of a felony involving manufacturing, distributing or dispensing CDS

***if the conviction results in revocation, cancellation or suspension of CDL or non-CDL
Disruptive Behavior Orders
Trespass orders
QUESTIONS?

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