



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

Maryland Department of Transportation

Beverley K. Swaim-Staley, *Secretary*
Melinda B. Peters, *Administrator*

MEMORANDUM

TO: Motor Carrier Division Personnel (MCD)

FROM: Dave Czorapinski
Chief, Motor Carrier Division

DATE: June 29, 2012

SUBJECT: Implementation of an Electronic Hauling Permit (E-Permit) Program within the Automated Hauling Permit System (AHPS) – Policy and Procedure for Customer Eligibility and Use

With the ability of law enforcement personnel and other authorized individuals to access hauling permit information contained within the Automated Hauling Permit System (AHPS), both directly and via the Commercial Vehicle Information Exchange Window (CVIEW), requirements of the Code of Maryland Regulations (COMAR) 11.04.01.06 (E) (1) (b) & (E) (2) (b) that a hard copy of the hauling permit be carried within the permitted vehicle are increasingly becoming less efficient given current technology now available. Advances in the field of information sharing provide more efficient and effective alternatives to hard copies by way of electronic media, such as mobile/smart phones and laptop computers, which are the future of our hauling permit program. Therefore as provided by COMAR 11.04.01.06 (E) (1) (c) & (E) (2) (c), and procedures specified within this memorandum, an E-permit program is hereby established.

With the exception of Book Permits and Containerized Cargo Permits, or as otherwise determined by MCD, hauling permits issued via AHPS may be considered to be in the constructive possession of the permit vehicle driver as herein provided under the new AHPS E-permit Program:

Eligibility for use of the e-permit function:

- AHPS account must be current with no outstanding invoices.
- AHPS accounts which meet the suspension provisions of COMAR 11.04.01.10 due to violations of hauling permit conditions, or have violated any other provisions of COMAR related to hauling permits as determined by the Division, are ineligible for E-permit privileges.



E-Permit Policy/Procedure

Page 2.

- The permit vehicle operator must have an electronic device in possession that will receive and display the permit, and all attachments assigned to that permit, in legible PDF format.
- Upon demand the vehicle operator must immediately retrieve and display the permit on the device to the demanding party as required by COMAR 11.04.02.01-1.
- Upon demand, the vehicle operator shall immediately provide an electronic copy of the permit being displayed to the individual making the request.
- Use of the E-permit function DOES NOT relieve the permit vehicle operator from the responsibility to review the AHPS hauling permit general conditions/restriction lists web pages before the move is made.
- Each device used for E-permit display must have evidence (e.g. bookmark, favorite site, downloaded file, etc.) that the device is set up to access the AHPS general conditions/restrictions list web pages. Failure to provide such evidence may be considered as not complying with the pre-trip general conditions/restriction lists review.
- Failure to adhere to E-permit eligibility/use requirements may result in:
 - E-permit privileges being rescinded
 - A determination by enforcement personnel at roadside that the vehicle operator is moving in violation of/without a valid permit
 - Imposition of fines and other penalties as provided by Maryland Vehicle Law and COMAR

Enforcement personnel retain sole discretion to cite for any violation(s) they deem appropriate should the vehicle operator be unable or unwilling to display the E-permit upon demand. Electronic "confiscation" of the permit can be accomplished by notifying the Division, as required by COMAR 11.04.02.01-1 C (7), and entering violation information into the newly created E-permit category within the Permit Violation database.

Safety, customer service and environmental stewardship (via paper reduction) will continue to be at the top of MCD's priorities. Establishment of this E-permit process, with appropriate safeguards, furthers our mission to enhance both freight mobility and commercial vehicle safety.

This Policy is effective July 1, 2012 and will remain in effect until modified or cancelled.



Division Chief

06-29-12

Date

CC: Maryland State Police, Commercial Vehicle Enforcement Division
Maryland State Police-SHA Liaison Officer
Maryland Transportation Authority Police, Commercial Vehicle Enforcement Unit