

# Maryland Register

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## Title 11 DEPARTMENT OF TRANSPORTATION Subtitle 07 MARYLAND TRANSPORTATION AUTHORITY

### Notice of Proposed Action

[14-191-P]

The Executive Director of the Maryland Transportation Authority proposes to amend:

- (1) Regulation **.24** under **COMAR 11.07.03 Permits for Towing, Road Service, and Storage of Vehicles**;
- (2) Regulations **.02** and **.04** under **COMAR 11.07.05 Public Notice of Toll Schedule Revisions**; and
- (3) Regulations **.03**, **.05**, and **.12** under **COMAR 11.07.09 Vehicle Parking Facilities**.

This action was considered by the Chairman and members of the Maryland Transportation Authority at an open meeting held on December 19, 2013 notice of which was given through publication in the Maryland Register pursuant to State Government Article §10-505, Annotated Code of Maryland.

### Statement of Purpose

The purpose of this action is to amend regulations to reflect the change of the position title of Executive Secretary of the Maryland Transportation Authority to Executive Director of the Maryland Transportation Authority.

### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

### Estimate of Economic Impact

The proposed action has no economic impact.

### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

### Opportunity for Public Comment

Comments may be sent to Eric Backes, Assistant Manager of Government Relations, Maryland Transportation Authority, 2310 Broening Highway, Baltimore MD 21224, or call 413-537-1032, or email to [ebackes@mdta.maryland.gov](mailto:ebackes@mdta.maryland.gov), or fax to 410-537-5659. Comments will be accepted through August 11, 2014. A public hearing will be scheduled upon request.

## 11.07.03 Permits for Towing, Road Service, and Storage of Vehicles

Authority: Transportation Article, §§4-204, 4-205, 4-208, 4-208.1, 21-1403, 21-1407, and 26-301 et seq., Annotated Code of Maryland

### **.24 Appeal of Suspension or Revocation of a Permit.**

A. A permittee whose permit is suspended, revoked, or denied pursuant to Regulation .09E of this chapter may appeal the suspension or revocation to the Executive [Secretary] *Director* of the Authority within 7 calendar days of receipt of the written notice of the suspension, revocation, or denial.

B. (text unchanged)

C. The Executive [Secretary] *Director* or the Executive [Secretary's] *Director's* designee shall review the permittee's written appeal and shall set a date to conduct a contested case hearing. The Executive [Secretary] *Director* may delegate the authority to conduct the contested case hearing to the Office of Administrative Hearings in accordance with State Government Article, §10-205, Annotated Code of Maryland.

D. The Executive [Secretary] *Director* or the Executive [Secretary's] *Director's* designee shall render a final agency decision in writing.

E. (text unchanged)

## 11.07.05 Public Notice of Toll Schedule Revisions

Authority: Transportation Article, §§4-205, 4-312, 21-1401, 21-1414, and 27-110, Annotated Code of Maryland

**.02 Definitions.**

A. (text unchanged)

B. Terms Defined.

(1) —(2) (text unchanged)

(3) “Executive [Secretary] *Director*” means the Executive [Secretary] *Director* of the Maryland Transportation Authority.

(4) —(11) (text unchanged)

**.04 Procedures for Increases on Variably Priced Toll Facilities.**

A. (text unchanged)

B. The Executive [Secretary] *Director* of the Authority may set or adjust the mileage rate, pricing period, or toll zones consistent with the ranges established by the Authority in accordance with §A of this regulation. The Authority shall post notice of such action by the Executive [Secretary] *Director* on the Authority’s official website at least 10 days prior to the effective date.

## **11.07.09 Vehicle Parking Facilities**

Authority: Transportation Article, §§4-205 and 4-311.1, Annotated Code of Maryland

**.03 Definitions.**

A. (text unchanged)

B. Terms Defined.

(1) —(3) (text unchanged)

(4) “Executive [Secretary] *Director*” means the Executive [Secretary] *Director* of the Maryland Transportation Authority.

(5) — (13) (text unchanged)

**.05 Terms and Conditions.**

A. — B. (text unchanged)

C. A proposer may not rely upon oral responses to inquiries. If a proposer has a question regarding this chapter, the proposer shall submit the question in writing to the Executive [Secretary] *Director* and the Authority shall provide written answers.

D. — E. (text unchanged)

**.12 Delegation.**

The Authority may delegate to the Executive [Secretary] *Director* the authority to execute or approve any documents related to a vehicle parking facility project under this chapter or the Act.

BRUCE W. GARTNER  
Executive Director