

Title 11

DEPARTMENT OF TRANSPORTATION

Subtitle 05 MARYLAND PORT ADMINISTRATION

11.05.03 Vehicle Access, Parking and Operation of Vehicles on Maryland Port Administration Property

Authority: Transportation Article, §§6-201 and 6-211, Annotated Code of Maryland

Notice of Proposed Action

[25-088-P]

The Executive Director of the Maryland Port Administration proposes to amend Regulations .02 and .03 under **COMAR 11.05.03 Vehicle Access, Parking, and Operation of Vehicles on Maryland Port Administration Property**.

Statement of Purpose

The purpose of this action is to add the term "E-Pass" or "vendor" to the definitions and regulations and to eliminate the term "annual" from the regulations.

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 Nichol Conley, Regulations Coordinator, Maryland Port Administration, The World Trade Center, 401 E. Pratt Street, Baltimore, MD 21202, or call 410-385-4434, or email to nconley@marylandports.com. Comments will be accepted through July 28, 2025. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) "Access control point" means a location where credentials are produced and verified to *ensure* [insure] authorized access to the facilities.

[(2)] (2) "Annual decal" means the individually numbered and adhesive backed decal that is issued annually and applied to the vehicle windshield by the MPA Office of Security or designee.]

[(3)] (2) "Berth permit" means a [hang tag] *permit* issued by the MPA Office of Security or designee that permits parking upon a berth.

[(4)] (3)—[(6)] (5) (text unchanged)

[(7)] (6) "Decal" means the *individually numbered and adhesive backed* decal that is *issued* [assigned] and applied to the motor vehicle *windshield* by the MPA Office of Security or designee.

(7) "*Electronic Pass*" (*E-Pass*) means an *electronic pass generated by the MPA and verified at the access control point by security personnel*.

(8) (text unchanged)

(9) "Law Enforcement Permit" means a hang tag issued by the MPA Office of Security or designee to law enforcement *and MPA Office of Security* personnel.

(10)—(15) (text unchanged)

(16) "Permit" means:

(a) The [annual] decal that is affixed to the vehicle windshield by the MPA Office of Security or designee;

(b) The visitor *or vendor* vehicle *pass*, [or] cargo gate pass *or E-Pass generated by the MPA and verified* [issued] by security personnel at the facility access control point; or

(c) (text unchanged)

(17)—(20) (text unchanged)

(21) "Visitor *or Vendor* vehicle pass" means the document issued at the access control point by security personnel for single day access to a facility for a [personally owned] *motor* vehicle.

.03 Motor Vehicle Port Admission Permit.

A. Permit Requirements.

(1) A person may not operate or bring a motor vehicle on MPA property unless the motor vehicle has been issued [an]a [Annual] Decal or a Visitor, *Vendor*, 14-Day, [or] Cargo Gate Pass or *E-Pass* in accordance with this chapter.

(2)—(4) (text unchanged)

B. Types of Permits.

(1) [Annual] Decal. Motor vehicles regularly operated on MPA property or requiring regular visits to the property, shall display evidence of having obtained [an] a [Annual] Decal. The decal shall be applied to the outside lower portion of the driver side of the vehicle's front windshield with the expiration date clearly displayed.

(2) 14-Day Pass. [Motor] *Non-decaled motor* vehicles operated by authorized persons on MPA property on a daily basis for 7 days or longer, shall display evidence of having obtained a 14-Day Pass. Issuance of a 14-Day Pass requires prior notification of the MPA Office of Security or designee. The pass shall be placed on the dashboard in the driver's front left windshield area of the vehicle so as to be visible from the outside.

(3) Visitor or *Vendor Vehicle* Pass. Motor vehicles, owned or operated by persons on MPA property on a daily basis for a length of time less than 7 days, shall display evidence of having obtained a *printed* Visitor or *Vendor* Pass, or shall display an *E-Pass* on their mobile device. Issuance of a Visitor or *Vendor* Pass or *E-Pass* requires prior notification to the MPA via its electronic [visitor] database. The *printed* pass shall be placed on the dashboard in the driver's front left windshield area of the vehicle so as to be visible from the outside. *The E-Pass shall be displayed via the user's mobile device when requested by security personnel or MdTA Police.*

(4) Cargo Gate Pass. A [motor]*Motor* vehicle which is designed to carry cargo or is designated as cargo is required to obtain a Cargo Gate Pass at one of the truck access control points before reporting directly to the marine terminal operator or cargo processor within MPA property that is handling the cargo. The [cargo] *vehicle operator* shall be registered via MPA's electronic database, eModal, before entering the facility.

(5) (text unchanged)

C. Application Procedures.

(1) Requirements for [an Annual] a Decal. A person desiring [an annual] a decal under this regulation shall:

(a)—(d) (text unchanged)

(2) Requirements for a Visitor or *Vendor Vehicle* Pass. A Visitor or *Vendor* Vehicle Pass shall be obtained at the access control point of the facility to which access is desired. All visitors *and vendors* shall have received prior authorization to enter the facility from the MPA, the MdTA Police, or a tenant or other user of the facility. The person who authorized the visitor or *vendor's* entry to the facility shall provide all required identification information to the MPA in advance through MPA's electronic [visitor] database.

(3) Requirements for a 14-Day Pass. A person desiring a 14-Day Pass under this regulation shall:

(a) Provide to the MPA Office of Security or designee evidence of hardship or exigent circumstances justifying the person's failure to obtain [an annual or temporary] a decal; and

(b) (text unchanged)

(4) Requirements for a Cargo Gate Pass. A motor vehicle entering MPA port facilities to deliver or pick up cargo shall be issued a Cargo Gate Pass or *E-Pass* after its driver produces valid identification and establishes a legitimate business purpose for entry to the facility. The Cargo Gate Pass or *E-Pass* shall be validated by the tenant while the vehicle is on the facility and verified by the security guard on exit.

D. Decision on Application for [Annual] Decals.

(1) [An Annual] A Decal may be issued only to those persons who have employment-related or business-related purposes for gaining admission to MPA property.

(2)—(4) (text unchanged)

E. Display of Decals and Passes.

(1) [Annual] Decals. Upon approval of an application for [an Annual] a Decal, the MPA Office of Security or designee shall issue an identifying decal. This decal signifies to the MdTA Police and the MPA that an application is on file for the vehicle which has met all the requirements of this chapter. The decal, upon issue, shall immediately be applied to the vehicle windshield by the MPA Office of Security or designee and is the only evidence of application approval and is valid until termination.

(2) (text unchanged)

(3) Visitor or *Vendor Vehicle* Pass. Upon approval of a visitor or *vendor's* entrance into a facility, a designated security officer shall issue a Visitor or *Vendor* Vehicle Pass or *E-Pass* to the driver[.]. *The printed Visitor or Vendor Vehicle Pass* shall be prominently displayed within the windshield area of the vehicle and in full view from the exterior with the date clearly visible while the motor vehicle is on MPA property. *The E-Pass shall be displayed via the user's mobile device when requested by security personnel or MdTA Police.*

(4) (text unchanged)

F. Non-Transferability of Decals and Passes. [An Annual] a Decal or Visitor or *Vendor Vehicle*, 14-Day, or Cargo Gate Pass may not be transferred to or displayed on any vehicle other than the vehicle to which the decal or pass has been issued. A pass may not be transferred to or displayed by any person other than the person to whom issued.

G. Termination of Decals and Passes.

(1) [Annual] Decals.

(a) Upon termination of a[n] [Annual] Decal, the decal shall be removed by the vehicle owner, by another person on the owner's behalf, or by a designated MPA or MdTA police employee.

(b) [Annual] Decal termination occurs on the earliest of:

(i)—(iii) (text unchanged)

(iv) *The date ownership of the vehicle is transferred by the person who obtained the decal.; or*

(v) *Upon expiration of the Decal.*

[(c) Unless Annual Validation Tabs have been issued and affixed to the Annual Decal by the MPA Office of Security or designee, the Annual Decal expires at midnight on June 30 of each year.]

(2) Visitor *or Vendor* Vehicles Passes.

(a) The Visitor *or Vendor* Vehicle Pass shall be returned to a designated security officer *or electronically closed* upon departure of the motor vehicle from the facility.

(b) The Visitor *or Vendor* Vehicle Pass automatically expires at the end of the calendar date indicated, upon its voluntary surrender, upon departure of the motor vehicle from the MPA facility at which the permit was issued, or upon revocation by the MPA Office of Security or designee in accordance with the provisions in this chapter.

(3) (text unchanged)

H. Notice of Changes in Conditions.

(1) Changes in the information given in the original application for the decal [or pass] shall be reported by the applicant[, or the decal or pass holder authorizing entry for a visitor,] to the MPA Office of Security or designee immediately after the change.

(2) The following changes shall be reported:

(a)—(b) (text unchanged)

(c) Loss of or damage to the decal [or pass];

(d) (text unchanged)

(e) Change of applicant's employer; *or*

(f) (text unchanged)

I. (text unchanged)

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