

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

Senate Bill 77

(Chair, Judicial Proceedings Committee)(By Request -
Departmental - Transportation)

Judicial Proceedings

Environmental Matters

**Vehicle Laws - Commercial and Farm Vehicles - Safety Inspections and Utility
Emergencies**

This departmental bill conforms specified provisions of the Maryland Vehicle Law to federal law governing the operation of farm vehicles. The bill also repeals obsolete provisions pertaining to hours-of-service and reporting requirements for vehicles operated by utility companies during emergencies. Finally, the bill corrects the manner in which a commercial vehicle weight limit is applied and makes several other technical, clarifying, and stylistic changes.

Fiscal Summary

State Effect: Federal fund revenues are fully maintained in FY 2015 and subsequent years as the State Highway Administration continues to qualify for existing federal Motor Carrier Safety Assistance Program grant funds that it may no longer qualify for in the absence of the bill. While the exact amount of federal grant funds to be received in FY 2015 and future years cannot be reliably estimated, it may be similar to the approximately \$3.1 million expected to be received from the 2014 federal grant.

Local Effect: Local government revenues from federal Motor Carrier Safety Assistance Program grant funds are fully maintained in FY 2015 and subsequent years. While the exact amount in federal funds to be received and distributed to local governments in FY 2015 and future years cannot be reliably estimated, it is not anticipated to be significant for any single jurisdiction.

Small Business Effect: The Maryland Department of Transportation (MDOT) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Bill Summary: The bill alters the definition of “vehicle” as it pertains to the Preventive Maintenance Program by exempting farm trucks, tractors, and Class K farm vehicles. The bill thereby removes these farm-related vehicles from the requirements of the Preventive Maintenance Program subtitle; recent changes to federal highway law exempted farm vehicles from hours-of-service restrictions.

The bill also expands the application of weight-related motor carrier safety regulations for commercial vehicles by altering the manner in which gross vehicle weight is measured. Rather than applying only to vehicles with a rated gross vehicle weight of more than 10,000 pounds, the bill extends the application to vehicle *combinations* with a gross vehicle weight of more than 10,000 pounds.

Finally, the bill repeals several definitions pertaining to motor carrier safety for utility company vehicles during emergencies, removes numerous references to utility emergencies, and repeals substantive provisions governing the application of hours-of-service and reporting requirements for utility vehicles during emergencies.

Current Law/Background: In 2012, the U.S. Congress passed the Moving Ahead for Progress in the 21st Century Act (“MAP-21”), which made several changes to federal highway law. Among these changes were various motor carrier safety law exemptions for the agricultural industry and farm vehicle operators, including an exemption from hours-of-service requirements. The bill conforms State law with the new federal exemptions.

According to MDOT, the bill also standardizes the application of motor carrier safety gross vehicle weight regulations to vehicles and vehicle combinations, thereby conforming State law to longstanding federal motor carrier safety law.

Finally, MDOT advises that several years ago State motor carrier safety provisions were enacted to address confusion regarding the applicability of hours-of-service requirements for utility vehicles during declared emergencies. More recently, federal law has changed, rendering these provisions of the Maryland Vehicle Law obsolete. Thus, the bill repeals several provisions related to utility vehicle hours-of-service restrictions.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - January 14, 2014
ns/ljm

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Commercial Motor Vehicles – Exemptions and Utility
Transportation Emergencies

BILL NUMBER: SB 77

PREPARED BY: Department of Transportation

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

These changes will have a positive economic benefit for Maryland farmers who could save transportation costs by exempting any driver of a farm vehicle from the hours of service requirement. The exemption would also apply to an out of state driver as well as an in-state one, which would also afford farmers a greater variety in choosing transportation options for their products. The extent to which this would impact Maryland farmers is unclear, so a specific estimate is indeterminate.