

SENATE BILL 573

R6

6lr2330
CF HB 698

By: **Senators Mathias, Eckardt, Guzzone, and Norman**

Introduced and read first time: February 4, 2016

Assigned to: Judicial Proceedings

Committee Report: Unfavorable

Bill Substituted for unfavorable report

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 24, 2016

CHAPTER _____

1 AN ACT concerning

2 ~~Motor Vehicles—Gross Weight and Axle Load—Poultry~~
3 Task Force to Study the Impact of Hauling Grain, Poultry, and Dairy on State
4 Highways

5 FOR the purpose of ~~exempting a certain combination of vehicles with a trailer or semitrailer~~
6 ~~from certain gross weight limits under certain circumstances; establishing the gross~~
7 ~~weight limit for a certain combination of vehicles with a trailer or semitrailer that~~
8 ~~are carrying poultry under certain circumstances; authorizing a certain combination~~
9 ~~of vehicles with a trailer or semitrailer to have a certain axle load limit tolerance and~~
10 ~~gross weight limit tolerance under certain circumstances; making stylistic changes;~~
11 establishing the Task Force to Study the Impact of Hauling Grain, Poultry, and
12 Dairy on State Highways; providing for the composition, chair, and staffing of the
13 Task Force; prohibiting a member of the Task Force from receiving certain
14 compensation, but authorizing the reimbursement of certain expenses; requiring the
15 Task Force to study and make recommendations regarding certain matters;
16 requiring the Task Force to report its findings and recommendations to the Governor
17 and the General Assembly on or before a certain date; providing for the termination
18 of this Act; and generally relating to ~~gross weight and axle load for certain poultry~~
19 carriers the Task Force to Study the Impact of Hauling Grain, Poultry, and Dairy on
20 State Highways.

21 ~~BY repealing and reenacting, with amendments,~~
22 ~~Article—Transportation~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~Section 24-109~~
~~Annotated Code of Maryland~~
~~(2012 Replacement Volume and 2015 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That ~~the Laws of Maryland read as follows:~~

(a) There is a Task Force to Study the Impact of Hauling Grain, Poultry, and Dairy on State Highways.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) one representative of the Department of State Police, appointed by the Secretary of State Police;

(4) one representative of the State Highway Administration, appointed by the State Highway Administrator;

(5) one representative of the Department of Agriculture, appointed by the Secretary of Agriculture;

(6) one representative of the Maryland Farm Bureau, appointed by the Maryland Farm Bureau;

(7) one representative of the grain industry, appointed by the Secretary of Agriculture;

(8) one representative of the poultry industry, appointed by the Secretary of Agriculture;

(9) one representative of the dairy industry, appointed by the Secretary of Agriculture; and

(10) one representative of the trucking industry, appointed by the State Highway Administrator.

(c) The representative of the State Highway Administration shall chair the Task Force.

(d) The State Highway Administration shall provide staff for the Task Force.

1 (e) A member of the Task Force:

2 (1) may not receive compensation as a member of the Task Force; but

3 (2) is entitled to reimbursement for expenses under the Standard State
4 Travel Regulations, as provided in the State budget.

5 (f) The Task Force shall study and make recommendations regarding the impact
6 of short and long distance truck hauling of grain, poultry, and dairy on State highways,
7 including:

8 (1) safety impacts;

9 (2) infrastructure needs; and

10 (3) costs associated with short and long distance truck hauling of grain,
11 poultry, and dairy that the State Highway Administration incurs or would incur.

12 (g) On or before December 1, 2016, the Task Force shall report its findings and
13 recommendations to the Governor and, in accordance with § 2-1246 of the State
14 Government Article, the General Assembly.

15 ~~Article—Transportation~~

16 ~~24-109.~~

17 (a) ~~(1) In this section the following words have the meanings indicated.~~

18 ~~(2) “Single axle weight” means the total weight transmitted by all wheels~~
19 ~~whose centers may be included between 2 parallel transverse vertical planes 40 inches~~
20 ~~apart extending across the full width of the vehicle.~~

21 ~~(3) “Tandem axle weight” means the total weight transmitted to the road~~
22 ~~by 2 or more consecutive axles whose centers may be included between parallel vertical~~
23 ~~planes spaced more than 40 inches apart but not more than 96 inches apart extending~~
24 ~~across the full width of the vehicle.~~

25 (b) ~~An over the road bus or any vehicle that is regularly and exclusively used as~~
26 ~~an intrastate public agency passenger bus:~~

27 ~~(1) Is exempt from tandem axle weight limits provided in this section; but~~

28 ~~(2) Shall comply with the vehicle and combination of vehicles weight limits~~
29 ~~provided in this section that are not tandem axle weight limits.~~

30 (c) ~~Notwithstanding ANY OTHER PROVISION OF THIS TITLE, EXCEPT~~
31 ~~SUBSECTION (C)(3) OF THIS SECTION, any other provisions of this title, the overall gross~~

1 ~~weight on a group of 2 or more consecutive axles may not exceed an amount produced by~~
 2 ~~application of the following formula:~~

$$\begin{array}{l}
 3 \qquad \qquad \qquad (\qquad \qquad \frac{LN}{N-1} \qquad \qquad) \\
 4 \qquad W=500 \quad (\qquad \qquad \frac{LN}{N-1} \qquad \qquad \neq \quad 12N \quad \neq \quad 36 \quad) \\
 5 \qquad \qquad \qquad (\qquad \qquad \frac{LN}{N-1} \qquad \qquad)
 \end{array}$$

6 ~~where "W" = overall gross weight on any group of 2 or more consecutive axles to the nearest~~
 7 ~~500 pounds, "L" = distance in feet measured horizontally between the vertical centerlines~~
 8 ~~of the extreme of any group of 2 or more consecutive axles, and "N" = number of axles in~~
 9 ~~group under consideration, except that 2 consecutive sets of tandem axles may carry a gross~~
 10 ~~load of 34,000 pounds each providing the overall distance between the first and last axles~~
 11 ~~of such consecutive sets of tandem axles is 36 feet or more; provided, that such overall gross~~
 12 ~~weight may not exceed eighty thousand (80,000) pounds, including any enforcement or~~
 13 ~~statutory tolerances.~~

14 ~~(d) [The] EXCEPT AS PROVIDED IN SUBSECTION (G)(3) OF THIS SECTION,~~
 15 ~~THE following table indicates the permissible overall gross weights based upon the above~~
 16 ~~formula:~~

17	Distance in						
18	feet between						
19	the extremes of						
20	any group of 2						
21	or more						
22	consecutive						
23	axles	2-axles	3-axles	4-axles	5-axles	6-axles	7-axles
24	4	34,000					
25	5	34,000					
26	6	34,000					
27	7	34,000					
28	8						
29	and less	34,000	34,000				
30	More than						
31	8	38,000	42,000				
32	9	39,000	42,500				
33	10	40,000	43,500				
34	11		44,000				
35	12		45,000	50,000			
36	13		45,500	50,500			
37	14		46,500	51,500			
38	15		47,000	52,000			
39	16		48,000	52,500	58,000		
40	17		48,500	53,500	58,500		
41	18		49,500	54,000	59,000		
42	19		50,000	54,500	60,000		

1	20		51,000	55,500	60,500	66,000	
2	21		51,500	56,000	61,000	66,500	
3	22		52,500	56,500	61,500	67,000	
4	23		53,000	57,500	62,500	68,000	
5	24		54,000	58,000	63,000	68,500	74,000
6	25		54,500	58,500	63,500	69,000	74,500
7	26		55,500	59,500	64,000	69,500	75,000
8	27		56,000	60,000	65,000	70,000	75,500
9	28		57,000	60,500	65,500	71,000	76,500
10	29		57,500	61,500	66,000	71,500	77,000
11	30		58,500	62,000	66,500	72,000	77,500
12	31		59,000	62,500	67,500	72,500	78,000
13	32		60,000	63,500	68,000	73,000	78,500
14	33			64,000	68,500	74,000	79,000
15	34			64,500	69,000	74,500	80,000
16	35			65,500	70,000	75,000	
17	36	Exception:					
18		See					
19		subsection					
20		(e),					
21		this					
22		section		(66,000)	70,500	75,500	
23	37			(66,500)	71,000	76,000	
24	38			(67,500)	72,000	77,000	
25	39			68,000	72,500	77,500	
26	40			68,500	73,000	78,000	
27	41			69,500	73,500	78,500	
28	42			70,000	74,000	79,000	
29	43			70,500	75,000	80,000	
30	44			71,500	75,500		
31	45			72,000	76,000		
32	46			72,500	76,500		
33	47			73,500	77,500		
34	48			74,000	78,000		
35	49			74,500	78,500		
36	50			75,500	79,000		
37	51			76,000	80,000		
38	52			76,500			
39	53			77,500			
40	54			78,000			
41	55			78,500			
42	56			79,500			
43	57			80,000			

44 (e) ~~[The] EXCEPT AS PROVIDED IN SUBSECTION (C)(3) OF THIS SECTION,~~
 45 ~~THE gross weight of any vehicle or combination of vehicles may not exceed the following~~
 46 ~~limits:~~

	Number of axles	Gross weight (in pounds)
1	Three or less	55,000
2	Four	66,000
3	Five as provided for in § 13-016 or § 13-023 of this 4 article	80,000

8 (f) ~~A trailer with metal tires and a gross weight of more than 6,000 pounds may~~
9 ~~not be moved on a highway.~~

10 (g) (1) ~~Except on interstate highways, a single unit vehicle with 3 axles, or a~~
11 ~~combination of vehicles with a trailer less than 32 feet long or a semitrailer less than 45~~
12 ~~feet long, either registered as a farm vehicle or carrying farm products as defined under~~
13 ~~§ 10-601 of the Agriculture Article that were loaded in fields or other off-highway locations,~~
14 ~~is permitted an axle load limit tolerance of [5 percent] 5% from subsections (e) and (d) of~~
15 ~~this section, except during harvest time when an axle load limit tolerance of [15 percent]~~
16 ~~15% from subsections (e) and (d) of this section is permitted for a vehicle carrying the~~
17 ~~following agricultural products:~~

18 (i) ~~Wheat, for the period from June 1 to August 15;~~

19 (ii) ~~Corn, for the period from July 1 to December 1;~~

20 (iii) ~~Soybeans, for the period from September 1 to December 31; and~~

21 (iv) ~~Vegetable crops, for the period from June 1 to October 31.~~

22 (2) (i) ~~Except on interstate highways, a single unit vehicle with at least~~
23 ~~3 axles or a combination of vehicles with a trailer length of less than 32 feet carrying forest~~
24 ~~products that have been loaded in forests or other similar off-highway locations is~~
25 ~~permitted an axle load limit tolerance of [10 percent] 10% from subsections (e) and (d) of~~
26 ~~this section, except for the period from June 1 through September 30 when an axle load~~
27 ~~limit tolerance of [15 percent] 15% from subsections (e) and (d) of this section is permitted.~~

28 (ii) ~~Except on interstate highways, a combination of vehicles with a~~
29 ~~semitrailer length of 45 feet or less carrying forest products that have been loaded in forests~~
30 ~~or other similar off-highway locations is permitted an axle load limit tolerance of [5~~
31 ~~percent] 5% from subsections (e) and (d) of this section, except for the period from June 1~~
32 ~~through September 30 when an axle load limit tolerance of [15 percent] 15% from~~
33 ~~subsections (e) and (d) of this section is permitted.~~

34 (3) (1) ~~THE OVERALL GROSS WEIGHT IS 90,000 POUNDS FOR A~~
35 ~~COMBINATION OF VEHICLES WITH A TRAILER OR SEMITRAILER THAT:~~

- 1 ~~1. HAS AN AXLE CONFIGURATION OF NOT LESS THAN 5~~
2 ~~AXLES;~~
- 3 ~~2. ON AND AFTER MAY 8, 2017, HAS AXLES THAT ARE AT~~
4 ~~LEAST 96 INCHES APART;~~
- 5 ~~3. SUBMITS TO A MOTOR CARRIER SAFETY INSPECTION~~
6 ~~UNDER § 25-111 OF THIS ARTICLE;~~
- 7 ~~4. COMPLIES WITH ALL POSTED BRIDGE WEIGHT~~
8 ~~LIMITS;~~
- 9 ~~5. DOES NOT USE THE INTERSTATE HIGHWAY SYSTEM;~~
- 10 ~~6. IS CARRYING LIVE POULTRY FROM A FARM TO A~~
11 ~~PROCESSING FACILITY; AND~~
- 12 ~~7. DOES NOT CARRY THE LIVE POULTRY MORE THAN 150~~
13 ~~MILES.~~

14 ~~(H) A COMBINATION OF VEHICLES DESCRIBED IN~~
15 ~~SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY HAVE AN AXLE LOAD LIMIT~~
16 ~~TOLERANCE OF 3% FROM SUBSECTION (C) OF THIS SECTION AND A GROSS WEIGHT~~
17 ~~LIMIT TOLERANCE OF 3% FROM SUBPARAGRAPH (I) OF THIS PARAGRAPH.~~

18 ~~(h) (1) Any vehicle that uses an auxiliary power unit or an idle reduction~~
19 ~~technology unit in order to promote reduction of fuel use and emissions from engine idling~~
20 ~~shall be allowed up to an additional 550 pounds total in gross, axle, tandem, or bridge~~
21 ~~formula weight limits.~~

22 ~~(2) To be eligible for the additional weight limit allowed under paragraph~~
23 ~~(1) of this subsection, the vehicle operator must:~~

24 ~~(i) Obtain and make available to law enforcement officers written~~
25 ~~certification of the weight of the auxiliary power unit or idle reduction technology unit; and~~

26 ~~(ii) By demonstration or certification, prove that the idle reduction~~
27 ~~technology unit is fully functional at all times.~~

28 ~~(3) The additional weight limit allowed under paragraph (1) of this~~
29 ~~subsection may not exceed the certified weight of the auxiliary power unit or idle reduction~~
30 ~~technology unit.~~

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 ~~October~~ June 1, 2016. It shall remain effective for a period of 1 year and, at the end of May

1 31, 2017, with no further action required by the General Assembly, this Act shall be
2 abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.