

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 429

(Environment and Transportation Committee)

Environment and Transportation

Judicial Proceedings

Tow Trucks - Driver Safety Act

This bill requires a registered tow truck manufactured on or after the bill’s October 1, 2019 effective date, that is equipped with a yellow or amber light or signal device, to use a light-emitting diode (LED) in the light or signal device. The bill also requires a registered tow truck to display reflective paint or markings on the rear of the vehicle.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues from citations, as discussed below. Enforcement can be handled with existing resources. The State Highway Administration advises that its tow truck fleet already complies with the bill’s requirements.

Local Effect: Enforcement can be handled with existing resources. Local revenues are not affected.

Small Business Effect: Minimal.

Analysis

Current Law: “Tow truck” means a vehicle that is a Class E (truck) vehicle that is (1) designed to lift, pull, or carry a vehicle by a hoist or mechanical apparatus; (2) has a manufacturer’s gross vehicle weight rating of 10,000 pounds or more; and (3) is equipped as a tow truck or designed as a rollback, as specified. When registered with the Motor Vehicle Administration (MVA), a tow truck is a Class T vehicle and may be used to tow vehicles for repair, storage, or removal from the highway. “Tow truck” does not include a “truck tractor” as defined in Maryland Vehicle Law.

Flashing Lights and Signal Devices, Generally

Tow trucks, service vehicles, waste or recycling collection vehicles, rural letter carrier vehicles, and slow-moving farm vehicles are authorized to be equipped with or display yellow or amber lights or signal devices. The yellow or amber lights or signal devices may be flashed or oscillated or otherwise used only in the course of official duties, to indicate to the public that the vehicle is slow moving or otherwise is impeding traffic. One or more amber flashing lights may be displayed by a tow truck while at the scene of an accident or a disabled vehicle or while towing a vehicle and by snow removal and other highway maintenance and service equipment and escort vehicles.

Tow Truck Equipment

MVA regulations require a tow truck with a manufacturer's gross vehicle rating of 14,000 pounds or more, with a crane and a hydraulic wheel lift capable of lifting at least 3,000 pounds, and that is capable of towing at least 7,500 pounds, to carry a strobe light or LED light bar mounted on the truck that is clearly visible to oncoming traffic. Similarly, heavy-duty tow trucks capable of towing 80,000 pounds gross vehicle weight, among other specifications, must carry a light bar mounted on the truck that is clearly visible to oncoming traffic.

State Revenues: General fund revenues may increase minimally from citations issued as a result of the bill. Citations are more likely to be issued due to noncompliance with the reflective paint or markings requirement in the bill, rather than the LED lighting requirement. Most tow truck vehicles scheduled for manufacture on and after the bill's effective date will already be equipped with LED lighting.

Additional Information

Prior Introductions: HB 1543 of 2018, an identical bill as amended, passed the House and received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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