

SENATE BILL 203

R6

(PRE-FILED)

5lr0209
CF HB 225

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation) and Senators Charles, James, Muse, Smith, and West**

Requested: October 9, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 24, 2025

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Exceptional Hauling Permits for Farm Products**

3 FOR the purpose of creating an exception for vehicles carrying fluid milk products to the
4 prohibition against driving a vehicle subject to an exceptional hauling permit on the
5 interstate highway system; altering certain weight limits and tolerances under an
6 exceptional hauling permit; altering the preventive maintenance documents that an
7 individual operating under an exceptional hauling permit must possess; altering
8 certain record-keeping requirements and the application of certain administrative
9 penalties under an exceptional hauling permit; and generally relating to exceptional
10 hauling permits for farm products.

11 BY repealing and reenacting, with amendments,
12 Article – Transportation
13 Section 24–113.2
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2024 Supplement)

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

18 **Article – Transportation**

19 24–113.2.

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.



1 (a) **[Unless] EXCEPT FOR VEHICLES CARRYING FLUID MILK PRODUCTS OR**
 2 **UNLESS** otherwise provided by federal law, an exceptional hauling permit issued under
 3 this section is not valid on the interstate highway system, as defined in § 8–101(j) of this
 4 article.

5 (b) Notwithstanding any other provision of this title, the State Highway
 6 Administration may issue an exceptional hauling permit for a combination of vehicles that:

7 (1) **[(i)]** Carries farm products as defined in § 10–601(c) of the
 8 Agriculture Article**[, other than milk,]** that:

9 **[1.] (I)** Are loaded in fields, **FROM BULK LIQUID MILK**
 10 **STORAGE TANKS AT ONE OR MORE FARM LOCATIONS,** or **IN** other off–highway locations;
 11 and

12 **[2.] (II)** Are the only load of the vehicle; **[and]**

13 **[(ii)] (2)** Has an axle configuration of **[not less than] FIVE OR** six
 14 axles and a front–to–rear centerline axle spacing of not less than 50 feet; **AND**

15 **[(2) (i)]** Carries to a processing plant raw liquid milk that is the only load
 16 on the vehicle and is loaded from bulk liquid milk storage tanks at one or more farm
 17 locations; and

18 **[(ii)]** Has an axle configuration of not less than six axles and a
 19 front–to–rear centerline axle spacing of not less than 50 feet; or

20 (3) (i) Carries to a processing plant from March 1 until June 30 raw
 21 liquid milk that is the only load on the vehicle and is loaded from bulk liquid milk storage
 22 tanks at one or more farm locations; and

23 (ii) Has an axle configuration of five axles and a distance of at least
 24 28 feet between the last axle on the tractor and the first axle on the semitrailer**]**

25 **(3) HAS A MINIMUM OF 36 FEET BETWEEN TWO CONSECUTIVE SETS**
 26 **OF TANDEM AXLES MEASURED HORIZONTALLY BETWEEN THE VERTICAL**
 27 **CENTERLINES OF THE EXTREME AXLES OF THE TANDEMS.**

28 (c) A combination of vehicles operating under the authority of an exceptional
 29 hauling permit issued under subsection (b) of this section shall **COMPLY WITH THE**
 30 **FOLLOWING WEIGHT LIMITS:**

31 **[(1) Comply with the following weight limits:]**

1 [(i)] (1) A maximum of 20,000 pounds gross weight on a single
2 axle;

3 [(ii)] (2) For any [consecutive axle configuration of two or more
4 axles on individual vehicles in the combination, the maximum gross weight specified in §
5 24–109(d) of this subtitle] **TANDEM AXLE, A MAXIMUM OF 40,000 POUNDS GROSS**
6 **WEIGHT**; and

7 [(iii)] (3) A maximum **GROSS WEIGHT** of:

8 [1.] (I) [87,000] **88,000** pounds [gross combination
9 weight] for a combination of vehicles [carrying farm products other than milk] **WITH FIVE**
10 **AXLES; OR**

11 [2.] (II) 95,000 pounds [gross combination weight] for a
12 combination of vehicles with at least six axles [carrying milk; or

13 3. 88,000 pounds gross combination weight for a combination
14 of vehicles with five axles carrying milk;

15 (2) Twice each year, submit to and pass a North American Standard
16 Driver/Vehicle Level 1 inspection; and

17 (3) Be allowed a load limit tolerance of only 1,000 pounds for gross
18 combination weight and 15% for axle weights].

19 (d) While operating a combination of vehicles under the authority of an
20 exceptional hauling permit issued under subsection (b) of this section, a person may not:

21 (1) Violate a highway restriction issued by a competent authority;

22 (2) [Operate] **EXCEPT FOR VEHICLES CARRYING FLUID MILK**
23 **PRODUCTS, OPERATE** the combination of vehicles on the interstate highway system, as
24 defined in § 8–101(j) of this article;

25 (3) Operate the combination of vehicles if the combination of vehicles
26 exceeds any tire weight rating or tire speed restriction adopted under § 25–111 of this
27 article; or

28 (4) Fail to comply with the terms and conditions of the exceptional hauling
29 permit.

30 (e) While operating a combination of vehicles under the authority of an
31 exceptional hauling permit issued under subsection (b) of this section, a person shall have
32 in the person's possession:

1 (1) The original **OR ELECTRONIC COPY OF THE** exceptional hauling
2 permit issued for the vehicle; and

3 (2) For each vehicle in the combination of vehicles, [a copy of] **PROOF OF**
4 **A CURRENT PREVENTIVE MAINTENANCE INSPECTION, INCLUDING:**

5 (I) **FOR VEHICLES REGISTERED IN THE STATE, PROOF OF A**
6 **PERIODIC INSPECTION REQUIRED BY TITLE 23, SUBTITLE 3 OF THIS ARTICLE;**

7 (II) **FOR VEHICLES REGISTERED IN ANOTHER STATE AND**
8 **ENGAGED IN INTERSTATE TRANSPORTATION, PROOF OF A PERIODIC INSPECTION**
9 **REQUIRED BY 49 C.F.R. § 396.17; AND**

10 (III) **FOR ALL TYPES OF FARM VEHICLES OR OTHER VEHICLES**
11 **EXEMPT FROM THE PERIODIC INSPECTION REQUIREMENTS OF ITEMS (I) AND (II) OF**
12 **THIS ITEM,** a valid North American Standard Driver/Vehicle Level 1 **OR LEVEL 5**
13 inspection report issued within the preceding [180] **364** days that shows no out-of-service
14 [violations] **DEFECTS OR CRITICAL ITEMS.**

15 (f) (1) A violation of this section, regulations adopted to implement this
16 section, or the terms and conditions of an exceptional hauling permit issued under
17 subsection (b) of this section shall:

18 (i) Void the authority granted under the exceptional hauling permit;

19 (ii) Subject the vehicle to all weight requirements and tolerances
20 specified in this article; and

21 (iii) For a violation of a weight restriction specified in this section
22 that exceeds 5,000 pounds, subject the exceptional hauling permit to immediate
23 confiscation by an officer or authorized civilian employee of the Department of State Police,
24 an officer of the Maryland Transportation Authority Police, or any police officer.

25 (2) A person who confiscates an exceptional hauling permit under
26 paragraph (1) of this subsection shall immediately notify the State Highway
27 Administration.

28 (3) On notification of the confiscation of an exceptional hauling permit, the
29 State Highway Administration shall review the confiscation, **SHALL** verify the violation of
30 a weight restriction, and, if the State Highway Administration determines that a violation
31 did occur, **MAY** revoke the permit.

32 (4) An owner or operator of a combination of vehicles may appeal the
33 revocation of an exceptional hauling permit to the State Highway Administrator or the
34 Administrator's designee.

1 (g) (1) On request from the State Highway Administrator or the
2 Administrator's designee, weight and delivery records of the holder of an exceptional
3 hauling permit that are kept in the normal course of business shall be provided by:

4 (i) The holder of the exceptional hauling permit; or

5 (ii) [A facility that receives farm products, as defined in § 10–601(c)
6 of the Agriculture Article, delivered by a vehicle operating under the authority of an
7 exceptional hauling permit] **ANY MOTOR CARRIER TRANSPORTING FARM PRODUCTS**
8 **UNDER AN EXCEPTIONAL HAULING PERMIT.**

9 (2) If the holder of **OR MOTOR CARRIER TRANSPORTING FARM**
10 **PRODUCTS UNDER** an exceptional hauling permit [or a facility that receives farm
11 products] does not comply with a request under this subsection, the State Highway
12 Administration may:

13 (i) Suspend the holder's **OR MOTOR CARRIER'S** exceptional
14 hauling permit; [or] **AND**

15 (ii) [Prohibit a vehicle from delivering farm products under the
16 authority of the exceptional hauling permit to the noncompliant facility] **SUSPEND THE**
17 **ELIGIBILITY OF THE HOLDER OR MOTOR CARRIER TO OBTAIN ADDITIONAL**
18 **EXCEPTIONAL HAULING PERMITS FOR FARM PRODUCTS PENDING COMPLIANCE.**

19 (h) (1) An applicant for an exceptional hauling permit shall pay to the State
20 Highway Administration:

21 (i) 1. \$250 for the issuance of a new annual permit or the annual
22 renewal; or

23 2. \$30 for the issuance of a 30–day permit;

24 (ii) \$1,000 for the reinstatement of a permit that was revoked under
25 subsection (f)(3) of this section for a first violation; and

26 (iii) \$5,000 for the reinstatement of a permit that was revoked under
27 subsection (f)(3) of this section for a second or subsequent violation within the prior 24
28 months.

29 (2) A fee paid under this subsection is nonrefundable.

30 (i) Except as otherwise provided in this section, an exceptional hauling permit is
31 valid for:

32 (1) 1 year from the date of issuance for an annual permit; or

1 (2) 30 consecutive days for a 30-day permit.

2 (j) In consultation with the Secretary of State Police, the State Highway
3 Administration shall adopt regulations to implement this section.

4 (k) (1) An exceptional hauling permit is issued under this section at the
5 discretion of the State Highway Administrator.

6 (2) The State Highway Administrator may stop issuing or renewing
7 exceptional hauling permits under this section if the Administrator determines that the
8 use of the permits is adversely affecting any part of the State highway system.

9 (3) The State Highway Administrator shall promptly report to the General
10 Assembly, in accordance with § 2-1257 of the State Government Article, regarding any
11 decision to stop issuing or renewing exceptional hauling permits under this section and the
12 reason for the decision.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.