

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 592

(Senator Serafini)

Judicial Proceedings

Washington County - Gross Maximum Vehicle Weight - Warfordsburg Road

This bill authorizes (upon approval by the governing body of Washington County) a vehicle with a gross maximum weight of up to 95,000 pounds to use Warfordsburg Road from the Lanco-Pennland Dairy Cooperative cheese factory (located at 14738 Warfordsburg Road) to the Maryland-Pennsylvania border. **The bill takes effect June 1, 2019.**

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations.

Local Effect: Washington County expenditures may increase beginning in FY 2019 for additional roadway preservation and maintenance. Revenues are not affected.

Small Business Effect: Minimal overall, but potential meaningful for any small businesses that utilize the route affected by the bill.

Analysis

Current Law: Generally, any vehicle with a gross maximum weight of more than 73,000 pounds may travel only on State highways (except while making a delivery or pickup – and then only when traveling by the shortest available legal route to or from the State highway). In Baltimore City, the shortest available legal route must be only on designated truck routes.

In Dorchester County, upon approval by the local governing body and the State Highway Administration (SHA), a vehicle with a gross maximum weight of more than

73,000 pounds may use Linkwood Road when traveling between East New Market and Linkwood.

In Garrett County, the county commissioners may (by ordinance) establish the authorized gross maximum weight (up to 87,000 pounds) of a vehicle that (1) has at least 6 axles; (2) is a truck tractor and semitrailer combination; and (3) is using any part of Table Rock Road and Wilson Run Road that is owned and maintained by the county.

Vehicle Weight Limits

Except on interstate highways, a specified vehicle, either registered as a farm vehicle or carrying farm products (as defined in the Agriculture Article) that was loaded in fields or other off-highway locations, is allowed an axle load limit tolerance of 5% from established limits in the Transportation Article.

However, during harvest seasons for wheat, corn, soybeans, and vegetable crops, such vehicles are permitted an axle load limit tolerance of 15% *or*, subject to distance restrictions, a gross vehicle weight tolerance of 5% (relative to the specified limits in the Transportation Article). Similar provisions relate to vehicles carrying forest products. These limits are permitted while carrying the following agricultural products:

- wheat, for the period from June 1 to August 15;
- corn, for the period from July 1 to December 1;
- soybeans, for the period from September 1 to December 31; and
- vegetable crops, for the period from June 1 to October 31.

The gross weight of any vehicle or combination of vehicles may not exceed 80,000 pounds, including any enforcement or statutory tolerances. This limit applies to a vehicle or combination of vehicles with five or more axles; lower limits apply to vehicles or combinations of vehicles with fewer axles.

Fines apply to violations for exceeding allowed weight tolerances – with \$33 in court costs due, plus one cent for each pound for the first 1,000 pounds over the limit. The fines escalate based on how much over the limit the violator is.

Exceptional Hauling Permits

Chapter 451 of 2011 repealed, effective June 1, 2011, the exceptional hauling permits for milk and forestry products available for certain vehicles in specified counties and replaced them with a statewide exceptional hauling permit for all “farm products” under essentially the same parameters. Such a permit is subject to a maximum of 87,000 pounds gross

combination weight. “Farm product” is defined as any agricultural, horticultural, vegetable, or fruit product of the soil, including livestock, meats, marine food products, poultry, eggs, dairy products, wool, hides, feathers, nuts, honey, and every product of farm, forest, orchard, garden, or water, but it does not include canned, frozen, dried, or pickled products.

Chapter 450 of 2014 established two separate exceptional hauling permits for the transport of raw milk. One was available only seasonally for a two-year period and applied to combinations of vehicles with at least five axles and a maximum gross vehicle weight of 88,000 pounds. The other continues to be available year-round and applies to combinations of vehicles with at least six axles; the maximum gross vehicle weight for that permit is 95,000 pounds. Chapter 450 also removed the authorization for an exceptional farm hauling permit to haul milk. Chapters 76 and 77 of 2017 reestablished and made permanent the authorization for exceptional milk hauling permits on a seasonal basis.

Other weight limits apply to a combination of vehicles operating under the authority of an exceptional hauling permit (whether for farm products or raw liquid milk).

Failure to comply with the terms and conditions of the exceptional hauling permit voids the permit. Also, SHA may stop issuing or renewing these exceptional hauling permits if the administrator determines that their use is adversely affecting any part of the State highway system.

An applicant for an exceptional hauling permit must pay SHA \$250 for a new or renewal annual permit and \$30 for issuance of a 30-day permit. Fees are substantially higher to reinstate a permit that was revoked (\$1,000 for a first violation and \$5,000 for a second or subsequent violation within the prior 24 months).

Local Expenditures: The number of vehicles that may take advantage of the higher weight limits permitted under the bill along the identified route are not known. However, to the extent that Washington County authorizes the higher limits, county expenditures may increase in order to preserve and maintain the affected segment of Warfordsburg Road. Any impact depends on the extent to which the bill’s authorization for heavier loads is utilized.

Small Business Effect: Any small businesses that operate along the identified route may be meaningfully affected by the bill, as it allows them to carry much heavier loads than are currently authorized. This may result in such businesses making fewer hauling trips under the bill.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Washington County; Maryland Department of Agriculture; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - March 1, 2019
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