

SENATE BILL 73

R6

EMERGENCY BILL
(PRE-FILED)

3lr0054

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

Requested: November 15, 2012

Introduced and read first time: January 9, 2013

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 18, 2013

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Piling, Poles, Mill Logs, and Similar Cargo – Length,**
3 **Overhang, and Fastening Standards**

4 FOR the purpose of altering the exemptions from length and overhang limits for
5 vehicles carrying piling, poles, or mill logs; establishing length and overhang
6 limits at which a hauling permit from the State Highway Administration would
7 be required for vehicles carrying piling, poles, or mill logs; repealing the
8 requirement that piling, poles, mill logs, and other similar cargo be transported
9 while enclosed within the sides or ends of the body of the vehicle; altering the
10 fastening standards for transporting piling, poles, mill logs, and other similar
11 cargo; making this Act an emergency measure; and generally relating to the
12 transportation of piling, poles, mill logs, and other similar cargo.

13 BY repealing and reenacting, without amendments,

14 Article – Transportation

15 Section 24–101

16 Annotated Code of Maryland

17 (2012 Replacement Volume)

18 BY repealing and reenacting, with amendments,

19 Article – Transportation

20 Section 24–104.1, 24–105, and 24–106.2

21 Annotated Code of Maryland

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 (2012 Replacement Volume)

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

4 **Article – Transportation**

5 24–101.

6 (a) The provisions of this subtitle governing size, weight, and load do not
7 apply to:

8 (1) Emergency vehicles;

9 (2) Farm equipment temporarily moved on a highway; or

10 (3) A vehicle driven under the terms of a special permit issued under
11 this subtitle.

12 (b) A person may not drive on any publicly maintained highway any vehicle
13 or combination of vehicles with a gross weight that exceeds:

14 (1) The maximum registered weight limit for which the vehicle or
15 combination is registered under § 24–110 of this subtitle; or

16 (2) Any other weight limit established under the Maryland Vehicle
17 Law.

18 (c) A person may not permit to be driven on any publicly maintained
19 highway any vehicle or combination of vehicles with a gross weight that exceeds:

20 (1) The maximum registered weight limit for which the vehicle or
21 combination is registered under § 24–110 of this subtitle; or

22 (2) Any other weight limit established under the Maryland Vehicle
23 Law.

24 (d) A violation of the maximum weight provisions of this subtitle is not a
25 moving violation for purposes of Title 16, Subtitle 4 of this article.

26 24–104.1.

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

28 (2) “Automobiles” means all assembled motor vehicles:

29 (i) Capable of being operated on a highway; and

1 (ii) Authorized under this article to be operated on a highway.

2 (3) “Maxi–cube vehicle” means a nonarticulating straight truck:

3 (i) In combination with a semitrailer which does not exceed 34
4 feet, and is designed to be loaded and unloaded through the semitrailer; or

5 (ii) In combination with a trailer that does not exceed 28 feet.

6 (4) “Saddle–mount and full–mount combinations” means a truck
7 tractor or unloaded truck towing one or more other truck tractors or unloaded trucks
8 in combination.

9 (5) “Stinger–steered automobile transporter” means a truck tractor
10 and semitrailer combination:

11 (i) Designed for and engaged exclusively in the transportation
12 of automobiles or boats; and

13 (ii) In which the fifth wheel is located on a drop frame behind
14 and below the rear axle of the power unit.

15 (b) (1) For purposes of this section, the length of a vehicle includes its
16 front and rear bumpers and any part of its load that extends beyond the vehicle, but is
17 exclusive of nonload bearing safety and energy conservation devices, such as marker
18 lamps, steps and handholds for entry and egress, front–mounted refrigeration units,
19 and front–mounted air compressors.

20 (2) The measurement of a combination of vehicles engaged in the
21 transportation of automobiles or boats shall not include the overhang of the
22 transported vehicles or boats or any retractable device on the rear of the combination
23 when in use to support a transported vehicle.

24 (c) (1) This section does not apply to any vehicle or combination of
25 vehicles carrying:

26 (i) Piling, poles, or mill logs **THAT DO NOT EXCEED 75 FEET**
27 **IN LENGTH**; or

28 (ii) Crew or racing shells.

29 (2) This section does not prohibit the use of a combination of vehicles
30 to carry an indivisible load if the load is not over 70 feet long.

31 (d) Except as otherwise provided in this section:

1 (1) A bus, single unit truck, or Class M motor home may not be over
2 40 feet long; and

3 (2) A publicly owned rigid bus may not be over 41 feet long.

4 (e) (1) This subsection does not apply to a publicly owned rigid bus.

5 (2) A bus or a Class M motor home may be over 40 feet long but may
6 not be over 45 feet long:

7 (i) When operated on an interstate highway or any part of the
8 State highway system designated by the Secretary in conjunction with the United
9 States Department of Transportation; or

10 (ii) When operated on a highway that is not specified in item (i)
11 of this paragraph if the bus or motor home is using the highway to travel the shortest
12 practical route between a highway specified in item (i) of this paragraph and:

13 1. The point of origin or destination of the bus or motor
14 home on a particular day;

15 2. A bus terminal; or

16 3. For a distance not to exceed 1 mile, facilities for food,
17 fuel, repairs, or rest.

18 (f) Except as otherwise provided in this section, a publicly owned articulated
19 three-axle bus may not be over 60 feet long.

20 (g) Any other vehicle may not exceed a length of 35 feet.

21 (h) When a semitrailer and a trailer (double) are being operated in
22 combination with a truck tractor, the combination of vehicles shall not be subject to an
23 overall length limitation. This combination may only be operated on any part of the
24 interstate system or other State system highways that are designated by the Secretary
25 in conjunction with the U.S. Department of Transportation, or on a highway that is
26 the shortest practical route between a designated highway and a truck terminal, or
27 point of origin/destination for cargo, or for a distance not to exceed 1 mile, facilities for
28 food, fuel, repairs, or rest. A semitrailer or trailer being operated in this combination
29 may not exceed 28 feet in length for each unit.

30 (i) When a semitrailer (single) is being operated in combination with a truck
31 tractor, the combination of vehicles shall not be subject to an overall length limit,
32 however, the semitrailer may not exceed 48 feet in length.

33 (j) Except as otherwise provided in this section:

1 (1) In a combination of vehicles with a power unit that is a
2 cargo-carrying vehicle, the overall length of the combination may not exceed 62 feet;

3 (2) Any other combination of vehicles may not exceed 55 feet; and

4 (3) (i) 1. A truck or truck tractor and semitrailer combination
5 designed for and engaged exclusively in the transportation of automobiles or boats
6 may not exceed 65 feet in length;

7 2. A stinger-steered automobile transporter may not
8 exceed 75 feet in length;

9 3. A. A maxi-cube vehicle described in subsection
10 (a)(4)(i) of this section may not exceed 65 feet in length; and

11 B. A maxi-cube vehicle described in subsection (a)(4)(ii)
12 of this section may not exceed 60 feet in length; and

13 4. Saddle-mount and full-mount combinations may not
14 exceed 97 feet in length;

15 (ii) No other length requirements may be applied to the
16 combinations of vehicles described in item (i) of this item; and

17 (iii) The combinations of vehicles described in item (i) of this
18 item may only be operated on any part of the interstate system or other State system
19 highways that are designated by the Secretary in conjunction with the U.S.
20 Department of Transportation, or on a highway that is the shortest practical route
21 between a designated highway and:

22 1. A truck terminal;

23 2. A point of origin/destination for cargo; or

24 3. For a distance not to exceed 1 mile, facilities for food,
25 fuel, repairs, or rest.

26 (j-1) Notwithstanding the provisions of subsection (j) of this section, when a
27 semitrailer is being operated in combination with a power unit that is equipped with a
28 dromedary box being used to transport explosives and munitions classified under 49
29 C.F.R. Part 173.50 that are intended for use by the United States Department of
30 Defense, the combination of vehicles is not subject to an overall length limit, but the
31 semitrailer may not exceed 48 feet in length.

32 (k) (1) Notwithstanding the provisions of subsection (h) of this section,
33 nothing shall prevent the operation of a combination of vehicles in which the
34 semitrailer (single) does not exceed 48 1/2 feet in length or a combination of vehicles in

1 which the semitrailer or trailer (double) does not exceed 28 1/2 feet in length for each
2 unit; provided, the combination has been lawfully operated on the highways of this
3 State prior to December 1, 1982.

4 (2) Notwithstanding the provisions of subsection (j)(1) of this section,
5 nothing shall prevent a power unit, which was equipped with a dromedary box, deck,
6 or plate and was legally operated in Maryland prior to December 1, 1982, in
7 combination with a semitrailer or trailer from exceeding the overall length limit of 55
8 feet.

9 (l) (1) In this subsection, "vehicle" means:

10 (i) A semitrailer as defined in § 11-158 of this article; or

11 (ii) A trailer as defined in § 11-169 of this article.

12 (2) Notwithstanding the overall length of the combination, a truck
13 tractor may not be operated on a highway in the State in combination with more than
14 2 vehicles.

15 (m) (1) Subject to paragraph (2) of this subsection, a combination of
16 noncommercial vehicles consisting of a power unit and a travel trailer may not exceed
17 65 feet in length.

18 (2) The combination of vehicles exceeding 55 feet but authorized under
19 this subsection may only be operated on:

20 (i) Any part of the interstate system or other State system
21 highways that are designated by the Secretary in conjunction with the U.S.
22 Department of Transportation; or

23 (ii) A highway that is the shortest practical route between a
24 designated highway and:

25 1. A point of origin or destination on a particular day; or

26 2. For a distance not to exceed 1 mile, facilities for food,
27 fuel, repairs, or rest.

28 24-105.

29 (a) This section does not apply to:

30 (1) Any vehicle carrying wooden prefabricated roof trusses in an
31 inverted position, if the trusses do not extend more than 10 feet beyond the rear of the
32 bed or body of the vehicle;

1 (2) A combination of vehicles carrying an indivisible load if the load is
2 not over 70 feet long, and the load is being transported during daylight hours; [or]

3 (3) Any vehicle [or combination of vehicles] carrying:

4 (i) Piling, poles, or mill logs;

5 (ii) Nursery stock; or

6 (iii) Crew or racing shells; **OR**

7 **(4) ANY COMBINATION OF VEHICLES CARRYING:**

8 **(I) PILING, POLES, OR MILL LOGS THAT DO NOT EXCEED 75**
9 **FEET IN LENGTH;**

10 **(II) NURSERY STOCK; OR**

11 **(III) CREW OR RACING SHELLS.**

12 (b) Subject to the maximum length limits of § 24–104.1 of this subtitle, the
13 load on any vehicle operated alone or the load on the front vehicle of a combination of
14 vehicles:

15 (1) Except as provided in item (2) of this subsection, may not extend
16 more than 3 feet beyond the foremost part of the vehicle; and

17 (2) May extend more than 3 feet beyond the foremost part of a vehicle
18 equipped with front–end loading attachments and containers used in collecting
19 garbage, rubbish, refuse, or recyclable materials when the vehicle is actively engaged
20 in collecting garbage, rubbish, refuse, or recyclable materials.

21 (c) (1) Except as provided in paragraph (2) of this subsection, and subject
22 to the maximum length limits of § 24–104.1 of this subtitle, the load on any vehicle
23 operated alone or the load on the rear vehicle of a combination of vehicles may not
24 extend more than 6 feet beyond the rear of the bed or body of the vehicle.

25 (2) (i) The load on the rear of an automobile or boat transporter,
26 including any retractable device on the rear of a combination of vehicles engaged in
27 the transportation of automobiles in use to support a transported vehicle, may not
28 extend more than 4 feet beyond the rear of the permanent bed or body of the
29 automobile; and

30 (ii) A white, red, or orange fluorescent warning flag made of a
31 reflective material at least 18 inches square shall be displayed on the rearmost portion
32 of the overhanging transported vehicle.

1 24-106.2.

2 (a) [A vehicle used to carry logs, poles, unfinished or unfabricated lumber,
3 pipe, steel, or other materials of a similar kind, size, shape, or characteristic may not
4 be driven on any highway unless its load is enclosed entirely within the sides and ends
5 of the body of the vehicle.

6 (b)] A vehicle **OR COMBINATION OF VEHICLES** used to carry [logs,] **PILING,**
7 poles, **MILL LOGS,** unfinished or unfabricated lumber, pipe, steel, or other materials of
8 a similar kind, size, shape, or characteristic may not be driven on any highway unless
9 its load is fastened securely to both the front and rear of the vehicle at both the front
10 and rear of the load, as provided in this section.

11 [(c)] **(B)** The fastening of a load to a vehicle shall be:

12 (1) By two separate common coil B.B. chains, the links of which may
13 not be less than:

14 (i) 3/8 of an inch in diameter for loads of 3 tons or less; or

15 (ii) 1/2 of an inch in diameter for loads over 3 tons;

16 (2) If they have at least as much tensile strength as the chains, by:

17 (i) Wire rope not less than 5/16 of an inch in diameter;

18 (ii) Steel strapping; **OR**

19 (iii) Logistic webbing of synthetic fibers; or

20 [(iv)] **(3)** [Any fastening device specified in regulations] **AS**
21 **SPECIFIED IN PART 393 OF THE FEDERAL MOTOR CARRIER SAFETY**
22 **REGULATIONS AND** adopted jointly by the Administration and the Department of
23 State Police[; or

24 (3) As specified in Part 393.102(b) (securement systems) of the federal
25 Motor Carrier Safety Regulations.

26 (d) The fastening devices specified in this section shall be fastened with an
27 adequate load binder of standard make or other appropriate fastening device.

28 (e) The fastening devices specified in this section may not be repaired or
29 replaced by any material other than of the size, strength, and material specified in this
30 section].

1 SECTION 2. AND BE IT FURTHER ENACTED, ~~That this Act shall take effect~~
2 ~~October 1, 2013~~ That this Act is an emergency measure, is necessary for the
3 immediate preservation of the public health or safety, has been passed by a yea and
4 nay vote supported by three-fifths of all the members elected to each of the two
5 Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.