

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 73

(Chair, Judicial Proceedings Committee)(By Request -
Departmental - Transportation)

Judicial Proceedings

Environmental Matters

**Vehicle Laws - Piling, Poles, Mill Logs, and Similar Cargo - Length, Overhang,
and Fastening Standards**

This emergency departmental bill requires vehicles or vehicle combinations carrying piling, poles, or logs that exceed 75 feet in length to carry a special permit. The bill also repeals a requirement for vehicles carrying poles, logs, lumber, pipes, steel, and other similar materials to entirely enclose the load. Instead, the bill requires only that such loads comply with specified load-fastening requirements, including requirements in federal regulations; the bill updates the reference to such federal regulations.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) revenues increase minimally beginning in FY 2013 as a result of the additional special permit fees collected by the State Highway Administration (SHA) under the bill. General fund revenues increase minimally for the Department of State Police (DSP) due to additional police escort fees being collected from vehicles and vehicle combinations required to comply with a permit under the bill. DSP workloads and expenditures may increase minimally but are offset by the additional fee revenues.

Local Effect: None. The bill is not anticipated to materially affect local finances.

Small Business Effect: The Maryland Department of Transportation (MDOT) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Current Law: The subtitle on vehicle size, weight, and load in Title 24 of the Transportation Article exempts emergency vehicles, farm equipment temporarily moved on a highway, and vehicles driven under the terms of a special permit. Numerous restrictions pertaining to vehicle length and the extension of loads beyond the front or rear of a vehicle apply unless the particular vehicle is specifically exempt. One such exemption applies to vehicles or vehicle combinations carrying piling, poles, or mill logs, regardless of length. Therefore, such vehicles currently have no need to acquire a special permit or adhere to the conditions typically imposed on vehicles required to carry permits.

The vehicle size, weight, and load subtitle also contains numerous requirements pertaining to the manner in which vehicle loads must be fastened. A vehicle used to carry logs, poles, unfinished or unfabricated lumber, pipe, steel, or other similar materials may not be driven on a highway unless the vehicle's load is entirely enclosed. Additionally, such vehicles must be fastened in accordance with several requirements of State law, including compliance with applicable federal regulations.

Background: According to MDOT, vehicles carrying utility poles of about 130 feet in length recently travelled through Maryland as part of a route from the Southeast to their destination in Pennsylvania. However, unlike the other states along the route, Maryland did not require a special permit with conditions such as a vehicle escort. In these other states a special permit is required for vehicles in excess of specified lengths, which range from between 55 and 80 feet. This bill requires a special permit for vehicles carrying poles, piling, and logs in excess of 75 feet; MDOT advises this maintains the current permit exemption for vehicles carrying utility poles of average length and most lumber.

MDOT also advises that utility companies typically transport their poles in trailers specifically designed to safely transport utility poles. However, these pole trailers are not constructed to enclose the poles. Thus, this bill codifies current practice regarding utility pole transportation and, according to MDOT, does not jeopardize safety in eliminating the enclosure requirement.

State Fiscal Effect: TTF revenues increase minimally beginning in fiscal 2013 due to the collection of additional \$30 special permit fees by SHA. SHA advises that a reliable estimate of the number of such permit fees to be collected under the bill cannot be made, but the volume is anticipated to be minimal. Likewise, general fund revenues increase minimally for DSP due to the collection of an indeterminate number of additional \$250 fees associated with the provision of police escort services. General fund expenditures and DSP workloads also increase minimally to provide the additional escort services but are offset by the increase in fee revenues.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - January 14, 2013
ncs/ljm Revised - Senate Third Reader - January 24, 2013

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Vehicle Law – Length and Overhang Limits – Piling, Poles and Mill Logs

BILL NUMBER: SB 73

PREPARED BY: Maryland Department of Transportation

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The economic impact will be for utility companies and others who transport piling, poles or mill logs in excess of 75' in length because they will be required to obtain an oversize hauling permit for each move and pay a \$30 fee. A private escort company would be required when the load exceeds 85 feet which could be a vehicle of the permit holder (little to no cost) or a professional escort company (negotiated rate) which is at the discretion of the permittee. Depending on the route taken, a police escort may be necessary to safely move the load through local intersections and highway on/off ramps. A police escort, if required, could result in a fee of \$250 if assigned to move for its duration. Temporary use of police services to clear an intersection may be accomplished with on-duty personnel at no additional cost to the permittee.