

Department of Legislative Services
 Maryland General Assembly
 2016 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 698 (Delegate Otto, *et al.*)
 Environment and Transportation

Motor Vehicles - Gross Weight and Axle Load - Poultry

This bill increases the gross vehicle weight limit to 90,000 pounds for specified vehicles carrying live poultry from a farm to a processing facility.

Fiscal Summary

State Effect: Transportation Trust Fund expenditures increase by \$220,000 in FY 2017 for the State Highway Administration (SHA) to assess the ability of bridges in the State to handle the increased weight limits permitted under the bill and to post weight limit signage if necessary. In future years, SHA will need to conduct annual inspections of bridges at a cost of \$150,000 per year. Revenues are not likely materially affected.

(in dollars)	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	220,000	150,000	150,000	150,000	150,000
Net Effect	(\$220,000)	(\$150,000)	(\$150,000)	(\$150,000)	(\$150,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Local government finances are not materially affected.

Small Business Effect: Meaningful.

Analysis

Bill Summary: The bill sets the overall gross weight limit at 90,000 pounds for a combination of vehicles with a trailer or semitrailer that:

- has an axle configuration of five or more axles;
- on and after May 8, 2017, has axles that are at least 96 inches apart;
- submits to a motor carrier safety inspection as specified in the Transportation Article;
- complies with all posted bridge weight limits;
- does not use the interstate highway system;
- is carrying live poultry from a farm to a processing facility; and
- does not carry the live poultry more than 150 miles.

The combination of vehicles with a trailer or semitrailer may have an axle load limit tolerance of 3% from specified limits in the Transportation Article and a gross vehicle weight limit tolerance of 3% from the 90,000-pound limit established by the bill.

Current Law: Specified vehicles are permitted an axle load limit tolerance of 5% from established limits in the Transportation Article. During harvest seasons for wheat, corn, soybeans, and vegetable crops, the axle load limit tolerance is 15% (relative to the specified limits in the Transportation Article).

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 permitted 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.

State Fiscal Effect: SHA advises that approximately 1,000 bridges in the State likely require an analysis to assess the ability of the bridges to safely carry the specified vehicles as repetitive loads. The cost of the initial analysis is \$200,000. Furthermore, approximately 5% of the bridges likely require weight limit postings at a cost of \$400 per bridge, resulting in an additional \$20,000 in initial costs.

Approximately 10% of the bridges require annual inspections (as opposed to the current biennial inspections) in perpetuity, resulting in \$150,000 in expenditures annually beginning in fiscal 2017.

SHA further advises that, although it is not possible to reliably estimate the costs associated with increased physical damage to existing bridge structures as a result of the bill, the cost for a single strengthening project could total \$250,000 or more. Any such impact is not factored into this estimate.

SHA advised for a similar bill that an increase in permitted gross vehicle weight limits does not likely affect issuance of exceptional hauling permits to legally transport overweight loads and that State revenues are not materially affected by such an increase.

Small Business Effect: Any small businesses engaged in the transport of live poultry may be meaningfully affected by the bill, as the bill permits them to carry larger loads than allowed under current law. Affected small businesses may also benefit from paying fewer penalties for overweight limits.

Additional Information

Prior Introductions: None.

Cross File: SB 573 (Senator Mathias, *et al.*) - Judicial Proceedings.

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

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min/ljm

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