

Department of Legislative Services  
Maryland General Assembly  
2017 Session

FISCAL AND POLICY NOTE  
First Reader

Senate Bill 1050 (Senator Jennings)  
Judicial Proceedings

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Motor Vehicles - Dump Trucks - Gross Vehicle Weight Limits

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This bill allows specified dump trucks registered in the State to exceed the maximum gross vehicle weight limit by 3,000 pounds if the vehicle is (1) a three-axle vehicle with a maximum gross vehicle weight of 55,000 pounds or (2) a four-axle vehicle with a maximum gross vehicle weight of 70,000 pounds that is in compliance with specified regulations.

The bill takes effect June 1, 2017.

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Fiscal Summary

**State Effect:** Transportation Trust Fund (TTF) expenditures likely increase in FY 2017 for new weight limit signage and may increase for additional highway system preservation and maintenance in the out-years, as discussed below. General fund revenues likely decrease, to the extent that fewer vehicles are assessed fines for exceeding permitted weight tolerances because of higher limits allowed under the bill. As noted below, federal funding may be jeopardized.

**Local Effect:** Local government expenditures likely increase minimally in FY 2017 for new signage and may increase for highway maintenance in the out-years. Revenues are not affected.

**Small Business Effect:** Meaningful.

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## Analysis

**Current Law:** The Motor Vehicle Administration (MVA) is required to issue a special Class E (“dump service registration”) to any applicant who certifies that the vehicle for which the application is made is a Class E (truck) vehicle that (1) is designed to haul cargo and to self-unload by gravity or mechanical means and (2) is to be used to haul feed or other loose materials in bulk.

MVA must stamp the words “dump service” on each registration card issued for a vehicle registered as a dump truck. The administration may also issue special registration plates to distinguish such vehicles.

The maximum gross weight limitation for a three-axle dump truck registered after June 1, 1994, is 55,000 pounds. In Allegany and Garrett counties, the maximum gross weight for a vehicle with four or more axles in use when loaded is 70,000 pounds. Likewise, a vehicle with four axles that is in compliance with regulations adopted by the Maryland Department of Transportation that specify alternative vehicle design configurations is 70,000 pounds.

A properly registered dump truck may operate on a statewide basis without any distance limitations if the vehicle is (1) a three-axle vehicle with a maximum gross vehicle weight of 55,000 pounds or (2) a four-axle vehicle with a maximum gross vehicle weight of 70,000 pounds that is in compliance with specified regulations.

If a registered dump truck is hauling loose materials in bulk for a distance of up to 40 miles, different standards apply. In general, the maximum gross weight of the vehicle is limited only by the allowable and paid registration weight. In Allegany and Garrett counties, the vehicle is not subject to any other restrictions of the Maryland Vehicle Law on weight, gross weight, or axle loads unless the vehicle exceeds its maximum registered gross weight by 10% or one of its axles is not carrying at least 15% of the vehicle’s total gross weight.

**Background:** According to the State Highway Administration (SHA), in 1993, Maryland enacted a compromise solution between industry and government (both State and federal) regarding federal weight standards for dump trucks registered in Maryland. In short, three-axle dump trucks that were previously allowed to haul up to 65,000 pounds could continue to do so for a period of 20 years, at which time the maximum permitted weight would fall to 55,000 pounds. In addition, Maryland was permitted to allow four-axle dump trucks to haul up to 70,000 pounds. The 20-year exception for three-axle dump trucks weighing up to 65,000 pounds ended in 2014; such vehicles are now limited to 55,000 pounds gross vehicle weight.

**State Fiscal Effect:** TTF expenditures likely increase in fiscal 2017 in order to post revised weight limit signage and may increase in future years for highway system maintenance and

preservation expenditures. SHA estimates that over 400 bridges could require new posting or revised posting under the bill, including 65 bridges maintained by SHA and 359 bridges maintained by local jurisdictions. However, SHA did not provide a cost estimate for such postings. In addition, the impact resulting from additional roadway damage cannot be reliably estimated at this time, as it depends on the extent to which the bill's authorization for heavier loads is utilized.

For context, SHA has advised for previous legislation that roadway damage increases by about 67% with a 10,000 pound increase in vehicle weight (and no change in the number of axles), and roadway damage increases by about 111% with a 2,000 pound increase in vehicle weight and reduction from six axles to five axles.

General fund revenues likely decrease due to fewer fines imposed for carrying excess weight.

**Small Business Effect:** Any small businesses engaged in activities that utilize a dump truck may be meaningfully affected by the bill, as the bill permits such trucks to carry heavier loads than allowed under current law. Affected small businesses may also benefit from paying fewer penalties for overweight limits.

**Additional Comments:** SHA advises that, each year, Maryland must submit a certification to the Federal Highway Administration in which it must specifically state that all State laws governing vehicle weight on the Interstate system are consistent with federal law. Under the bill, SHA advises that it must acknowledge that the State is in violation of federal requirements. Thus, sanctions could be imposed in response to the violation of federal requirements, including withholding of federal funds.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 1479 (Delegates Reilly and Hornberger) - Environment and Transportation.

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

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