

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 174

(Chair, Environment and Transportation Committee)(By
Request - Departmental - Transportation)

Environment and Transportation

Judicial Proceedings

Motor Vehicle Offenses - Following Too Closely - Application to Trucks

This departmental bill authorizes a group of individual trucks to travel without leaving enough space for an overtaking vehicle to enter and occupy the space between them if the trucks are (1) traveling in a unified manner at electronically connected speeds and (2) being operated in a reasonable and prudent manner with due regard for the speed of any other vehicles and of the traffic on and the condition of the highway. Any such group of trucks is exempt from the Maryland Vehicle Law's prohibitions on following too closely. The Motor Vehicle Administration (MVA) is authorized to adopt regulations to carry out the bill. **The bill takes effect July 1, 2020.**

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations. Enforcement can be handled with existing resources.

Local Effect: The bill does not materially affect local government finances or operations. Enforcement can be handled with existing resources.

Small Business Effect: The Maryland Department of Transportation has determined that this bill has a meaningful impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law: The driver of a motor vehicle is prohibited from following another vehicle more closely than is reasonable and prudent, having due regard for the speed of the other vehicle and of the traffic on and the condition of the highway.

Whenever conditions permit, the driver of every truck or motor vehicle towing another vehicle, while traveling on a roadway outside of a business district or a residential district and following any other truck (or any other motor vehicle towing another vehicle), must leave enough space so that an overtaking vehicle may enter and occupy the space without danger. However, a truck or a motor vehicle towing another vehicle may overtake and pass any other vehicle (or combination of vehicles).

Likewise, a motor vehicle being driven on a roadway outside of a business district or a residential district in a caravan or motorcade (whether or not towing another vehicle) must be driven to allow enough space between each two vehicles (or combination of vehicles) so that any other vehicle may enter and occupy the space without danger. However, this requirement does not apply to a funeral procession.

Background: MVA advises that truck platooning is the practice whereby trucks that are properly equipped with connected and automated vehicle equipment follow each other closely using a vehicle-to-vehicle connection in order to reduce fuel consumption and the likelihood of rear-end and chain-reaction collisions.

MVA notes that the U.S. Department of Transportation's (DOT) third iteration of comprehensive policy guidance on automated vehicles recommends that states remove legal and regulatory barriers to automated vehicles, specifically highlighting following distance laws that effectively prohibit automated truck platooning applications. To date, MVA advises that 26 states have taken steps to permit platooning – mostly by exempting platooning trucks from “following too closely” laws. Another 18 states have authorized automated vehicle platooning to allow full commercial deployment.

MVA further advises that Virginia is one of four states currently testing truck platooning on public roadways. Moreover, in 2018, Pennsylvania passed legislation that included provisions enabling truck platooning. MVA notes that bringing Maryland law in line with Virginia and Pennsylvania would create a cohesive corridor for the deployment of platooning technologies. Aberdeen Proving Ground has developed truck platooning capabilities for military vehicles and may look to more broadly utilize the technology on public roads in conjunction with DOT and private businesses. In addition, both the Federal Motor Carrier Safety Administration and the National Highway Traffic Safety Administration have expressed interest in running truck platoons on Maryland roadways in the near future.

MVA notes that the “following too closely” provisions in the Maryland Vehicle Law prohibit the safe operation of truck platooning by requiring that trucks leave enough space between them to allow an overtaking vehicle to move in between. Non-platooning vehicles moving between the lead vehicle and the platooned trucks could cause a break in the connection.

A violation for following a vehicle closer than is reasonable and prudent is a misdemeanor, subject to a maximum fine of \$500. The prepayment penalty is \$110 and, upon conviction, two points assessed against the driver’s license. If the violation contributes to an accident, the prepayment penalty increases to \$150 and three points assessed against the license.

According to the Judiciary, there were 5,410 violations issued in fiscal 2019 for following a vehicle closer than was reasonable and prudent. Of those violations, 1,309 prepaid the fine, 1,108 elected to stand trial, and 2,993 remained open.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Department of Transportation; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 4, 2020
md/aad Third Reader - March 14, 2020

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Motor Vehicle Administration – Following Too Closely – Removal of Restriction for Trucks

BILL NUMBER: HB 174

PREPARED BY: Maryland Department of Transportation / Motor Vehicle Administration

(Dept./Agency)

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

If adopted, truck platooning has the potential to reduce operational costs for motor carriers, shippers and logistics firms by reducing fuel consumption. Typical studies have shown a fuel reduction of between 5% and 10% for the following vehicles in a platoon.

This deployment of truck platooning systems would benefit Maryland small businesses that either (1) provide commercial driving services; or (2) ship goods to/from the state by commercial trucks:

- i. Commercial driving companies in Maryland will benefit from increased safety, reduced fuel costs, and time efficiencies associated with truck platooning.
- ii. Maryland companies will benefit from safer truck operations, more predictable truck operations and lower shipping rates due to fuel reductions.