

March 6, 2024

The Honorable William C. Smith Jr.
Chair, Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

RE: Letter of Information – Senate Bill 870 – Vehicle Laws – Electric Vehicles – Weight Limits

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) offers the following information on Senate Bill 870 for the Committee’s consideration.

Senate Bill 870 allows any plug-in electric drive vehicle or other vehicle propelled to a significant extent by battery power to exceed gross, axle, tandem, and bridge weight limits by 2,000 pounds.

The federal government’s Fixing America’s Surface Transportation Act (FAST Act) of 2015, as amended, authorizes vehicles operated by an engine that is fueled primarily by natural gas (including liquid natural gas, liquid petroleum gas, and compressed natural gas) or powered primarily by electric batteries to exceed the interstate weight limits on the power unit by up to 2,000 pounds (up to a maximum gross vehicle weight of 82,000 pounds).¹ A vehicle may exceed the limits on the power unit for the single axle, tandem axle, and federal bridge formula maximum weights, subject to the 2,000-pound allowance cap and gross vehicle weight maximum. As such, the FAST Act allows states to create an additional allowance for alternatively fueled vehicles. Maryland has provided an allowance for alternatively fueled vehicles that is consistent with the FAST Act and that exceeds the requirements of HB 652 since January 24, 2020, as part of the State’s official enforcement policy. The State Highway Administration’s (SHA) Motor Carrier Division recently updated its Commercial Vehicle Operations web page² to inform the public and operators of alternatively fueled vehicles of this enforcement policy.

SHA notes that the landscape for alternatively fueled vehicles is rapidly changing, and it is expected that vehicle weights for alternatively fueled vehicles will decrease over time as technology improves. As such, the amount and existence of allowances authorized by the federal government over the interstate weight limits could continue to change. SHA will continue to ensure compliance with these federally established standards and take action to avoid sanctions for noncompliance.³

The Maryland Department of Transportation respectfully requests the Committee consider this information during its deliberations of Senate Bill 870.

Sincerely,

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¹ See 23 U.S.C. § 127(s).

² <https://www.roads.maryland.gov/mdotsha/pages/cvo.aspx?did=ahps&PageId=23>

³ See 23 U.S.C. § 127(a).