
By: **Delegate Stern**
Introduced and read first time: February 12, 1999
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Highways - Truck Restrictions in Residential Communities -**
3 **Exception**

4 FOR the purpose of exempting trucks carrying farm products from certain truck
5 traffic restrictions; and generally relating to trucks carrying farm products.

6 BY repealing and reenacting, without amendments,
7 Article - Agriculture
8 Section 10-601(a) and (c)
9 Annotated Code of Maryland
10 (1985 Replacement Volume and 1998 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article - Transportation
13 Section 24-209
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 1998 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Agriculture**

19 10-601.

20 (a) In this subtitle the following words have the meanings indicated.

21 (c) "Farm product" means any agricultural, horticultural, vegetable, or fruit
22 product of the soil, including livestock, meats, marine food products, poultry, eggs,
23 dairy products, wool, hides, feathers, nuts, honey, and every product of farm, forest,
24 orchard, garden or water, but does not include canned, frozen, dried, or pickled
25 products.

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Article - Transportation

2 24-209.

3 (a) The State Highway Administration may conduct appropriate studies to
4 determine whether the safety and general welfare of a residential community are
5 threatened by noise, vibration, or incidence of truck traffic on any State highway. In
6 determining whether or not to conduct such a study, the Administration shall consider
7 the number of complaints about truck traffic received, if any, from residents of an
8 area.

9 (b) If the State Highway Administration determines that a threat exists and
10 that the safety and general welfare of the residential community would be promoted
11 by the adoption of restrictions on the use of the State highway by trucks, the
12 Administration may establish routes, speed limits, time restrictions, weight
13 restrictions, or other measures with respect to truck traffic on the State highway,
14 which will minimize the adverse effects of that traffic on the residential area or cause
15 that traffic to avoid the residential area entirely.

16 (c) Under this section, truck traffic may be prohibited entirely on any State
17 highway or part of a State highway, if an adequately functional alternate route is
18 available to carry the truck traffic, taking into consideration the amount of additional
19 fuel that would be required over the alternate route and the economic impact on the
20 citizens of this State caused by the alternate route.

21 (d) The provisions of this section:

22 (1) Do not apply to any Class E (truck) vehicles of 10,000 pounds or less
23 gross vehicle weight; [and]

24 (2) Do not preclude the making of local deliveries of supplies or services
25 in any residential communities; AND

26 (3) DO NOT APPLY TO ANY TRUCK CARRYING FARM PRODUCTS AS
27 DEFINED UNDER § 10-601 OF THE AGRICULTURE ARTICLE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1999.