
By: **Delegates Edwards, Cane, Jennings, Kelly, Sossi, and Weir**

Introduced and read first time: February 22, 2006

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Exceptional Hauling Permits - Forestry Products**

3 FOR the purpose of authorizing the State Highway Administration to issue an
4 exceptional hauling permit for a combination of vehicles that carries certain
5 forestry products and has an axle configuration that meets certain
6 requirements; requiring a combination of vehicles operating under the authority
7 of an exceptional hauling permit to comply with certain weight limits; requiring
8 a certain combination of vehicles to annually submit to and pass a certain
9 inspection and be allowed only a certain load limit tolerance; prohibiting a
10 person who operates a certain combination of vehicles from violating certain
11 highway restrictions, operating the combination of vehicles on the interstate
12 highway system, operating the combination of vehicles if it exceeds certain
13 ratings or restrictions, or failing to comply with the terms and conditions of the
14 permit; requiring a person who operates a certain combination of vehicles to
15 have, in the person's possession, a certain permit and certain inspection reports;
16 specifying the penalties for the violation of certain provisions of law or the terms
17 and conditions of certain exceptional hauling permits; authorizing a certain
18 person to appeal a certain revocation; establishing certain fees; requiring the
19 State Highway Administration to adopt certain regulations; requiring a certain
20 report; and generally relating to vehicle laws and exceptional hauling permits.

21 BY adding to
22 Article - Transportation
23 Section 24-113.2
24 Annotated Code of Maryland
25 (2002 Replacement Volume and 2005 Supplement)

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

1 **Article - Transportation**

2 24-113.2.

3 (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, THE STATE
4 HIGHWAY ADMINISTRATION MAY ISSUE AN EXCEPTIONAL HAULING PERMIT FOR A
5 COMBINATION OF VEHICLES THAT:

6 (1) CARRIES FORESTRY PRODUCTS THAT:

7 (I) ARE LOADED IN FIELDS OR OTHER OFF-HIGHWAY LOCATIONS;
8 AND

9 (II) ARE THE ONLY LOAD OF THE VEHICLE; AND

10 (2) HAS AN AXLE CONFIGURATION OF NOT LESS THAN SIX AXLES AND A
11 FRONT-TO-REAR CENTERLINE AXLE SPACING OF NOT LESS THAN 50 FEET.

12 (B) A COMBINATION OF VEHICLES OPERATING UNDER THE AUTHORITY OF AN
13 EXCEPTIONAL HAULING PERMIT ISSUED UNDER SUBSECTION (A) OF THIS SECTION
14 SHALL:

15 (1) COMPLY WITH THE FOLLOWING WEIGHT LIMITS:

16 (I) A MAXIMUM OF 20,000 POUNDS GROSS WEIGHT ON A SINGLE
17 AXLE;

18 (II) FOR ANY CONSECUTIVE AXLE CONFIGURATION OF TWO OR
19 MORE AXLES ON INDIVIDUAL VEHICLES IN THE COMBINATION, THE MAXIMUM
20 GROSS WEIGHT SPECIFIED IN § 24-109(C) OF THIS SUBTITLE; AND

21 (III) A MAXIMUM OF 87,000 GROSS COMBINATION WEIGHT;

22 (2) ANNUALLY SUBMIT TO AND PASS A NORTH AMERICAN STANDARD
23 DRIVER/VEHICLE LEVEL 1 INSPECTION; AND

24 (3) BE ALLOWED A LOAD LIMIT TOLERANCE OF ONLY 1,000 POUNDS FOR
25 GROSS COMBINATION WEIGHT AND 15% FOR AXLE WEIGHTS.

26 (C) WHILE OPERATING A COMBINATION OF VEHICLES UNDER THE
27 AUTHORITY OF AN EXCEPTIONAL HAULING PERMIT ISSUED UNDER SUBSECTION (A)
28 OF THIS SECTION, A PERSON MAY NOT:

29 (1) VIOLATE A HIGHWAY RESTRICTION ISSUED BY A COMPETENT
30 AUTHORITY;

31 (2) OPERATE THE COMBINATION OF VEHICLES ON THE INTERSTATE
32 HIGHWAY SYSTEM;

1 (3) OPERATE THE COMBINATION OF VEHICLES IF THE COMBINATION OF
2 VEHICLES EXCEEDS ANY TIRE WEIGHT RATING OR TIRE SPEED RESTRICTION
3 ADOPTED UNDER § 25-111 OF THIS ARTICLE; OR

4 (4) FAIL TO COMPLY WITH THE TERMS AND CONDITIONS OF THE
5 EXCEPTIONAL HAULING PERMIT.

6 (D) WHILE OPERATING A COMBINATION OF VEHICLES UNDER THE
7 AUTHORITY OF AN EXCEPTIONAL HAULING PERMIT ISSUED UNDER SUBSECTION (A)
8 OF THIS SECTION, A PERSON SHALL HAVE IN THE PERSON'S POSSESSION:

9 (1) THE ORIGINAL EXCEPTIONAL HAULING PERMIT ISSUED FOR THE
10 VEHICLE; AND

11 (2) FOR EACH VEHICLE IN THE COMBINATION OF VEHICLES, A COPY OF
12 A VALID NORTH AMERICAN STANDARD DRIVER/VEHICLE LEVEL 1 INSPECTION
13 REPORT ISSUED WITHIN THE PRECEDING 12 MONTHS THAT SHOWS NO
14 OUT-OF-SERVICE VIOLATIONS.

15 (E) (1) A VIOLATION OF THIS SECTION, REGULATIONS ADOPTED TO
16 IMPLEMENT THIS SECTION, OR THE TERMS AND CONDITIONS OF AN EXCEPTIONAL
17 HAULING PERMIT ISSUED UNDER SUBSECTION (A) OF THIS SECTION SHALL:

18 (I) VOID THE AUTHORITY GRANTED UNDER THE EXCEPTIONAL
19 HAULING PERMIT;

20 (II) SUBJECT THE VEHICLE TO ALL WEIGHT REQUIREMENTS AND
21 TOLERANCES SPECIFIED IN THIS ARTICLE; AND

22 (III) FOR A VIOLATION OF A WEIGHT RESTRICTION SPECIFIED IN
23 THIS SECTION THAT EXCEEDS 5,000 POUNDS, SUBJECT THE EXCEPTIONAL HAULING
24 PERMIT TO IMMEDIATE CONFISCATION BY AN OFFICER OR AUTHORIZED CIVILIAN
25 EMPLOYEE OF THE DEPARTMENT OF STATE POLICE, AN OFFICER OF THE MARYLAND
26 TRANSPORTATION AUTHORITY POLICE, OR ANY POLICE OFFICER.

27 (2) A PERSON WHO CONFISCATES AN EXCEPTIONAL HAULING PERMIT
28 UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL IMMEDIATELY NOTIFY THE
29 STATE HIGHWAY ADMINISTRATION.

30 (3) ON NOTIFICATION OF THE CONFISCATION OF AN EXCEPTIONAL
31 HAULING PERMIT, THE STATE HIGHWAY ADMINISTRATION SHALL REVIEW THE
32 CONFISCATION, VERIFY THE VIOLATION OF A WEIGHT RESTRICTION, AND, IF THE
33 STATE HIGHWAY ADMINISTRATION DETERMINES THAT A VIOLATION DID OCCUR,
34 REVOKE THE PERMIT.

35 (4) AN OWNER OR OPERATOR OF A COMBINATION OF VEHICLES MAY
36 APPEAL THE REVOCATION OF AN EXCEPTIONAL HAULING PERMIT TO THE STATE
37 HIGHWAY ADMINISTRATOR OR THE ADMINISTRATOR'S DESIGNEE.

1 (F) (1) AN APPLICANT FOR AN EXCEPTIONAL HAULING PERMIT SHALL PAY
2 TO THE STATE HIGHWAY ADMINISTRATION:

3 (I) \$500 FOR THE ISSUANCE OF A NEW PERMIT OR THE ANNUAL
4 RENEWAL OF A PERMIT;

5 (II) \$1,000 FOR THE REINSTATEMENT OF A PERMIT THAT WAS
6 REVOKED UNDER SUBSECTION (E)(1)(III) OF THIS SECTION FOR A FIRST VIOLATION;
7 AND

8 (III) \$5,000 FOR THE REINSTATEMENT OF A PERMIT THAT WAS
9 REVOKED UNDER SUBSECTION (E)(1)(III) OF THIS SECTION FOR A SECOND OR
10 SUBSEQUENT VIOLATION WITHIN THE PRIOR 24 MONTHS.

11 (2) A FEE PAID UNDER THIS SUBSECTION IS NONREFUNDABLE.

12 (G) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AN EXCEPTIONAL
13 HAULING PERMIT IS VALID FOR 1 YEAR FROM THE DATE OF ISSUANCE.

14 (H) IN CONSULTATION WITH THE SECRETARY OF STATE POLICE, THE STATE
15 HIGHWAY ADMINISTRATION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS
16 SECTION.

17 SECTION 2. AND BE IT FURTHER ENACTED, That the State Highway
18 Administration, in conjunction with the Department of State Police, shall report to
19 the General Assembly on or before December 1, 2007, in accordance with § 2-1246 of
20 the State Government Article, on the use and enforcement of exceptional hauling
21 permits, including compliance with this Act, regulations adopted to implement this
22 Act, and the terms and conditions of exceptional hauling permits.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 June 1, 2006.