
By: **Senators Pipkin and Astle**

Introduced and read first time: January 20, 2006

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Weight Violations on the Chesapeake Bay Bridge - Penalties**

3 FOR the purpose of establishing certain fines for certain vehicle weight limit
 4 violations occurring on the William Preston Lane, Jr. Memorial (Chesapeake
 5 Bay) Bridge or its appurtenant approaches under the jurisdiction of the
 6 Maryland Transportation Authority; clarifying language; and generally relating
 7 to vehicle weight limit violations and fines.

8 BY repealing and reenacting, with amendments,
 9 Article - Transportation
 10 Section 27-105
 11 Annotated Code of Maryland
 12 (2002 Replacement Volume and 2005 Supplement)

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

15 **Article - Transportation**

16 27-105.

17 (a) (1) This section applies to any person charged with a violation of the
 18 Maryland Vehicle Law for exceeding, as to any vehicle or combination of vehicles:

19 (i) The maximum registered weight limit for which the vehicle or
 20 combination is registered;

21 (ii) Any statutory weight limit set forth in the Maryland Vehicle
 22 Law; or

23 (iii) The maximum weight limit imposed by signs which have been
 24 placed to regulate the weight of any vehicle passing over any bridge or culvert as
 25 provided for in § 24-206 of this article; provided that signs posting the restriction are
 26 located at the bridge or culvert and also prior to the last available alternate route
 27 which bypasses the bridge or culvert.

1 (2) On conviction of any person for a violation of any of these limits, fines
2 shall be imposed as provided in this section.

3 (b) Except on interstate highways, a loading error or tolerance of 1,000 pounds
4 over a registered weight limit, statutory weight limit, or weight limit imposed by
5 signs is allowed and only weight in excess of this tolerance is a violation provided
6 that:

7 (1) An overall gross weight may not exceed 80,000 pounds, including any
8 enforcement or statutory tolerances; or

9 (2) The vehicle is being operated under a valid permit for gross weight in
10 excess of 80,000 pounds.

11 (c) [The] SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE following fines,
12 in addition to court costs, are applicable to weight violations over the registered
13 weight limit, statutory weight limit, or weight limit imposed by signs, and for weight
14 violations that occur on any highway of this State, including interstate highways:

15 (1) 1 cent for each pound for the first 1,000 pounds of weight over any
16 allowable weight;

17 (2) 5 cents for each pound of excess weight over 1,000 pounds, but less
18 than 5,001 pounds;

19 (3) 12 cents for each additional pound of excess weight over 5,000 pounds
20 and less than 10,001 pounds;

21 (4) 20 cents for each additional pound of excess weight over 10,000
22 pounds but less than 20,001 pounds; and

23 (5) 40 cents for each additional pound of excess weight over 20,000
24 pounds.

25 (D) THE FOLLOWING FINES, IN ADDITION TO COURT COSTS, ARE APPLICABLE
26 TO WEIGHT VIOLATIONS OVER THE REGISTERED WEIGHT LIMIT, STATUTORY
27 WEIGHT LIMIT, OR WEIGHT LIMIT IMPOSED BY SIGNS, AND TO ANY OTHER WEIGHT
28 VIOLATIONS THAT OCCUR ON THE WILLIAM PRESTON LANE, JR. MEMORIAL
29 (CHESAPEAKE BAY) BRIDGE OR ITS APPURTENANT APPROACHES UNDER THE
30 JURISDICTION OF THE MARYLAND TRANSPORTATION AUTHORITY:

31 (1) 1 CENT FOR EACH POUND FOR THE FIRST 1,000 POUNDS OVER ANY
32 ALLOWABLE WEIGHT;

33 (2) 10 CENTS FOR EACH ADDITIONAL POUND OF EXCESS WEIGHT OVER
34 1,000 POUNDS BUT LESS THAN 5,001 POUNDS;

35 (3) 24 CENTS FOR EACH ADDITIONAL POUND OF EXCESS WEIGHT OVER
36 5,000 POUNDS BUT LESS THAN 10,001 POUNDS;

1 (4) 40 CENTS FOR EACH ADDITIONAL POUND OF EXCESS WEIGHT OVER
2 10,000 POUNDS BUT LESS THAN 20,001 POUNDS; AND

3 (5) 80 CENTS FOR EACH ADDITIONAL POUND OF EXCESS WEIGHT OVER
4 20,000 POUNDS.

5 [(d)] (E) Notwithstanding any other provision of law, on conviction for a
6 violation, no fine may be suspended or reduced. However, in computing the fine, a
7 credit for any excess weight caused by an accumulation of cinders, snow, or ice shall
8 be given.

9 [(e)] (F) (1) If the vehicle being operated at the time the offense is
10 committed is registered outside of this State, or if the person responsible for the
11 violation or the person operating the vehicle is a nonresident of this State, further
12 proceedings shall be had as to the person under Title 26 of this article or the vehicle
13 shall be impounded until the fine is paid or acceptable collateral posted.

14 (2) The impounding of the vehicle does not include the cargo, and the
15 cargo may not be held.

16 (3) If, after 90 days from the date the vehicle was impounded, the fine
17 has not been paid or acceptable collateral posted, the vehicle may be sold at public
18 auction under the jurisdiction of the court to satisfy the fine, accrued interest, and
19 costs.

20 [(f)] (G) The provisions of this section do not apply to an "emergency vehicle",
21 as defined in § 11-118 of this article, when responding to an emergency.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2006.