

Department of Legislative Services
 Maryland General Assembly
 2006 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1583

(Delegate Edwards, *et al.*)

Environmental Matters

Judicial Proceedings

Allegany County and Garrett County - Vehicle Laws - Exceptional Hauling Permits - Forestry Products

This bill authorizes the State Highway Administration (SHA) to issue an exceptional hauling permit, valid in Allegany and Garrett counties, for a combination of vehicles that: (1) carry only forest products that are loaded in fields or other off-highway locations; and (2) has an axle configuration of six axles or more and a front-to-rear centerline axle spacing of at least 50 feet. An exceptional hauling permit is subject to confiscation and/or revocation if the terms of the permit are violated.

The bill takes effect June 1, 2006 and terminates May 31, 2010.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) revenues would increase by \$106,000 annually from FY 2007 through 2010 due to permit fees. General fund revenues would decrease due to a loss of penalty revenue for overweight vehicles. SHA federal fund expenditures would increase by \$8,000 annually between FY 2007 and 2010 to compensate the Department of State Police (DSP) for safety inspections performed under the bill. TTF expenditures could increase in FY 2006 for computer reprogramming.

(in dollars)	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
GF Revenue	\$0	(-)	(-)	(-)	(-)
SF Revenue	0	106,000	106,000	106,000	106,000
SF Expenditure	-	0	0	0	0
FF Expenditure	0	8,000	8,000	8,000	8,000
Net Effect	\$0	\$98,000	\$98,000	\$98,000	\$98,000

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: No direct impact; however, the addition of the sixth axle could mean reduced local expenditures for road repair due to reduced overweight vehicles.

Small Business Effect: Potentially significant.

Analysis

Bill Summary: These vehicles must comply with weight limits of: (1) a maximum of 20,000 pounds gross weight on a single axle; (2) a maximum gross weight of 87,000 pounds total; and (3) the maximum weight for any consecutive axle configuration of two or more on individual vehicles in the combination as specified in code. Such a combination of vehicles must meet other specified conditions, including passing a semi-annual inspection.

Specified records may be requested by the State Highway Administrator or the administrator's designee from the holder of a permit or a facility that receives forest products delivered under a permit. Failure to provide the records may result in suspension of the permit or prohibition of a facility from receiving forest products delivered by permit holders.

An operator of a combination of vehicles with an exceptional hauling permit may not, while operating the vehicles: (1) violate specified highway and other restrictions; (2) operate on the Interstate highway system; or (3) fail to comply with the terms and conditions of the permit. The fee for an exceptional hauling permit is \$500 for a new permit or for the annual renewal of a permit, payable to SHA. In addition, the permit fee increases if it is for the reinstatement of a permit after it has been revoked as follows: \$1,000 for the first violation; and \$5,000 for a second or subsequent violation within the prior 24 months.

SHA and DSP must report to the General Assembly by December 1, 2008, on the use and enforcement of exceptional hauling permits. SHA may stop issuing and renewing permits if the administrator determines that their use is detrimental to the State highway system. However, any such decision must be promptly reported to the General Assembly.

Current Law: Vehicles and combinations of vehicles must meet specified weight limits based on the number of axles in the combination of vehicles, and the distance between the axles. The maximum weight load for a vehicle or combination of vehicles is 80,000 pounds gross weight, and a vehicle or combination of vehicles must have at least five axles in order to carry 80,000 pounds. A vehicle carrying forest products that have been

loaded in fields or other off-highway locations traveling on noninterstate highways is permitted to exceed the axle load weight limit by a specified percentage that increases from June 1 through September 30.

Except under specified circumstances, any vehicle with a gross maximum weight in excess of 73,000 pounds may travel only on State highways, except while making a delivery or pickup, and then only when traveling by the shortest available legal route to its destination. There are local exceptions for certain roads in Dorchester and Garrett counties. Vehicles can obtain an overweight vehicle permit from SHA; however, these permits only apply to loads that cannot be divided into smaller loads, such as equipment or a house.

Background: Forest products are often hauled from West Virginia and Pennsylvania to Maryland pulp plants and mills. The trucks bearing these loads are allowed to carry loads of up to 88,000 pounds in West Virginia and Pennsylvania. According to SHA, given the short distance these trucks are traveling to the plants and mills, rather than reload the products onto two vehicles, instead it is commonplace for these vehicles to be traveling on Maryland roads, particularly in Western Maryland. By requiring an additional sixth axle, the load would be redistributed and would theoretically cause less wear and tear on State roads and bridges, while allowing such vehicles to travel in the State legally.

State Revenues: SHA estimates that approximately 100 vehicles registered in the State are engaged in forestry operations and would be eligible for an exceptional hauling permit under the bill, and approximately 100 such vehicles are registered in other states. SHA estimates that three permits would be reinstated annually after an initial revocation, and one permit would be reinstated after a second offense within 24 months.

Accordingly, TTF revenues would increase by \$106,000 annually from fiscal 2007 through 2010 for permit revenue. It is assumed that it would take a month to implement the program and that applications would not be processed until fiscal 2007. General fund revenues would decrease from citations issued for overweight vehicles carrying forestry products or for exceeding axle tolerance; however, the exact magnitude of this decrease cannot be reliably estimated at this time.

State Expenditures: SHA advises that DSP would perform the required inspections under the bill, and that such inspections could be paid for using federal Motor Carrier Safety Assistance Program grant funding. SHA currently provides grant funding to DSP using federal funds. Assuming that DSP performs inspections on in-State vehicles, not out-of-state vehicles, SHA federal fund expenditures would increase by \$8,000 annually from fiscal 2007 through 2010 for grants to DSP to cover inspection expenditures.

Issuing permits and processing applications could be handled with existing personnel. Likewise, enforcement could be handled with existing resources.

SHA advises that computer reprogramming costs associated with this bill would total \$35,000. Legislative Services advises that, if other programming changes are required, economies of scale could be realized. This would reduce the costs associated with this bill and other legislation affecting SHA.

Small Business Effect: Trucking firms would need to add an additional axle to vehicles to comply with this bill. SHA advises that the cost to do so would be approximately \$5,000; however, the addition of the extra axle would allow the vehicles to carry a heavier load. It is estimated that the additional hauling capacity would pay for the cost of the permit and the extra axle within three months. In addition, vehicles that have a permit confiscated would be required to partially unload the vehicle and transfer some cargo to a different vehicle; however, this is required under current law and, therefore, would have no effect.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Somerset County, Allegany County, Garrett County, Maryland Department of Transportation, Department of Legislative Services

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