

# SENATE BILL 174

R7

8lr1012

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By: **Senators Astle and Pipkin**

Introduced and read first time: January 18, 2008

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Towing and Towed Vehicles – Procedures and Equipment**

3 FOR the purpose of altering the requirements for the procedures that must be followed  
4 and the equipment that must be used when one vehicle tows another vehicle in  
5 certain circumstances; clarifying certain requirements; providing certain  
6 exceptions; authorizing the Motor Vehicle Administration to adopt certain  
7 regulations; defining certain terms; providing a certain penalty; making a  
8 stylistic change; and generally relating to procedures and equipment for towing  
9 and towed vehicles.

10 BY repealing and reenacting, with amendments,  
11 Article – Transportation  
12 Section 24–107  
13 Annotated Code of Maryland  
14 (2006 Replacement Volume and 2007 Supplement)

15 BY adding to  
16 Article – Transportation  
17 Section 27–101(bb)  
18 Annotated Code of Maryland  
19 (2006 Replacement Volume and 2007 Supplement)

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

22 **Article – Transportation**

23 24–107.

24 [(a) While one vehicle is towing another, the towbar or other connection used:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Shall be strong enough to pull the weight towed; and

2 (2) Except for the connection between any two vehicles carrying poles,  
3 pipe, machinery, or other objects of a structural nature that cannot be readily  
4 dismembered, may not exceed 15 feet from one vehicle to the other.

5 (b) (1) Every full trailer shall be equipped with a towbar and means of  
6 attaching the towbar to the towing and towed units.

7 (2) The towbar and means of attaching the towbar to the units shall:

8 (i) Be structurally adequate for the weight drawn;

9 (ii) Be mounted properly and securely, without excessive slack,  
10 but with enough play to allow for universal action of the connection; and

11 (iii) Have a suitable locking device to prevent accidental  
12 separation of the towed and towing vehicles.

13 (c) The mounting of the trailer hitch (pintle-eye or equivalent mechanism) of  
14 the towing vehicle shall include sufficient reinforcement or bracing of the frame to  
15 provide sufficient strength and rigidity to prevent undue distortion of the frame.

16 (d) (1) Every trailer and semitrailer equipped with a towbar and any  
17 special mobile equipment being towed shall be coupled directly to the frame of the  
18 towing vehicle with one or more safety or "stay" chains or cables. Attachment to the  
19 pintle hook does not meet this requirement.

20 (2) No more slack may be left in these chains or cables than is needed  
21 for proper turning.

22 (3) These chains or cables shall be connected to the towed and towing  
23 vehicle and to the towbar to prevent the towbar from dropping to the ground if it fails.]

24 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
25 **MEANINGS INDICATED.**

26 (2) (I) **"PRIMARY CONNECTING SYSTEM" MEANS THE**  
27 **COMBINATION OF DEVICES AND THEIR ATTACHING STRUCTURES THAT ARE**  
28 **USED TO CONNECT A TOWED VEHICLE TO A TOWING VEHICLE.**

29 (II) **"PRIMARY CONNECTING SYSTEM" INCLUDES:**

30 **1. THE CONNECTION OF THE COUPLING ON THE**  
31 **TOWED VEHICLE TO A HITCH ON THE TOWING VEHICLE;**

1                                   2.    **A TOWBAR CONNECTION BETWEEN THE TOWED**  
2 **AND TOWING VEHICLE;**

3                                   3.    **A FIFTH-WHEEL CONNECTION DEVICE; AND**

4                                   4.    **A ROPE, CHAIN, OR CABLE WHEN A VEHICLE IS**  
5 **TOWING ANOTHER VEHICLE THAT IS BEING STEERED BY A DRIVER.**

6                                   (III) **“PRIMARY CONNECTING SYSTEM” DOES NOT INCLUDE:**

7                                   1.    **A SAFETY CHAIN OR OTHER CONNECTING DEVICE**  
8 **THAT IS A PART OF A SECONDARY SYSTEM USED WHEN THE PRIMARY**  
9 **CONNECTING SYSTEM FAILS; OR**

10                                  2.    **A WEIGHT DISTRIBUTING OR SWAY CONTROL**  
11 **DEVICE THAT FUNCTIONS AS AN ACCESSORY TO THE TOWING VEHICLE AND**  
12 **TOWED VEHICLE CONNECTION.**

13                                  (3) (I) **“SAFETY CHAIN” MEANS A FLEXIBLE TENSION MEMBER**  
14 **CONNECTED FROM THE FRONT OF THE TOWED VEHICLE TO THE REAR OF THE**  
15 **TOWING VEHICLE FOR THE PURPOSE OF RETAINING THE CONNECTION**  
16 **BETWEEN THE TOWED AND TOWING VEHICLES IF THE CONNECTION PROVIDED**  
17 **BY THE PRIMARY CONNECTING SYSTEM FAILS.**

18                                  (II) **“SAFETY CHAIN” INCLUDES:**

19                                  1.    **CHAINS, CABLES, ROPES, OR EQUIVALENT**  
20 **FLEXIBLE MEMBERS; AND**

21                                  2.    **SPLICE CLAMPS, SOCKETS, SNAPS, EYES, RINGS,**  
22 **THIMBLES, PINS, OR OTHER FASTENING DEVICES OR FORMING METHODS THAT**  
23 **ARE PART OF THE ASSEMBLY OF A FLEXIBLE TENSION MEMBER.**

24                                  (4) **“TOW DOLLY” MEANS A VEHICLE HAVING A TONGUE OR**  
25 **TOWBAR ATTACHMENT DESIGNED TO TOW OTHER VEHICLES AND USED TO TOW:**

26                                  (I)   **ANOTHER VEHICLE WHEN THE FRONT OR REAR WHEELS**  
27 **OF THE TOWED VEHICLE ARE PLACED IN A CRADLE-LIKE DEVICE THAT LIFTS**  
28 **THE WHEELS FROM THE HIGHWAY; OR**

29                                  (II) **A TRAILER OR SEMITRAILER WHEN THE TOWING**  
30 **VEHICLE HAS A FIFTH WHEEL ATTACHMENT DEVICE.**

1           **(5) "TOWBAR" MEANS A STRUT OR COLUMN-LIKE DEVICE**  
2 **TEMPORARILY ATTACHED BETWEEN THE REAR OF A TOWING VEHICLE AND THE**  
3 **FRONT OF THE TOWED VEHICLE.**

4           **(B) WHEN TOWING ANOTHER VEHICLE, THE DRIVER SHALL ENSURE**  
5 **THAT:**

6           **(1) THE TOWED VEHICLE IS SECURELY ATTACHED TO THE**  
7 **TOWING VEHICLE BY A PRIMARY CONNECTING SYSTEM;**

8           **(2) THE CONNECTION USED IS:**

9           **(I) STRUCTURALLY ADEQUATE FOR THE WEIGHT DRAWN;**  
10 **AND**

11           **(II) MOUNTED PROPERLY AND SECURELY, WITHOUT**  
12 **EXCESSIVE SLACK, BUT WITH ENOUGH SLACK TO ALLOW FOR ARTICULATION OF**  
13 **THE CONNECTION;**

14           **(3) THE LOCKING DEVICE THAT PREVENTS SEPARATION OF THE**  
15 **TOWED AND TOWING VEHICLES IS WORKING PROPERLY AND IS LOCKED IN**  
16 **PLACE; AND**

17           **(4) ONE OR MORE SAFETY CHAINS ARE ATTACHED TO THE TOWED**  
18 **VEHICLE AND THE FRAME OF THE TOWING VEHICLE AND HAVE NO MORE SLACK**  
19 **THAN IS NECESSARY FOR PROPER TURNING.**

20           **(C) ATTACHMENT OF THE SAFETY CHAINS TO THE PINTLE HOOK DOES**  
21 **NOT SATISFY THE REQUIREMENTS OF THIS SECTION.**

22           **(D) EXCEPT FOR THE CONNECTION BETWEEN ANY TWO VEHICLES**  
23 **CARRYING POLES, PIPES, MACHINERY, OR OTHER OBJECTS THAT CANNOT BE**  
24 **READILY DISMEMBERED, THE CONNECTION BETWEEN VEHICLES MAY NOT**  
25 **EXCEED 15 FEET.**

26           **(E) A VEHICLE EQUIPPED WITH A FIFTH-WHEEL CONNECTION DEVICE**  
27 **IS NOT REQUIRED TO USE SAFETY CHAINS OR CABLES AS ADDITIONAL SECURING**  
28 **DEVICES.**

29           **(F) IF A VEHICLE IS TOWED BY A ROPE, CHAIN, OR CABLE, A DRIVER**  
30 **MUST BE IN AND CAPABLE OF STEERING THE TOWED VEHICLE.**

31           **[(e)] (G) A [hitching device] PRIMARY CONNECTING SYSTEM used in a**  
32 **combination of vehicles shall be designed, constructed, and installed to insure that a**

1 towed vehicle does not shift or swerve more than 6 inches to either side of the path of  
2 the towing vehicle while the towing vehicle is moving in a straight line on a level,  
3 smooth, paved surface.

4 [(f)] (H) While one vehicle is towing another and the connection is a chain,  
5 rope, or cable, a white, red, or orange-fluorescent warning flag or cloth at least 18  
6 inches square shall be displayed on the connection.

7 (I) **EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, OR WHEN ONE**  
8 **TOW DOLLY IS USED TO TOW ONE OTHER VEHICLE, A VEHICLE MAY NOT BE**  
9 **OPERATED IN COMBINATION WITH MORE THAN ONE OTHER VEHICLE.**

10 [(g)] (J) (1) [Except for the vehicles described in paragraph (2) of this  
11 subsection, the] **THE** Administration may adopt [rules and] regulations that establish  
12 standards for hitching devices and towing procedures for towing and towed vehicles.

13 (2) [This] **EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,**  
14 **THIS** subsection [does not apply] **APPLIES** to tractor-trailer [combination or]  
15 **COMBINATIONS,** semitrailer [combination] **COMBINATIONS, AND ANY OTHER**  
16 **VEHICLE COMBINATIONS** designed and used for carrying freight or merchandise in  
17 furtherance of any commercial enterprise.

18 27-101.

19 (BB) **ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 24-107 OF**  
20 **THIS ARTICLE THAT RESULTS IN SERIOUS BODILY INJURY AS DEFINED IN §**  
21 **27-113 OF THIS TITLE OR DEATH IS SUBJECT TO A FINE OF NOT MORE THAN**  
22 **\$1,000.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2008.