

SENATE BILL 174

R7

8lr1012

By: **Senators Astle and Pipkin**

Introduced and read first time: January 18, 2008

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 20, 2008

CHAPTER _____

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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 24–107.

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

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

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

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

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

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

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

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

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

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

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

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

26 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
27 MEANINGS INDICATED.

28 (2) ~~(1)~~ “PRIMARY CONNECTING SYSTEM” MEANS THE
29 COMBINATION OF DEVICES AND THEIR ATTACHING STRUCTURES THAT ARE
30 USED TO CONNECT A TOWED VEHICLE TO A TOWING VEHICLE.

31 ~~(1)~~ “PRIMARY CONNECTING SYSTEM” INCLUDES:

1 1. ~~THE CONNECTION OF THE COUPLING ON THE~~
2 ~~TOWED VEHICLE TO A HITCH ON THE TOWING VEHICLE;~~

3 2. ~~A TOWBAR CONNECTION BETWEEN THE TOWED~~
4 ~~AND TOWING VEHICLE;~~

5 3. ~~A FIFTH WHEEL CONNECTION DEVICE; AND~~

6 4. ~~A ROPE, CHAIN, OR CABLE WHEN A VEHICLE IS~~
7 ~~TOWING ANOTHER VEHICLE THAT IS BEING STEERED BY A DRIVER.~~

8 (HH) ~~“PRIMARY CONNECTING SYSTEM” DOES NOT INCLUDE:~~

9 1. ~~A SAFETY CHAIN OR OTHER CONNECTING DEVICE~~
10 ~~THAT IS A PART OF A SECONDARY SYSTEM USED WHEN THE PRIMARY~~
11 ~~CONNECTING SYSTEM FAILS; OR~~

12 2. ~~A WEIGHT DISTRIBUTING OR SWAY CONTROL~~
13 ~~DEVICE THAT FUNCTIONS AS AN ACCESSORY TO THE TOWING VEHICLE AND~~
14 ~~TOWED VEHICLE CONNECTION.~~

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

20 (HH) ~~“SAFETY CHAIN” INCLUDES:~~

21 1. ~~CHAINS, CABLES, ROPES, OR EQUIVALENT~~
22 ~~FLEXIBLE MEMBERS; AND~~

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

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

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

1 (II) A TRAILER OR SEMITRAILER WHEN THE TOWING
2 VEHICLE HAS A FIFTH WHEEL ATTACHMENT DEVICE.

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

6 (B) WHEN TOWING ANOTHER VEHICLE, THE DRIVER SHALL ENSURE
7 THAT:

8 (1) THE TOWED VEHICLE IS SECURELY ATTACHED TO THE
9 TOWING VEHICLE BY A PRIMARY CONNECTING SYSTEM;

10 (2) THE CONNECTION USED IS:

11 (I) STRUCTURALLY ADEQUATE FOR THE WEIGHT DRAWN;
12 AND

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

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

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

22 (C) ATTACHMENT OF THE SAFETY CHAINS TO THE PINTLE HOOK DOES
23 NOT SATISFY THE REQUIREMENTS OF THIS SECTION.

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

28 (E) A ~~VEHICLE-EQUIPPED~~ CONNECTION MADE WITH A FIFTH-WHEEL
29 CONNECTION DEVICE IS NOT REQUIRED TO USE SAFETY CHAINS OR CABLES AS
30 ADDITIONAL SECURING DEVICES.

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

1 [(e)] (G) A [hitching device] **PRIMARY CONNECTING SYSTEM** used in a
 2 combination of vehicles shall be designed, constructed, and installed to insure that a
 3 towed vehicle does not shift or swerve more than 6 inches to either side of the path of
 4 the towing vehicle while the towing vehicle is moving in a straight line on a level,
 5 smooth, paved surface.

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

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

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

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

20 27-101.

21 (BB) **ANY PERSON WHO IS CONVICTED OF A VIOLATION OF § 24-107 OF**
 22 **THIS ARTICLE THAT RESULTS IN SERIOUS BODILY INJURY AS DEFINED IN §**
 23 **27-113 OF THIS TITLE OR DEATH IS SUBJECT TO A FINE OF NOT MORE THAN**
 24 **\$1,000.**

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.