

Department of Legislative Services

Maryland General Assembly

2008 Session

FISCAL AND POLICY NOTE

Revised

House Bill 1119

(Delegates Ali and Malone)

Environmental Matters

Judicial Proceedings

Motor Vehicles - Towing and Towed Vehicles - Procedures and Equipment

This bill requires the driver of a towing vehicle to use one or more defined towing devices to connect to any type of towed vehicle, commercial or otherwise. Maximum penalty of \$1,000 is authorized for a violation that leads to serious bodily injury or death.

Fiscal Summary

State Effect: General fund revenues could increase minimally due to the bill's penalty provision. Enforcement could be handled with existing resources.

Local Effect: Enforcement could be handled with existing resources.

Small Business Effect: Minimal, assuming the bill codifies normal business practices.

Analysis

Bill Summary: Any vehicle that tows another vehicle, commercial or otherwise, must ensure that a primary connecting system is locked in place, structurally adequate for the weight drawn, and mounted with only enough slack to allow for proper turning. The connection between vehicles may not exceed 15 feet unless necessary due to the towing of objects that cannot be readily dismembered.

Unless the primary connecting system is a fifth wheel device, a safety chain must be connected from the frame of the towing vehicle to the front of the vehicle being towed. If the primary connecting system consists of only a rope, chain, or cable, a driver must be

in, and capable of steering, the towed vehicle and the connection cannot be made through the use of a pintle hook.

A vehicle that tows more than one other vehicle must use a “tow dolly” as defined by the bill.

A violation of the bill that results in serious bodily injury or death may be penalized by a fine of up to \$1,000.

Current Law: All trailers are required to be equipped with a towbar and connection equipment that is mounted properly, complete with a suitable locking device and without excessive slack, and structurally adequate for the weight drawn. The maximum allowable distance between a trailer and towing vehicle, and the length of any safety chain used, is 15 feet, except for where the towing vehicle is carrying objects that cannot be dismembered to fit this requirement. The trailer hitch must be sufficiently reinforced and the towbar and safety chain must be directly connected to the towing vehicle’s frame. If a safety chain is used, any slack must be only enough to permit the towed vehicle to turn properly. Regardless of the type of hitching device used, a towed vehicle may not sway more than six inches while the towing vehicle is moving in a straight line. A warning flag must be attached to the safety chain.

MVA is required to promulgate regulations and standards for the use of hitching devices and for towing procedures. The regulations do not apply to commercial tractor- or semi-trailers.

The penalty for any of the six violations of current towing provisions is \$60.

Background: On May 10, 2007, a trailer accidentally detached from a truck traveling westbound on the William Preston Lane, Jr. Memorial Bridge (better known as the Chesapeake Bay Bridge). The runaway trailer caused seven vehicles to collide, killing three people and seriously injuring another. The accident occurred just before evening rush hour and stranded many motorists on the Eastern Shore overnight.

The Maryland Transportation Authority completed its investigation of the accident on October 24, 2007. The investigation concluded that the safety chains used were too long for the trailer and that there was no evidence that a hitch pin had been used. Following an investigation, the Anne Arundel State’s Attorney released its findings and noted that there were no laws that would result in charges being filed.

Additional Information

Prior Introductions: None.

Cross File: None designated, although SB 174 and its cross file HB 868 are identical.

Information Source(s): Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - February 28, 2008
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