

# SENATE BILL 509

R6

0lr2693  
CF 0lr2908

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By: **Senator Stoltzfus**

Introduced and read first time: February 3, 2010

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Somerset, Wicomico, and Worcester Counties – Vehicle Laws – Exceptional**  
3 **Hauling Permits**

4 FOR the purpose of including Somerset County, Wicomico County, and Worcester  
5 County as counties in which an exceptional hauling permit issued by the State  
6 Highway Administration is valid for a combination of vehicles that transports  
7 certain forestry products, subject to certain axle configuration requirements,  
8 increased maximum load limits, weight tolerances, inspection requirements,  
9 operation restrictions and requirements, penalties, record keeping and  
10 reporting requirements, and fees; and generally relating to vehicle laws and  
11 exceptional hauling permits.

12 BY repealing and reenacting, with amendments,  
13 Article – Transportation  
14 Section 24–113.2  
15 Annotated Code of Maryland  
16 (2009 Replacement Volume and 2009 Supplement)

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

19 **Article – Transportation**

20 24–113.2.

21 (a) An exceptional hauling permit issued under this section is valid only in  
22 Allegany County [and Garrett County], **GARRETT COUNTY, SOMERSET COUNTY,**  
23 **WICOMICO COUNTY, AND WORCESTER COUNTY.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) Notwithstanding any other provision of this title, the State Highway  
2 Administration may issue an exceptional hauling permit for a combination of vehicles  
3 that:

4 (1) Carries forestry products that:

5 (i) Are loaded in fields or other off-highway locations; and

6 (ii) Are the only load of the vehicle; and

7 (2) Has an axle configuration of not less than six axles and a  
8 front-to-rear centerline axle spacing of not less than 50 feet.

9 (c) A combination of vehicles operating under the authority of an exceptional  
10 hauling permit issued under subsection (b) of this section shall:

11 (1) Comply with the following weight limits:

12 (i) A maximum of 20,000 pounds gross weight on a single axle;

13 (ii) For any consecutive axle configuration of two or more axles  
14 on individual vehicles in the combination, the maximum gross weight specified in §  
15 24-109(c) of this subtitle; and

16 (iii) A maximum of 87,000 pounds gross combination weight;

17 (2) Twice each year, submit to and pass a North American Standard  
18 Driver/Vehicle Level 1 inspection; and

19 (3) Be allowed a load limit tolerance of only 1,000 pounds for gross  
20 combination weight and 15% for axle weights.

21 (d) While operating a combination of vehicles under the authority of an  
22 exceptional hauling permit issued under subsection (b) of this section, a person may  
23 not:

24 (1) Violate a highway restriction issued by a competent authority;

25 (2) Operate the combination of vehicles on the interstate highway  
26 system, as defined in § 8-101(j) of this article;

27 (3) Operate the combination of vehicles if the combination of vehicles  
28 exceeds any tire weight rating or tire speed restriction adopted under § 25-111 of this  
29 article; or

30 (4) Fail to comply with the terms and conditions of the exceptional  
31 hauling permit.

1 (e) While operating a combination of vehicles under the authority of an  
2 exceptional hauling permit issued under subsection (b) of this section, a person shall  
3 have in the person's possession:

4 (1) The original exceptional hauling permit issued for the vehicle; and

5 (2) For each vehicle in the combination of vehicles, a copy of a valid  
6 North American Standard Driver/Vehicle Level 1 inspection report issued within the  
7 preceding 180 days that shows no out-of-service violations.

8 (f) (1) A violation of this section, regulations adopted to implement this  
9 section, or the terms and conditions of an exceptional hauling permit issued under  
10 subsection (b) of this section shall:

11 (i) Void the authority granted under the exceptional hauling  
12 permit;

13 (ii) Subject the vehicle to all weight requirements and  
14 tolerances specified in this article; and

15 (iii) For a violation of a weight restriction specified in this  
16 section that exceeds 5,000 pounds, subject the exceptional hauling permit to  
17 immediate confiscation by an officer or authorized civilian employee of the  
18 Department of State Police, an officer of the Maryland Transportation Authority  
19 Police, or any police officer.

20 (2) A person who confiscates an exceptional hauling permit under  
21 paragraph (1) of this subsection shall immediately notify the State Highway  
22 Administration.

23 (3) On notification of the confiscation of an exceptional hauling permit,  
24 the State Highway Administration shall review the confiscation, verify the violation of  
25 a weight restriction, and, if the State Highway Administration determines that a  
26 violation did occur, revoke the permit.

27 (4) An owner or operator of a combination of vehicles may appeal the  
28 revocation of an exceptional hauling permit to the State Highway Administrator or the  
29 Administrator's designee.

30 (g) (1) On request from the State Highway Administrator or the  
31 Administrator's designee, weight and delivery records of the holder of an exceptional  
32 hauling permit that are kept in the normal course of business shall be provided by:

33 (i) The holder of the exceptional hauling permit; or

34 (ii) A facility that receives forestry products delivered by a  
35 vehicle operating under the authority of an exceptional hauling permit.

1                   (2)    If the holder of an exceptional hauling permit or a facility that  
2 receives forestry products does not comply with a request under this subsection, the  
3 State Highway Administration may:

4                           (i)    Suspend the holder's exceptional hauling permit; or

5                           (ii)   Prohibit a vehicle from delivering forestry products under  
6 the authority of the exceptional hauling permit to the noncompliant facility.

7           (h)   (1)    An applicant for an exceptional hauling permit shall pay to the  
8 State Highway Administration:

9                           (i)    \$500 for the issuance of a new permit or the annual renewal  
10 of a permit;

11                           (ii)   \$1,000 for the reinstatement of a permit that was revoked  
12 under subsection (f)(3) of this section for a first violation; and

13                           (iii)   \$5,000 for the reinstatement of a permit that was revoked  
14 under subsection (f)(3) of this section for a second or subsequent violation within the  
15 prior 24 months.

16                   (2)    A fee paid under this subsection is nonrefundable.

17                   (i)    Except as otherwise provided in this section, an exceptional hauling  
18 permit is valid for 1 year from the date of issuance.

19                   (j)    In consultation with the Secretary of State Police, the State Highway  
20 Administration shall adopt regulations to implement this section.

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2010.