

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE
Revised

House Bill 110

(Chair, Environmental Matters Committee)(By Request -
Departmental - Transportation)

Environmental Matters

Judicial Proceedings

Vehicle Laws - Weight and Axle Load Limits

This departmental bill conforms specified provisions of the Maryland Vehicle Law to federal regulations governing commercial vehicle weight limits. Specifically, the bill provides an exemption for large interstate buses and intrastate public transit buses from the generally applicable single-axle weight limits, and establishes a weight limit tolerance to account for the additional weight of an auxiliary power unit or an idle-reduction technology unit. In addition, the bill alters or repeals obsolete provisions that are in conflict with other State and federal laws pertaining to commercial vehicle weight, particularly provisions related to multiple-axle weight limits.

Fiscal Summary

State Effect: While the bill is not expected to significantly affect State finances or operations, failing to conform to federal law could result in the loss of 100% of existing federal transportation aid. The Governor's proposed FY 2012 budget assumes receipt of \$340.6 million in federal funding.

Local Effect: While the bill is not expected to significantly affect local finances, failing to conform to federal law may jeopardize the approximately \$40.5 million allocation of federal highway funding for local governments.

Small Business Effect: The Maryland Department of Transportation has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Bill Summary: The bill's exemption for specified buses effectively increases the single-axle weight limit from 22,400 pounds to 24,000 pounds, but states that the vehicle also may not exceed the rated tire load capacity for any tire.

The weight limit tolerance for an auxiliary power unit or an idle-reduction technology unit provides for up to an additional 400 pounds for the vehicle's gross, axle, tandem, or bridge formula weight limit, in order to promote the reduction of fuel use and emissions from engine idling; the tolerance may not exceed the actual weight of the unit. To qualify for this weight tolerance, the vehicle operator must have a written certification of the weight of the auxiliary power unit or idle-reduction technology unit available for a law enforcement officer and prove, by certification or demonstration, that the units are fully functional at all times.

Current Law: The single-axle gross weight limit is 22,400 pounds. In addition, except for overweight vehicles operating under a State Highway Administration (SHA) permit, a vehicle may not exceed the lesser of the sum of the rated load capacities for each tire on the axle, or the sum of the rated load capacities indicated by the manufacturer as to each tire on the axle with which the vehicle originally was equipped. Exemptions to these limits apply for certain farm vehicles.

Background: SHA advises that certain interstate bus companies (Megabus, Bolt, and other similar services) use vehicles that typically exceed Maryland's single-axle weight limit of 22,400 pounds. Federal law, however, currently provides a higher weight limit of 24,000 pounds, and Maryland law enforcement observes the federal limits as a matter of policy.

SHA also advises that anti-idling technology is becoming more commonplace in the trucking industry as diesel emission standards are strengthened. However, use of an auxiliary power unit or an idle-reduction technology unit to comply with these standards increases the vehicle's weight, thereby reducing its permitted weight capacity. To promote the use of these beneficial technologies, federal regulations allow trucks to deduct the weight of the units from the legal weight limits.

Maryland adopted the Federal Bridge Formula pursuant to Chapter 537 of 1983. The formula, now codified in Section 24-109 of the Transportation Article, conflicts with the previously enacted law (codified in 24-108), but Chapter 537 allowed for a phase-in period for certain farm vehicles used on noninterstate highways, until April 30, 1999.

Since the expiration of the phase out, provisions of Section 24-108 have been considered obsolete and in conflict with the Federal Bridge Formula in Section 24-109. However,

the provisions have never been repealed and have presented problems for DSP in its law enforcement efforts. DSP advises that eliminating this conflict in laws is essential for proper enforcement of commercial vehicle weight provisions designed to protect the integrity of the State's roads, bridges, and transportation infrastructure.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 4, 2011
ncs/ljm Revised - House Third Reader - March 22, 2011

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Vehicle Laws –Weight Limits

BILL NUMBER: HB 110

PREPARED BY: Maryland Department of Transportation

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.