

Department of Legislative Services  
Maryland General Assembly  
2011 Session

FISCAL AND POLICY NOTE

Senate Bill 338 (Senators Glassman and Miller)  
Judicial Proceedings

---

**Motor Vehicles - Three-Axle Dump Service Vehicles - Maximum Weight**

---

This bill extends by five years the period for which a three-axle dump service vehicle of a certain age may continue to operate at the gross vehicle weight limit in effect on May 31, 1994.

---

**Fiscal Summary**

**State Effect:** Federal fund revenues for the State Highway Administration (SHA) may decrease substantially beginning in FY 2012 as the bill is expected to result in a violation of federal highway laws, thereby resulting in a partial or total withholding of multiple sources of federal highway aid. In addition, a greater share of the Transportation Trust Fund may be used for system preservation and maintenance rather than the expansion or enhancement of the system to the extent that the bill results in greater road maintenance needs from heavier vehicle loads.

**Local Effect:** Local government revenues may decrease substantially beginning in FY 2012 as a result of federal withholding of highway funds, which may be partially allocated to local governments. Potential increase in local government road maintenance expenditures beginning in FY 2012 due to greater road repair needs on State highways. However, local government expenditures may also decrease for jurisdictions that own dump service vehicles as a result of the bill's extension of the period under which such vehicles may operate at a higher weight limit.

**Small Business Effect:** Potential meaningful.

---

## Analysis

**Current Law/Background:** Three-axle vehicles, registered as (Class E) dump service vehicles with the Motor Vehicle Administration prior to June 1, 1994, are authorized to operate under the gross vehicle weight limits in effect on May 31, 1994, for a period of 20 years following: (1) for a new vehicle, the date of the vehicle's registration, or the vehicle's model year, whichever is later; and (2) for a used vehicle, the model year.

The maximum gross weight limitation for a three-axle dump service vehicle registered after June 1, 1994, is 55,000 pounds. Prior to the enactment of Chapter 480 of 1993, the gross vehicle weight limit for dump service vehicles was 65,000 pounds. However, Chapter 480 established a grandfather period for existing dump service vehicles to continue operating at the higher weight limit of 65,000 pounds for 20 years beyond their model year or initial registration, consistent with federal law.

**State Expenditures:** SHA advises that, while it cannot provide a reliable estimate as to the extent of the additional damage to roadways, bridges, and other structures under the bill, generally, pavement analyses show an exponential relationship between axle weights and road damage. For example, a three-axle 65,000 pound truck is estimated to cause almost twice the pavement damage as a similar 55,000 pound truck. At current paving costs, a three-axle dump service vehicle that travels 20,000 miles per year is estimated to cause about \$11,000 more per year in damage under a 65,000 pound limit as compared to a similar vehicle meeting the 55,000 pound limit.

**State Revenues:** SHA advises that extending the 65,000 pound gross vehicle weight limit beyond the 20-year grandfathering period will result in a violation of federal highway law. SHA advises that it is unable to determinate at this time how the bill's violation will be interpreted by the Federal Highway Administration. While the bill may be interpreted as the failure to properly enforce federal law, subject to the withholding of 10% of federal funding for certain purposes, the bill may instead result in the withholding of 100% of federal highway aid for interstate maintenance, the National Highway System, the surface transportation program, congestion mitigation/air quality, and the highway safety improvement program.

**Local Fiscal Effect:** Local government revenues decrease and expenditures increase, consistent with the State impact.

**Small Business Effect:** Potential meaningful beneficial impact for small businesses that own or operate dump service vehicles, which may continue to operate for an additional five years without modification as a result of the bill.

## **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 11, 2011  
mc/ljm

---

Analysis by: Evan M. Isaacson

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510