

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 640
(Senator Edwards)
Judicial Proceedings

Municipalities and Counties - Local Roads - Regulation of Travel by Heavy-Weight Vehicles

This bill authorizes the governing body of a municipality and specified counties to designate municipal or county roads on which a heavy-weight vehicle (other than local traffic) is prohibited from conducting short-term, high-intensity, or high-usage travel unless the hauler satisfies requirements imposed by the jurisdiction. The requirements may include requiring the hauler to (1) obtain a special permit from the jurisdiction; (2) enter an excess maintenance agreement with the jurisdiction; and (3) post a security bond in favor of the jurisdiction.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations.

Local Effect: Local government expenditures increase in jurisdictions that choose to exercise the authority granted under the bill to establish requirements for haulers of heavy-weight vehicles and conduct enforcement. Any such increase in expenditures may be offset by lower costs associated with road repairs. Likewise, local revenues increase to the extent that local jurisdictions establish a permitting process with fees or security and related requirements for haulers as allowed under the bill.

Small Business Effect: Potential meaningful.

Analysis

Current Law: The governing body of a county is authorized to adopt and enforce rules and regulations relating to the maximum size and weight of motor vehicles that may be

operated on county roads. However, the governing body may not set the maximum weight at a weight that is greater than the maximum allowed by the general laws of the State. Any rules or regulations adopted under this authorization must have a reasonable relationship to the construction, use, and character of the road and be designed to assure the continued safety and good condition of the road. A person who violates a rule or regulation adopted by counties is guilty of a misdemeanor and, upon conviction, is subject to imprisonment of up to 60 days or a fine of up to \$1,000.

The authorization only applies in certain counties, including:

- Allegany;
- Baltimore;
- Calvert;
- Carroll;
- Cecil;
- Frederick;
- Garrett;
- Harford;
- Howard;
- Montgomery;
- Prince George's;
- St. Mary's; and
- Washington.

Gross Vehicle Weight (Generally)

The gross weight of any vehicle or combination of vehicles may not exceed 80,000 pounds, including any enforcement or statutory tolerances. This limit applies to a vehicle or combination of vehicles with five or more axles; lower limits apply to vehicles or combinations of vehicles with fewer axles. Fines apply to violations for exceeding permitted weight tolerances – with \$33 in court costs due, plus one cent for each pound for the first 1,000 pounds over the limit. The fines escalate based on how much over the limit the violator is.

Local Fiscal Effect: Under the bill, counties and municipalities are authorized to impose certain requirements (*e.g.*, a permitting process) for heavy-weight vehicles that are engaged in short-term, high-intensity, or high-usage travel. As a result, local revenues may increase as companies that engage in hauling activities pay permit fees to local jurisdictions in order to use local roads. In addition, revenues may increase as a result of the bill's authorization

for local jurisdictions to require haulers to enter an excess maintenance agreement and/or to post a security bond in favor of the jurisdiction.

On the other hand, enforcement of any new requirements may result in higher expenditures.

- For instance, the City of Havre de Grace advises that it anticipates approximately \$100,000 in additional permit revenue annually. However, the city also anticipates hiring additional staff for permit enforcement, which results in an estimated \$132,700 of increased expenditures in fiscal 2018.
- Montgomery County advises that it expects to incur one-time expenses of approximately \$100,000 to install signage on roads that are affected as a result of the bill. In addition, the county also anticipates hiring a half-time program manager, resulting in \$43,600 in additional staff costs annually.
- The City of Frederick advises that it anticipates the bill to have a neutral or positive impact on city finances. While the city may realize additional revenue via permit fees or security bonds, it also anticipates additional staff time to be spent on restricting roadways and creating a permitting system.

Any such increase in expenditures may be offset by reduced costs to repair roads.

Small Business Effect: Any small businesses that engage in the activity restricted under the bill (short-term, high-intensity, or high-usage of local roadways) may be subject to additional fees established by local jurisdictions. In addition, the bill's excess maintenance agreement and security bond provisions may result in significantly increased costs for small businesses involved in heavy-weight hauling on local roadways. However, any impact on small businesses depends on whether the jurisdictions in which they conduct business choose to use the authorization granted under the bill.

Additional Information

Prior Introductions: None.

Cross File: HB 930 (Delegate Beitzel) - Environment and Transportation.

Information Source(s): Baltimore, Dorchester, and Montgomery counties; Maryland Association of Counties; cities of Frederick and Havre de Grace; Maryland Municipal League; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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