

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 46 (Delegate Folden)
Environment and Transportation

Motor Vehicles - Farm Equipment - Wide- or Oversize-Load Signals

This bill requires farm equipment or a vehicle transporting farm equipment that has a width of 15 feet or greater, inclusive of any load carried, to either (1) display wide-load or oversize-load signs or (2) flash or oscillate amber lights or signal devices to indicate to the public that the vehicle is a wide-load or oversize-load vehicle. Any such vehicle remains exempt from the State prohibition against driving a vehicle wider than 8.5 feet on any highway without a special permit, provided it displays the sign or flashing/oscillating lights. The bill does not authorize farm equipment or a vehicle transporting farm equipment that is less than 15 feet wide to display *flashing or oscillating* amber lights or signal devices.

Fiscal Summary

State Effect: No material impact on general fund revenues from modifying the applicability of the offenses covered by the bill. Enforcement can be handled with existing resources.

Local Effect: Enforcement can be handled with existing resources. Revenues are not affected.

Small Business Effect: Minimal.

Analysis

Current Law:

Width Restrictions

Generally, a vehicle may not be driven on any highway if the width exceeds 8.5 feet unless it has a permit issued by the State Highway Administration (SHA) or special permission from a local jurisdiction. Additionally, SHA and local jurisdictions are authorized to prohibit the use of a highway or part of a highway under their jurisdiction by a vehicle exceeding a specified width below the general 8.5 feet limit if found necessary for safety reasons or to prevent deterioration or harm to the highway or property adjacent to the highway.

A violation of this provision is a misdemeanor, and the violator is subject to a maximum fine of \$500. The prepayment penalty assessed by the District Court is \$140.

Under State law, the width of a vehicle for purposes of the restrictions on wide-load vehicles includes any load that the vehicle carries, excluding the following devices provided they do not extend more than three inches on either side:

- turn signal lamps;
- marker lamps;
- steps and handholds;
- flexible fender extensions;
- mud flaps and spray suppressant devices; and
- load-induced tire bulges.

Notwithstanding the rule for determining the statutory width of a vehicle, the length of side mirrors that extend farther than three inches from the side of a vehicle are not included in the statutory width measurement.

Display Lights and Signal Restrictions

A person may not drive or move, on any highway, any vehicle or equipment that is equipped with or displays any light or signal device designed to emit an oscillating, rotating, blinking, or other type of emission of light, unless authorized under State law. Generally, flashing lights are authorized for emergency vehicles, service vehicles, school vehicles, and other specified vehicles. A violation of this provision is a misdemeanor, and the violator is subject to a maximum fine of \$500. The prepayment penalty assessed by the District Court is \$60.

Service vehicles, waste or recycling collection vehicles, rural letter carrier vehicles, slow moving farm vehicles, and tow trucks may be equipped with or display yellow or amber lights or signal devices. These lights may be flashed or oscillated or otherwise used only in the course of official duties, to indicate to the public that the vehicle is slow moving or otherwise is impeding traffic.

Background: The U.S. Federal Highway Administration estimates in 2012, the latest year for which data is available, that 28,174 farm trucks were registered in Maryland.

The District Court reports that, in fiscal 2017, a total of 22 citations were issued for driving a vehicle on a highway that exceeds 8.5 feet in width without a permit. Of that total, 19 were prepaid, and 3 remain open. A total of 32 citations were issued to drivers who used flashing lights on unauthorized vehicles or drivers of vehicles equipped with unauthorized lights or signal devices. Of those violations, 6 went to trial, 17 were prepaid, and 9 remain open.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police; Maryland Department of Transportation; U.S. Federal Highway Administration; Department of Legislative Services.

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mm/kdm

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