

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Enrolled

Senate Bill 1038

(Senator Salling)

Judicial Proceedings

Environment and Transportation

Vehicle Laws – Overweight Vehicles – Heavy Weight Port Corridor Permit

This bill authorizes the Maryland Department of Transportation (MDOT) to establish a permit program that allows an overweight vehicle carrying international freight, as specified, to travel on roads designated as being part of a heavy weight port corridor. The bill increases the permitted maximum gross vehicle weight of such vehicles from 90,000 to 100,000 pounds. MDOT must adopt regulations for the issuance of permits pursuant to the bill's requirements. The regulations (1) may set permit fees and (2) must establish axle and gross weight requirements, routes, and other necessary criteria.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase by as much as \$130,000 for reprogramming. TTF revenues increase, likely minimally, to the extent the new permit is utilized. General fund revenues may decrease minimally to the extent fewer fines are issued for exceeding permitted maximum vehicle weights.

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

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: MDOT, by regulation, may determine that a vehicle (or combination of vehicles) transporting manifested international freight as the only load in a sealed, seagoing container on a semitrailer is transporting an indivisible load, on the condition that the vehicle (or combination of vehicles) is issued a permit pursuant to the bill and:

- is carrying up to 100,000 pounds gross maximum vehicle weight;
- has the minimum number of axles required by the permit;

- does not exceed the maximum axle weight (or axle spacing requirements), as established by regulation or specified in the permit;
- is traveling only during the hours as established by regulation or specified on the permit;
- adheres to a unique maximum speed limit specified on the permit; and
- is traveling only on State or county highways that are (1) on the specific route established by regulation and specified on the permit between the Seagirt Marine Terminal and a destination authorized by MDOT, with no deviation from the specific route and (2) specifically designated by MDOT as being part of a “heavy weight port corridor.”

Current Law:

Gross Maximum Weight of Vehicles, Generally

Generally, any vehicle with a gross maximum weight of more than 73,000 pounds may travel only on State highways (except while making a delivery or pickup – and then only when traveling by the shortest available legal route to or from the State highway). In Baltimore City, the shortest available legal route must be only on designated truck routes.

Furthermore, the gross weight of any vehicle or combination of vehicles generally 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. However, exceptional hauling permits are available for certain types of loads (typically available for one year or 30 days).

Weight Limitations for Vehicles Carrying International Freight

SHA is authorized to issue a permit for a vehicle carrying manifested international freight (as the only load of the vehicle) in a sealed, seagoing container on a semitrailer if the vehicle does not exceed:

- 22,400 pounds gross maximum weight for a single axle;
- 44,000 pounds gross maximum weight for two consecutive axles; or
- 90,000 pounds gross maximum weight.

A vehicle issued a permit for carrying international freight may be operated only on the parts of interstate and State highways that are designated by the Secretary of Transportation in conjunction with the U.S. Department of Transportation. Such vehicles may also travel on any other highway (as authorized by MDOT) that is the shortest practical route between

a designated highway and (1) a truck terminal; (2) a port or other point of origin or designation; or (3) facilities for food, fuel, repairs, or rest (but only up to one mile).

MDOT must adopt regulations related to the issuance of such permits. However, the authority granted to MDOT to issue the permits may not be exercised unless and until MDOT determines in writing that the use of such permits (1) is required to provide access to (or egress from) the Port of Baltimore for international freight; (2) will not cause extraordinary damage to roads and bridges in the State or require extraordinary expense for maintenance; (3) will not cause undue adverse environmental impact upon (or unduly disrupt) residential neighborhoods; and (4) will not impair highway safety.

State Fiscal Effect: SHA advises that reprogramming costs are likely to be incurred under the bill in order to modify its permitting system. In fiscal 2020 only, TTF expenditures increase by as much as \$130,000 to make the required changes.

SHA also indicates that roadways should not be significantly affected under the bill. Based on route and vehicle information, SHA's permitting systems are able to determine whether the issuance of a permit will exceed the parameters of roadways along the route. Therefore, the bill is not expected to materially affect TTF highway maintenance expenditures.

SHA further advises that, while it intends to charge a permit fee as authorized by the bill, it has not determined the amount of the fee. Depending on the amount of the fee and the extent to which the new permit is utilized, TTF revenues increase correspondingly. The total increase in TTF revenues is anticipated to be minimal.

Small Business Effect: Any small businesses that are involved in transporting international freight along the established routes may be able to carry heavier loads under the bill. Such businesses may realize meaningful savings due to more efficient operations (and fewer trips). However, any savings may be minimally offset, depending on the fee that MDOT charges.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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