

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 291

(Chair, Judicial Proceedings Committee)(By Request -
Departmental - Transportation)

Judicial Proceedings

Environment and Transportation

Motor Vehicle Offenses – Following Too Closely – Unified Truck Travel

This departmental bill authorizes the driver of a nonlead truck in a group of trucks to travel without leaving enough space for an overtaking vehicle to enter and occupy the space between them if the trucks are (1) traveling in a unified manner with electronically coordinated speed and braking systems and (2) being operated in a reasonable and prudent manner with due regard for the speed of any other vehicles and of the traffic on and the condition of the highway. Any such group of trucks is exempt from the Maryland Vehicle Law’s prohibitions on following too closely. The Motor Vehicle Administration (MVA) is authorized to adopt regulations to carry out the bill.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations. Enforcement can be handled with existing resources.

Local Effect: The bill does not materially affect local government finances or operations. Enforcement can be handled with existing resources.

Small Business Effect: The Maryland Department of Transportation (MDOT) has determined that this bill has a meaningful impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law: The driver of a motor vehicle is prohibited from following another vehicle more closely than is reasonable and prudent, having due regard for the speed of the other vehicle and of the traffic on and the condition of the highway.

Whenever conditions permit, the driver of every truck or motor vehicle towing another vehicle, while traveling on a roadway outside of a business district or a residential district and following any other truck (or any other motor vehicle towing another vehicle), must leave enough space so that an overtaking vehicle may enter and occupy the space without danger. However, a truck or a motor vehicle towing another vehicle may overtake and pass any other vehicle (or combination of vehicles).

Likewise, a motor vehicle being driven on a roadway outside of a business district or a residential district in a caravan or motorcade (whether or not towing another vehicle) must be driven to allow enough space between each two vehicles (or combination of vehicles) so that any other vehicle may enter and occupy the space without danger. However, this requirement does not apply to a funeral procession.

A violation for following a vehicle closer than is reasonable and prudent is a misdemeanor, subject to a maximum fine of \$500. The prepayment penalty is \$110 and, upon conviction, two points assessed against the driver's license. If the violation contributes to an accident, the prepayment penalty increases to \$150 and three points assessed against the license.

Background: MVA advises that truck platooning is the practice whereby trucks that are properly equipped with vehicle-to-vehicle communication technology follow each other closely, especially on long-haul routes, in order to improve safety and create operational efficiencies. MVA notes that the "following too closely" provisions in the Maryland Vehicle Law prohibit the safe operation of truck platooning by requiring that trucks leave enough space between them to allow an overtaking vehicle to move in between.

The assistive driving technology utilized by platooning trucks results in numerous safety and operational efficiencies. According to MVA, platooning trucks have more consistent and predictable driving behavior compared to non-platooning trucks, reduced reaction time, improved fuel efficiency, improved route efficiency for shippers, and incremental improvements to roadway capacity without adding pavement.

The U.S. Department of Transportation (USDOT) has placed a high priority on projects, research, and testing of automated driving systems in commercial motor vehicles, and two USDOT agencies are seeking partnerships with MDOT to advance platooning technology on public roads. Twenty-seven states now allow commercial deployment of platooning, while an additional five states allow on-road testing of platooning. These states

include Virginia and Pennsylvania, meaning that the bill would establish a cohesive mid-Atlantic corridor for this transportation solution.

Additional Information

Prior Introductions: HB 174 of 2020, a similar bill, passed the House and passed second reading in the Senate, but no further action was taken prior to adjournment.

Designated Cross File: None.

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

Fiscal Note History: First Reader - January 12, 2021
rh/aad Third Reader - February 2, 2021

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Motor Vehicle Offenses – Following Too Closely – Unified Truck Travel

BILL NUMBER: SB 291

PREPARED BY: MDOT MVA
(Dept./Agency)

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

See attached fiscal note.

If adopted, truck platooning has the potential to reduce operational costs for motor carriers, shippers, and logistics firms by reducing fuel consumption. Typical studies have shown a fuel reduction of between 5% and 10% for the following vehicles in a platoon, which in turn creates route efficiencies that permit industry to do more with existing resources. This is especially critical in the trucking industry which reported a driver shortage of over 60,000 drivers in July of 2019.

This deployment of truck platooning systems would benefit Maryland small businesses that either (1) provide commercial driving services; or (2) ship goods to/from the state by commercial trucks:

- i. Commercial driving companies in Maryland will benefit from increased safety and reduced fuel costs associated with truck platooning.
- ii. Maryland companies will benefit from safer truck operations, more predictable truck operations, and lower shipping rates due to fuel reductions.