

HOUSE BILL 768

R6
HB 698/16 – ENV

7lr2552
CF 7lr2076

By: **Delegate Otto**

Introduced and read first time: February 3, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Gross Weight and Axle Load – Poultry**

3 FOR the purpose of exempting a certain combination of vehicles with a trailer or semitrailer
4 from certain gross weight limits under certain circumstances; establishing the gross
5 weight limit for a certain combination of vehicles with a trailer or semitrailer that is
6 carrying poultry under certain circumstances; authorizing a certain combination of
7 vehicles with a trailer or semitrailer to have a certain axle load limit tolerance and
8 gross weight limit tolerance under certain circumstances; making stylistic changes;
9 and generally relating to gross weight and axle load for certain poultry carriers.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 24–109
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2016 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Transportation**

18 24–109.

19 (a) (1) In this section the following words have the meanings indicated.

20 (2) “Single axle weight” means the total weight transmitted by all wheels
21 whose centers may be included between 2 parallel transverse vertical planes 40 inches
22 apart extending across the full width of the vehicle.

23 (3) “Tandem axle weight” means the total weight transmitted to the road
24 by 2 or more consecutive axles whose centers may be included between parallel vertical

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



planes spaced more than 40 inches apart but not more than 96 inches apart extending across the full width of the vehicle.

(b) An over-the-road bus or any vehicle that is regularly and exclusively used as an intrastate public agency passenger bus:

(1) Is exempt from tandem axle weight limits provided in this section; but

(2) Shall comply with the vehicle and combination of vehicles weight limits provided in this section that are not tandem axle weight limits.

(c) Notwithstanding any other provisions of this title, **EXCEPT SUBSECTION (G)(3) OF THIS SECTION**, the overall gross weight on a group of 2 or more consecutive axles may not exceed an amount produced by application of the following formula:

$$W = 500 \left(\frac{LN}{N-1} + 12N + 36 \right)$$

where "W" = overall gross weight on any group of 2 or more consecutive axles to the nearest 500 pounds, "L" = distance in feet measured horizontally between the vertical centerlines of the extreme of any group of 2 or more consecutive axles, and "N" = number of axles in group under consideration, except that 2 consecutive sets of tandem axles may carry a gross load of 34,000 pounds each providing the overall distance between the first and last axles of such consecutive sets of tandem axles is 36 feet or more; provided, that such overall gross weight may not exceed eighty thousand (80,000) pounds, including any enforcement or statutory tolerances.

(d) [The] **EXCEPT AS PROVIDED IN SUBSECTION (G)(3) OF THIS SECTION**, THE following table indicates the permissible overall gross weights based upon the above formula:

Distance in feet between the extremes of any group of 2 or more consecutive axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles
4	34,000					
5	34,000					
6	34,000					
7	34,000					
8						
and less	34,000	34,000				
More than						

1	8	38,000	42,000				
2	9	39,000	42,500				
3	10	40,000	43,500				
4	11		44,000				
5	12		45,000	50,000			
6	13		45,500	50,500			
7	14		46,500	51,500			
8	15		47,000	52,000			
9	16		48,000	52,500	58,000		
10	17		48,500	53,500	58,500		
11	18		49,500	54,000	59,000		
12	19		50,000	54,500	60,000		
13	20		51,000	55,500	60,500	66,000	
14	21		51,500	56,000	61,000	66,500	
15	22		52,500	56,500	61,500	67,000	
16	23		53,000	57,500	62,500	68,000	
17	24		54,000	58,000	63,000	68,500	74,000
18	25		54,500	58,500	63,500	69,000	74,500
19	26		55,500	59,500	64,000	69,500	75,000
20	27		56,000	60,000	65,000	70,000	75,500
21	28		57,000	60,500	65,500	71,000	76,500
22	29		57,500	61,500	66,000	71,500	77,000
23	30		58,500	62,000	66,500	72,000	77,500
24	31		59,000	62,500	67,500	72,500	78,000
25	32		60,000	63,500	68,000	73,000	78,500
26	33			64,000	68,500	74,000	79,000
27	34			64,500	69,000	74,500	80,000
28	35			65,500	70,000	75,000	
29	36	Exception:					
30		See					
31		subsection					
32		(c),					
33		this					
34		section		(66,000)	70,500	75,500	
35	37			(66,500)	71,000	76,000	
36	38			(67,500)	72,000	77,000	
37	39			68,000	72,500	77,500	
38	40			68,500	73,000	78,000	
39	41			69,500	73,500	78,500	
40	42			70,000	74,000	79,000	
41	43			70,500	75,000	80,000	
42	44			71,500	75,500		
43	45			72,000	76,000		
44	46			72,500	76,500		
45	47			73,500	77,500		
46	48			74,000	78,000		
47	49			74,500	78,500		

1	50	75,500	79,000
2	51	76,000	80,000
3	52	76,500	
4	53	77,500	
5	54	78,000	
6	55	78,500	
7	56	79,500	
8	57	80,000	

(e) [The] **EXCEPT AS PROVIDED IN SUBSECTION (G)(3) OF THIS SECTION,**
THE gross weight of any vehicle or combination of vehicles may not exceed the following
limits:

12		Gross
13	Number of	weight
14	axles	(in pounds)
15	Three or less	55,000
16	Four	66,000
17	Five as provided for in § 13–916 or § 13–923 of this	
18	article	80,000

(f) A trailer with metal tires and a gross weight of more than 6,000 pounds may
not be moved on a highway.

(g) (1) Except on interstate highways, a single unit vehicle with 3 axles, or a
combination of vehicles with a trailer less than 32 feet long or a semitrailer less than 45
feet long, either registered as a farm vehicle or carrying farm products as defined under
§ 10–601 of the Agriculture Article that were loaded in fields or other off-highway locations,
is permitted an axle load limit tolerance of **[5 percent] 5%** from subsections (c) and (d) of
this section, except during harvest time when an axle load limit tolerance of **[15 percent]**
15% from subsections (c) and (d) of this section is permitted for a vehicle carrying the
following agricultural products:

- (i) Wheat, for the period from June 1 to August 15;
- (ii) Corn, for the period from July 1 to December 1;
- (iii) Soybeans, for the period from September 1 to December 31; and
- (iv) Vegetable crops, for the period from June 1 to October 31.

(2) (i) Except on interstate highways, a single unit vehicle with at least
3 axles or a combination of vehicles with a trailer length of less than 32 feet carrying forest
products that have been loaded in forests or other similar off-highway locations is
permitted an axle load limit tolerance of **[10 percent] 10%** from subsections (c) and (d) of

1 this section, except for the period from June 1 through September 30 when an axle load
2 limit tolerance of ~~[15 percent]~~ **15%** from subsections (c) and (d) of this section is permitted.

3 (ii) Except on interstate highways, a combination of vehicles with a
4 semitrailer length of 45 feet or less carrying forest products that have been loaded in forests
5 or other similar off-highway locations is permitted an axle load limit tolerance of ~~[5~~
6 ~~percent]~~ **5%** from subsections (c) and (d) of this section, except for the period from June 1
7 through September 30 when an axle load limit tolerance of ~~[15 percent]~~ **15%** from
8 subsections (c) and (d) of this section is permitted.

9 **(3) (I) THE OVERALL GROSS WEIGHT IS 90,000 POUNDS FOR A**
10 **COMBINATION OF VEHICLES WITH A TRAILER OR SEMITRAILER THAT:**

11 1. HAS AN AXLE CONFIGURATION OF NOT LESS THAN 5
12 AXLES;

13 2. ON AND AFTER MAY 8, 2017, HAS AXLES THAT ARE AT
14 LEAST 96 INCHES APART;

15 3. SUBMITS TO A MOTOR CARRIER SAFETY INSPECTION
16 UNDER § 25-111 OF THIS ARTICLE;

17 4. COMPLIES WITH ALL POSTED BRIDGE WEIGHT
18 LIMITS;

19 5. DOES NOT USE THE INTERSTATE HIGHWAY SYSTEM;

20 6. IS CARRYING LIVE POULTRY FROM A FARM TO A
21 PROCESSING FACILITY; AND

22 7. DOES NOT CARRY THE LIVE POULTRY MORE THAN 150
23 MILES.

24 **(II) A COMBINATION OF VEHICLES DESCRIBED IN**
25 **SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY HAVE AN AXLE LOAD LIMIT**
26 **TOLERANCE OF 3% FROM SUBSECTION (C) OF THIS SECTION AND A GROSS WEIGHT**
27 **LIMIT TOLERANCE OF 3% FROM SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

28 (h) (1) Any vehicle that uses an auxiliary power unit or an idle-reduction
29 technology unit in order to promote reduction of fuel use and emissions from engine idling
30 shall be allowed up to an additional 550 pounds total in gross, axle, tandem, or bridge
31 formula weight limits.

1 (2) To be eligible for the additional weight limit allowed under paragraph
2 (1) of this subsection, the vehicle operator must:

3 (i) Obtain and make available to law enforcement officers written
4 certification of the weight of the auxiliary power unit or idle–reduction technology unit; and

5 (ii) By demonstration or certification, prove that the idle–reduction
6 technology unit is fully functional at all times.

7 (3) The additional weight limit allowed under paragraph (1) of this
8 subsection may not exceed the certified weight of the auxiliary power unit or idle–reduction
9 technology unit.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
11 1, 2017.