

SENATE BILL 640

L6

7lr2638
CF 7lr2641

By: **Senator Edwards**

Introduced and read first time: February 3, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Municipalities and Counties – Local Roads – Regulation of Travel by**
3 **Heavy-Weight Vehicles**

4 FOR the purpose of authorizing the governing body of a municipality and certain counties
5 to provide for the designation of certain roads on which a heavy-weight vehicle is
6 prohibited from certain travel unless the hauler of the heavy-weight vehicle has
7 satisfied all requirements imposed by the municipality or county for the travel under
8 certain circumstances; authorizing the governing body of a municipality and certain
9 counties to require a hauler of a heavy-weight vehicle to satisfy any requirement
10 imposed by the municipality or county before conducting certain travel on designated
11 roads under certain circumstances; and generally relating to the regulation of travel
12 by heavy-weight vehicles on municipal and county roads.

13 BY adding to
14 Article – Local Government
15 Section 5–107
16 Annotated Code of Maryland
17 (2013 Volume and 2016 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Local Government
20 Section 12–527
21 Annotated Code of Maryland
22 (2013 Volume and 2016 Supplement)

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

25 **Article – Local Government**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



5-107.

THE GOVERNING BODY OF A MUNICIPALITY MAY, BY ORDINANCE, RULE, OR REGULATION:

(1) PROVIDE FOR THE DESIGNATION OF MUNICIPAL ROADS ON WHICH A HEAVY-WEIGHT VEHICLE, OTHER THAN LOCAL TRAFFIC, IS PROHIBITED FROM CONDUCTING ANY SHORT-TERM, HIGH-INTENSITY OR HIGH-USAGE TRAVEL UNLESS THE HAULER OF THE HEAVY-WEIGHT VEHICLE HAS SATISFIED ALL REQUIREMENTS IMPOSED BY THE MUNICIPALITY FOR THE TRAVEL; AND

(2) REQUIRE A HAULER OF A HEAVY WEIGHT VEHICLE, BEFORE CONDUCTING ANY SHORT-TERM, HIGH-INTENSITY OR HIGH-USAGE TRAVEL ON DESIGNATED MUNICIPAL ROADS, TO SATISFY ANY REQUIREMENT IMPOSED BY THE MUNICIPALITY FOR THE TRAVEL, INCLUDING:

(I) OBTAINING A SPECIAL PERMIT FROM THE MUNICIPALITY;

(II) ENTERING INTO AN EXCESS MAINTENANCE AGREEMENT WITH THE MUNICIPALITY; AND

(III) POSTING A SECURITY BOND IN FAVOR OF THE MUNICIPALITY.

12-527.

(a) This section applies only to:

(1) Allegany County;

(2) Baltimore County;

(3) Calvert County;

(4) Carroll County;

(5) Cecil County;

(6) Frederick County;

(7) Garrett County;

(8) Harford County;

(9) Howard County;

(10) Montgomery County;

(11) Prince George's County;

(12) St. Mary's County; and

(13) Washington County.

(b) (1) Except as provided in paragraph (2) of this subsection, the governing body of a county may adopt and enforce rules and regulations relating to the maximum size and weight of motor vehicles that may be operated on county roads.

(2) The governing body of a county may not set the maximum weight under paragraph (1) of this subsection at a weight greater than the maximum allowed by the public general laws of the State.

[(3)] (C) Rules and regulations adopted under this [subsection] SECTION shall:

[(i)] (1) have a reasonable relationship to the construction, use, and character of the road; and

[(ii)] (2) be designed to assure the continued safety and good condition of the road.

(D) RULES AND REGULATIONS ADOPTED UNDER THIS SECTION MAY:

(1) PROVIDE FOR THE DESIGNATION OF COUNTY ROADS ON WHICH A HEAVY-WEIGHT VEHICLE, OTHER THAN LOCAL TRAFFIC, IS PROHIBITED FROM CONDUCTING ANY SHORT-TERM, HIGH-INTENSITY OR HIGH-USAGE TRAVEL UNLESS THE HAULER OF THE HEAVY-WEIGHT VEHICLE HAS SATISFIED ALL REQUIREMENTS IMPOSED BY THE COUNTY FOR THE TRAVEL; AND

(2) REQUIRE A HAULER OF A HEAVY-WEIGHT VEHICLE, BEFORE CONDUCTING ANY SHORT-TERM, HIGH-INTENSITY OR HIGH-USAGE TRAVEL ON DESIGNATED COUNTY ROADS, TO SATISFY ANY REQUIREMENT IMPOSED BY THE COUNTY FOR THE TRAVEL, INCLUDING:

(I) OBTAINING A SPECIAL PERMIT FROM THE COUNTY;

(II) ENTERING INTO AN EXCESS MAINTENANCE AGREEMENT WITH THE COUNTY; AND

(III) POSTING A SECURITY BOND IN FAVOR OF THE COUNTY.

1 ~~[(c)]~~ **(E)** A person who violates a rule or regulation adopted under this section is
2 guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 60 days
3 or a fine not exceeding \$1,000.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2017.