

11.04.01

Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 04 STATE HIGHWAY ADMINISTRATION

Chapter 01 Permits for Oversize and Overweight Vehicles

Authority: Transportation Article, §2-103(b), 4-204, 4-205(f), 8-204(b)—(d) and (i), 24-109, 24-112, 24-113, and 24-113.3, Annotated Code of Maryland

.02 Permits Available.

A. There are [six] *seven* types of permits which may allow oversize or overweight vehicles to move on State highways.

B. A person may move special mobile equipment or a vehicle where the load or vehicle or both are oversize or overweight on State highways, under one of the following types of permits:

- (1) — (4) (text unchanged)
- (5) Special vehicle permit; [and]
- (6) Exceptional hauling permit; *and*
- (7) *Heavy weight port corridor permit.*

C. (text unchanged)

.13 Heavy Weight Port Corridor Permits

A. *The State Highway Administration may issue a heavy weight port corridor permit in accordance with Transportation Article, § 24-113.3, Annotated Code of Maryland and COMAR 11.04.17.*

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11.04.17

Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 04 STATE HIGHWAY ADMINISTRATION

Chapter 17 Heavy Weight Port Corridor Permits

Authority: Transportation Article, §2-103(b), 4-204, 4-205(f), 8-204(b)—(d) and (i), 24-109, 24-112, 24-113, and 24-113.3 Annotated Code of Maryland

.01 Definitions.

A. *In this chapter, the following terms have the meanings indicated:*

- (1) *"Administration" means the Maryland Department of Transportation State Highway Administration.*
- (2) *"Containerized cargo" means manifested international freight in a sealed, seagoing container traveling between the Seagirt Marine Terminal and a destination determined by the Secretary in Regulation .04 of this chapter.*
- (3) *"Unit" means the Hauling Permits Unit located within the Motor Carrier Division at the Maryland Department of Transportation State Highway Administration's Office of Traffic and Safety.*
- (4) *"Police Officer" has the meaning stated in Transportation Article, §24-111, Annotated Code of Maryland.*
- (5) *"Truck tractor" has the meaning stated in Transportation Article, §11-172, Annotated Code of Maryland.*

.02 Permits Available.

Heavy Weight Port Corridor permits may be issued as specified in this chapter.

A. *A person may move an indivisible load of containerized cargo under a Heavy Weight Port Corridor permit.*

B. *The general permit provisions for oversize and overweight vehicles in COMAR 11.04.11 and general conditions for movement of oversize and overweight vehicles in COMAR 11.04.02 apply except to the extent this chapter includes more specific governing provisions.*

.03 Determination of Vehicle Eligibility.

This text represents a draft version of the proposed regulation changes as of October 7, 2019 and is subject to change during the promulgation process. Please refer to the Maryland Register for the official text.

A. A six-axle truck tractor-intermodal semitrailer combination of vehicles carrying manifested international freight as the only load of the vehicle in a single sealed, seagoing container may be eligible if:

(1) The vehicle does not exceed the following maximum weight and axle spacing limits:

(a) 22,400 pounds on a single axle;

(b) 44,000 pounds on two consecutive axles at least 4 feet apart;

(c) 60,000 pounds on a tri-axle configuration more than 8 feet apart between the first and last axles of the grouping; and

(d) The maximum total gross weight of the vehicle and load shall not exceed 100,000 pounds.

(2) Tire manufacturer ratings shall not be exceeded.

(3) The intermodal trailer chassis shall have a distance of no less than 36 feet when measured from the kingpin to the center of the rearmost trailer axle.

B. No load tolerance for gross weight or axle weights shall be applied.

.04 Routes of Travel.

Heavy Weight Port Corridor permits may be issued for the following routes identified in this Regulation without deviation.

A. Between Seagirt Marine Terminal and Tradepoint Atlantic.

(1) Primary Route

(a) From Seagirt Marine Terminal- Seagirt Marine Terminal to right on Broening Highway (Baltimore City), continue on Broening Highway (MD 695 continued) to inner loop I-695 (South) Francis Scott Key toll plaza, Francis Scott Key toll plaza to Loop Road under Francis Scott Key Bridge, Loop Road to outer loop I-695 (North), continue on I-695 (North) to Exit 43 MD 158 Bethlehem Boulevard, left on Bethlehem Boulevard to right on MD 151 North Point Boulevard, North Point Boulevard to Sparrows Point Road (MD 151 continued) to Tradepoint Atlantic complex.

(b) From Tradepoint Atlantic – Tradepoint Atlantic to left on Sparrows Point Boulevard (MD 151) to North Point Boulevard (MD 151 continued), to left on Bethlehem Boulevard (MD 158), to right on Peninsula Expressway (MD 157), to slip road toward I-695 (South) Francis Scott Key toll plaza, Francis Scott Key toll plaza to Loop Road under Francis Scott Key Bridge, Loop Road to outer loop I-695 (North), to Exit 44 MD 695 Broening Highway, to left on Broening Highway (MD 695), continue on Broening Highway (Baltimore City), to left into Seagirt Marine Terminal.

(2) Alternate Broening Highway Route

(a) From Seagirt Marine Terminal- Seagirt Marine Terminal crossing inter-connector bridge to Dundalk Marine Terminal, Dundalk Marine Terminal right on MD 695 Broening Highway to inner loop I-695 (South) Francis Scott Key toll plaza, Francis Scott Key toll plaza to Loop Road under Francis Scott Key Bridge, Loop Road to outer loop I-695 (North), continue on I-695 (North) to Exit 43 MD 158 Bethlehem Boulevard, left on Bethlehem Boulevard to right on MD 151 North Point Boulevard, North Point Boulevard to Sparrows Point Road (MD 151 continued) to Tradepoint Atlantic complex.

(b) From Tradepoint Atlantic – Tradepoint Atlantic to left on Sparrows Point Boulevard (MD 151) to North Point Boulevard (MD 151 continued), to left on Bethlehem Boulevard (MD 158), to right on Peninsula Expressway (MD 157), to slip road toward I-695 (South) Francis Scott Key toll plaza, Francis Scott Key toll plaza to Loop Road under Francis Scott Key Bridge, Loop Road to outer loop I-695 (North), to Exit 44 MD 695 Broening Highway, to left on Broening Highway (MD 695), to left Dundalk Marine Terminal, Dundalk Marine Terminal crossing inter-connector bridge to Seagirt Marine Terminal.

B. Between Seagirt Marine Terminal and Belt's Centralized Examination Station Facility / U.S. Customs Inspection

(1) From Seagirt Marine Terminal- Seagirt Marine Terminal to left on Broening Highway, Broening Highway to right on Holabird Avenue, Holabird Avenue to left on Dundalk Avenue, Dundalk Avenue to left on Folcroft Street to Belt's Centralized Examination Station facility.

(2) From Belt's Centralized Examination Station – BELTS centralized Examination Station Facility to Folcroft Street, Folcroft Street to right on Dundalk Avenue, Dundalk Avenue to right on Holabird Avenue, Holabird Avenue to left on Broening Highway, Broening Highway to Seagirt Marine Terminal.

C. Between Seagirt Marine Terminal and Tradepoint Atlantic with Stop at Belt's Centralized Examination Station Facility / U.S. Customs Inspection

(1) From Seagirt Marine Terminal- From Seagirt Marine Terminal to BELTS Centralized Examination Station Facility is as described in (B)(1) of this section, from BELTS Centralized Examination Facility to Seagirt Marine Terminal is as described in (B)(2) of this section, from Seagirt Marine Terminal to Tradepoint Atlantic is as described in (A)(1)(a) OR (A)(2)(a) of this section.

(2) From Tradepoint Atlantic- From Tradepoint Atlantic to Seagirt Marine Terminal is as described in (A)(1)(b) OR (A)(2)(b) of this section, from Seagirt Marine Terminal to BELTS Centralized Examination Facility is as described in (B)(1) of this section, from BELTS Centralized Examination Facility to Seagirt Marine Terminal is as described in (B)(2) of this section.

D. The Secretary may rescind use of any authorized Heavy Weight Port Corridor route for reasons of safety, infrastructure preservation, or adverse community impact.

.05 Authority to Issue Permit.

The Unit may issue permits to allow the movement of overweight vehicles with an indivisible load of containerized cargo as specified in this chapter.

.06 Procedures.

A. To obtain a Heavy Weight Port Corridor permit, the applicant shall submit, directly to the Unit, a completed application on a form and in a manner prescribed by the Unit. The applicant shall allow 5 working days for processing the permit request.

B. The Unit may issue a Heavy Weight Port Corridor permit that is valid for 1 year.

C. The Unit shall issue the permit for the truck tractor listed in the application.

D. The permittee shall read the permit upon receipt and be familiar with all terms and conditions.

E. The permittee or user of a Heavy Weight Port Corridor permit shall carry the original (not a copy) of the permit on the overweight vehicle when moving the vehicle on a highway in the State.

.07 Fees.

A Heavy Weight Port Corridor permit issued for a truck tractor under this chapter shall be valid for a period of 1 year from date of issue at a non-refundable cost of \$500 each.

.08 Miscellaneous Conditions.

A. The original permit issued shall be presented by the driver immediately upon demand of a police officer or members of the Unit.

B. The permit vehicle and load shall not exceed the vehicle limits for size allowed by the Maryland Transportation Article, Title 24, Annotated Code of Maryland, except those weight limits from which the permit authorizes departure.

C. Documentation to verify that cargo is manifested international freight shall be presented upon demand of a police officer or member of the Unit upon request.

D. The permit vehicle shall adhere to the maximum speed limit specified on the permit.

E. Travel is permitted only on the designated route. No deviations from the designated route are permitted.

F. Travel upon culverts, bridges or other structures in violation of a sign posted vehicle weight restriction is prohibited.

G. Continuous travel is allowed except for designated holiday restriction periods or as otherwise determined by the Unit.

H. The permit vehicle may travel permitted routes on a 24-hour daily basis unless the permit restricts the hours of travel.

I. A permittee shall comply with all restrictions attached to the permit as well as any hauling permit restrictions posted on the Motor Carrier Division and CHART websites found at www.marylandroads.com. It is the responsibility of the permittee to review these websites for current hauling permit restrictions prior to any move being made under authority of this permit.

.09 Violation of Permit.

A. The Unit determines initially all violations of these regulations or the terms of a permit.

B. If the Unit determines that there has been a violation, it shall notify the permittee by certified mail of the specific violations, of a period of suspension, of a revocation, and of the opportunity for appeal and to be heard.

C. The permittee has 7 business days from receipt of the written notice of violation to file a written appeal with the Director, Office of Traffic and Safety, Maryland Department of Transportation State Highway Administration. An appeal will not be accepted unless it is in writing and filed within the prescribed time limit.

D. If an appeal is filed, the Director shall review the entire record relating to the violation charged. If the appellant specifically requests a hearing, the Director shall grant a hearing. If the appellant fails to appear at the hearing, the Director, may proceed by a review of the record.

E. After reviewing the record and any evidence submitted at a hearing, the Director shall affirm, amend, or reverse the findings of the Unit.

F. The decision of the Director is the final decision of the Maryland Department of Transportation State Highway Administration.

G. The permittee or user shall comply with the vehicle laws of Maryland, except those weight limits from which the permit authorizes departure, and with all terms and conditions of the permit and these regulations. Failure to comply shall:

(1) Void the permit and subject the permittee or user to the full assessment of fines under Transportation Article, §24-401, Annotated Code of Maryland.

H. A weight violation in excess of 5,000 pounds over any allowable Heavy Weight Port Corridor permit weight shall cause the permit to be immediately confiscated by the police officer or member of the Unit and subject the load to immediate reduction and compliance with weight provisions of the Transportation Article, Title 24, Annotated Code of Maryland.

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I. Heavy Weight Port Corridor permits confiscated under §H of this Regulation shall be returned by the police officer to the Unit.

(1) A permittee whose Heavy Weight Port Corridor permit has been confiscated may submit an application to the Unit for a replacement permit.

(a) The cost for an initial confiscated permit replacement shall be \$1,000.

(b) The cost for a second or subsequent confiscated permit replacement shall be \$5,000.

(2) Heavy Weight Port Corridor confiscated permit replacement costs are non-refundable.

.10 Suspension.

A. If a permittee has violated these regulations, or the terms of any permit two times within a 6-month period, the Unit may suspend for 30 days the permittee from use of all Heavy Weight Port Corridor permits issued and outstanding.

B. If a permittee has violated these regulations, or the terms of any permit three times within a 12-month period, the Unit may suspend for 60 days the permittee from use of all Heavy Weight Port Corridor permits issued and outstanding.

C. If a permittee has violated these regulations, or the terms of any permit more than three times within a 12-month period, the Unit may revoke permanently the permittee from use of any Heavy Weight Port Corridor permit.

D. If the Unit determines that suspension or revocation is appropriate, it shall notify the permittee by certified mail and of the opportunity for appeal and to be heard.

E. The permittee has 7 business days from receipt of the written notice of violation to file a written appeal with the Director, Office of Traffic and Safety, Maryland Department of Transportation State Highway Administration. An appeal will not be accepted unless it is in writing and filed within the prescribed time limit.

F. If an appeal is filed, the Director shall review the entire record relating to the violation charged. If the appellant specifically requests a hearing, the Director shall grant a hearing. If the appellant fails to appear at the hearing, the Director, may proceed by a review of the record.

G. After reviewing the record and any evidence submitted at a hearing, the Director shall affirm, amend, or reverse the findings of the Unit.

H. The decision of the Director is the final decision of the Maryland Department of Transportation State Highway Administration.

.11 False Statement in Permit Application.

A. If an application for a Heavy Weight Port Corridor permit contains a false statement of a material fact, the Unit may deny that permit and any future permits to the permittee.

B. If the Unit determines that an application contains a false statement of a material fact, the Unit shall notify the permittee by certified mail of its determination, the status of suspension from future permits, the duration of the suspension and the opportunity for appeal and to be heard.

C. The permittee has 7 business days from receipt of the written notice of violation to file a written appeal to the Director, Office of Traffic and Safety, Maryland Department of Transportation State Highway Administration. Only a written appeal filed within the time specified will be accepted.

D. If an appeal is filed, the Director shall review the entire record relating to any violation charged. If the appellant specifically requests a hearing, the Director shall grant a hearing. If the appellant fails to appear the hearing, the Director, may proceed by a review of the record.

E. After reviewing the record and any evidence submitted at any hearing, the Director shall affirm, amend, or reverse the decision of the Unit.

F. The decision of the Director, Office of Traffic and Safety, is the final decision of the Maryland Department of Transportation State Highway Administration.

.12 Costs and Damages for which Permittee is Responsible.

A. The permittee is responsible for payment of all damage that the vehicle causes, either directly or indirectly, to any road surface, bridge, sign, or other structure, whether maintained by the Administration or by another entity, and the cost of any additional expense incurred by the Administration in connection with the permit or the movement authorized by the permit.

B. The Administration shall repair or correct all damage caused to any property owned by or maintained by it and shall collect the expense of the repairs or corrections from the permittee. This includes but is not limited to road surfaces, approaches, embankments, drainage areas, ditches, bridges, signs, structures of any kind, and other property not specifically listed.

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