



Commonwealth of Pennsylvania
House of Representatives

MEMORANDUM

DATE : April 6, 2011

TO : All House Members

FROM : Hon. Will Tallman
Hon. Eugene DePasquale

SUBJECT : Adding Appropriate Fines for Out-of-State Truck Weight Violators (Former HB 1681 of Session 2009-2010)

This is a letter asking for your co-sponsorship of a bill to correct a flaw in Section 6154 of the motor vehicle code.

By their actions the Maryland General Assembly has put owners and operators of tri-axle dump trucks in this state at competitive disadvantage.

It has been brought to my attention by constituents; along with some other Representatives that live along the southern border of our state, that Maryland does not recognize a Pennsylvania apportioned dump truck at the same weight that they permit a Maryland dump truck registered with a "Special Dump Tag," within Maryland. Maryland determines allowable weight by implementing the Federal Bridge Formula on dump trucks with a Pennsylvania apportioned license. On the other hand, Pennsylvania did permit the Maryland apportioned licensed dump truck in Pennsylvania at 73,280. However, in June of 2001, Pennsylvania passed Act 37 of 2001 which amended the vehicle code and added section 6154.

Act 37 of 2001 established what is called "Nonreciprocity of operational limitations." For example, if a Maryland carrier who runs a four-axle dump truck into Pennsylvania and wants to enjoy Pennsylvania's (73,280 lb.) class 20 four-axle weight privileges must also purchase Pennsylvania's class 20 license at a price of \$1251.00, along with a Maryland Special Dump Tag at a price of \$1851.00.

Act 37 of 2001 was an attempt to penalize Maryland trucks just as Pennsylvania had been and therefore put some pressure on the Maryland legislature to change their laws regarding the

apportion registration. Unfortunately, when we passed Act 37 we did not establish a fine commensurate with the action. The default \$25 summary offense fine now applies. I could take an awful lot of \$25 fines to get to \$1,251 that they should have paid.

I propose to amend Section 6154 to make it a fine sliding between \$500 and \$1,000. Hopefully this can bring in some additional revenue and also level the playing field for our own tri-axle owners and operators. Thank you for your support.

If you wish to co-sponsor this important piece of legislation please contact my secretary at 783-8875 or jaddingt@pahousegop.com. Thank you.

Prior Co-sponsors (HB 1681): Beyer, Brown, Cutler, DePasquale, Grove, Mensch, Mundy, Pashinski, Payne, Rock, Siptroth, Vulakovich, Watson.