

CHAPTER 534

(House Bill 1260)

AN ACT to repeal and re-enact, with amendments, Sections 315(f) and 315(g) of Article 66½ of the Annotated Code of Maryland (1967 Replacement Volume), title "Motor Vehicles," subtitle "Operation of Vehicles Upon Highways," to define enforcement weighing and to give the Maryland State Police authority to establish rules and regulations to govern the method of weighing with portable and platform scales; and to establish a minimum fine for an overweight violation and to establish a tolerance for all weight violations.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 315(f) and 315(g) of Article 66½ of the Annotated Code of Maryland (1967 Replacement Volume), title "Motor Vehicles," subtitle "Operation of Vehicles Upon Highways," be and they they are hereby repealed and re-enacted, with amendments, to read as follows:

315.

(f) Any officer of Maryland, or peace officer empowered with the right to enforce the provisions of this article having reason to believe that the size or weight of a vehicle and load being operated on a public highway is unlawful, is authorized to require the driver to stop and submit to a measurement or weighing, or both, of the vehicles by means of either portable or stationary scales *in accordance with methods of weighing established by rules and regulations compiled by experts in the field of weights and measures and promulgated by the Maryland State Police.*

(g) The Trial Magistrate upon the conviction for a violation of any of the provisions of this section, Section 81 and Article 89B shall impose the following fines:

(1) *A loading error or tolerance of 1,000 pounds is allowable and only weight in excess of said 1,000 pound tolerance shall be a violation. For a weight violation over the registered weight or any statutory weight limit, and the 1,000 pounds tolerance aforesaid, a fine of 2 cents for every pound of excess weight up to 5,000 pounds shall be imposed. The minimum fine for violation of this section shall be \$20.00.*

(2) For a weight violation in excess of 5,000 pounds over the registered weight or any statutory weight limit, a fine of 6 cents for each additional pound of excess weight over 5,000 pounds shall be imposed.

SEC. 2. *And be it further enacted,* That this Act shall take effect July 1, 1969.

Approved May 2, 1969.