

(1957 Edition), title "Motor Vehicles," subtitle "Operation of Vehicles Upon Highways," relating to violation of axle load limits and permitting redistribution of loads to accomplish compliance with such limits.

EXECUTIVE'S MESSAGE

May 4, 1965.

Honorable William S. James
President of the Senate
State House
Annapolis, Maryland

Dear Mr. President:

I have today vetoed Senate Bill 434, and in accordance with our constitutional provisions, I am returning the same to you along with my veto message.

This particular bill proposes that if a commercial motor vehicle is detected having an overweight axle, but is not in violation of the gross weight limitations, the operator, if possible may reposition the load to bring the overweight axle within the legal limits and thus not be charged with any violation. This is true only if overloading of the axle results from the cargo having shifted while in transit.

Last year a somewhat similar bill was passed by the General Assembly and I vetoed it. At that time I expressed the view in my veto message that to permit these corrections to be made after they had been detected by a law enforcement officer would encourage careless loading practices of our commercial vehicles. That bill can be distinguished from the present bill by the fact that under the language of the bill before me, the shift in weight must have occurred "in transit" before the operator of the vehicle can receive the benefits of the law.

I can visualize some merit to this type of legislation and I am, to an extent, sympathetic with what it tries to accomplish. However, I am afraid that I cannot give this matter my approval.

The limitations of axle weights is actually for the protection of highway surfaces and individual bridge spans. The repetition of overweight axles destroys the surfacing of roads and certain types of bridges. Maryland is spending vast sums of money to improve its highway network. All of us have every reason to be proud of what has been and is being accomplished in our highway construction and maintenance program. All of us, I am sure, would recoil at the sight of any legislation that might do damage to our highways already in existence or those that we plan to build in the future.

The vehicle which has already been operated with an overweight axle prior to its being weighed and detected has already placed unreasonable stresses on the highway surfacing and bridges crossed en route and has been operated in violation of the motor vehicle code. The repositioning of the load after being detected does not in any way make amends for the damage created and the violation committed.

I have discussed this problem with the heads of our State Roads Commission and the Department of Motor Vehicles, as well as with in-