

# Bill as Introduced

HB 1195 - AS INTRODUCED

2010 SESSION

10-2238

06/05

HOUSE BILL **1195**

AN ACT relative to height, length, width, and weight limits for trucks.

SPONSORS: Rep. Quandt, Rock 13; Rep. Bettencourt, Rock 4

COMMITTEE: Transportation

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ANALYSIS

This bill exempts from height, length, width, and weight limits damaged, disabled, or abandoned vehicles while being towed by a tow truck.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struckthrough.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Ten*

AN ACT                   relative to height, length, width, and weight limits for trucks.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 New Section; Exception for Vehicles Being Towed. Amend RSA 266 by inserting after section  
2 13-b the following new section:

3           266:13-c Exception for Vehicles Being Towed. This subsection does not apply to damaged,  
4 disabled, or abandoned vehicles or combinations of vehicles while being towed by a tow truck.

5           2 New Section; Exception for Vehicles Being Towed. Amend RSA 266 by inserting after section  
6 21 the following new section:

7           266:21-a Exception for Vehicles Being Towed. The total weight of a tow truck and the towed  
8 vehicle is exempt from the maximum total gross weight loads allowed under this subdivision if a  
9 damaged, disabled, or abandoned vehicle is being towed.

10          3 Effective Date. This act shall take effect 60 days after its passage.

# Amendments

Amendment to HB 1195

1 Amend RSA 266:13-c as inserted by section 1 of the bill by replacing it with the following:

2

3 266:13-c Exception for Vehicles Being Towed. Notwithstanding any other provision of this  
4 subdivision, the following size restrictions shall apply to tow trucks and towed vehicles:

5 I. When any portion of the weight of a disabled unit rests upon a tow truck, such weight  
6 shall not exceed 600 pounds per square inch of tire up to 25,000 pounds per single axle, or 50,000  
7 pounds per tandem axle set, or the weight allowed for axle groups under RSA 266:18 or  
8 RSA 266:18-a. The tow truck steering axle shall carry sufficient weight to maintain safe  
9 operation.

10 II. No disabled unit, including load, shall exceed 14 feet in height and 102 inches in width  
11 unless being towed under a special permit allowing a greater height or width or where an accident  
12 or collision has caused a disfigurement of the disabled unit resulting in a width greater than 102  
13 inches but not exceeding 120 inches. During daylight hours the disabled unit shall carry warning  
14 flags indicating its maximum width. During the hours of darkness the maximum width shall be  
15 indicated by lighted clearance lamps that comply with 49 C.F.R. section 393.17. Rear view mirrors  
16 may extend to a point not in excess of that which affords the driver of the tow truck a view of the  
17 rear along both sides of the vehicle in conformance with 49 C.F.R. section 571.111. The combined  
18 overall length of the tow truck and disabled, damaged, or abandoned vehicles in tow shall not  
19 exceed 120 feet.

20 III. No single unit tow truck shall exceed 43 feet in overall length. No disabled unit shall  
21 exceed the maximum length for such unit under this subdivision or by special permit.

22 IV. A tractor truck and semi-trailer or full trailer, or a straight truck and full trailer  
23 combination shall only be towed in an emergency situation when a law enforcement officer or the  
24 department of transportation directs the disabled combination to be moved to the nearest safe  
25 location off the highway.

26 V. Exceptions to the limits of this section shall be considered on an individual basis by  
27 special permit, after the disabled unit has been moved to the nearest safe location.

28 VI. When towing occurs during the hours of darkness the towing vehicle and towed  
29 vehicles shall be subject to the lighting and reflector requirements in this chapter.

**Amendment to HB 1195**

**- Page 2 -**

2010-0307h

**AMENDED ANALYSIS**

This bill:

- I. Establishes size restrictions for tow trucks and towed vehicles.
- II. Exempts from height, length, width, and weight limits damaged, disabled, or abandoned vehicles while being towed by a tow truck.

# Speakers





# Hearing Minutes

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON HB 1195

**BILL TITLE:** relative to height, length, width, and weight limits for trucks.  
**DATE:** January 21, 2010  
**LOB ROOM:** 203      **Time Public Hearing Called to Order:** 1:30 p.m.  
**Time Adjourned:** 2:00 p.m.

(please circle if present)

**Committee Members:** Reps. R. Williams, Jennifer Brown, C. Brown, Ingersoll, M. O'Brien, Hebert, LaPlante, Rhodes, Rokas, T. Soucy, Stuart, Nedeau, G. Katsakiores, J. Flanders, Veazey, Coffey, Hikel, Hinch and Umberger.

**Bill Sponsors:** Rep. Quandt, Rock 13; Rep. Bettencourt, Rock 4

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**Rep. Matt Quandt**, sponsor. Introduced Comm. Sweeney.

**Earl Sweeney**, Asst. Comm. DOS. Concern with doing away entirely with length restrictions. Towing a double trailer together would be dangerous. Also, unlimited height could take down power and phone lines. A suggested amendment is submitted.

**Caleb Dobbins**, State Maintenance Engineer, DOT. Concern that bill does not address destination. Dept. is willing to work with sponsor and all parties. Suggest that bill states that a limit be reduced to the maximum possible (separate tractor from trailer, etc.)

**Rick Belanger**, Epsom. Supports. Recommends 120 feet allowable length and 14 feet height. Towing tractor and trailer together is "no problem." Also, suggests 43 pound maximum per double axle. Need to specify the word "emergency."

Rep. Nedeau will work with Rep. Quandt (sponsor) to draft an appropriate amendment.

Respectfully submitted,



Rep. C. Pennington Brown,  
Clerk

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON HB 1195

BILL TITLE: relative to height, length, width, and weight limits for trucks.

DATE:

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Bill Sponsors: Rep. Quandt, Rock 13; Rep. Bettencourt, Rock 4

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

- ① Rep. Matt Quandt - Sponsor. ~~Sp~~ Introduced Comm Sweeney
- ② Earl Sweeney - Asst Commissioner DOS. Concern with doing away entirely with length restrictions. Towing a double trailer together would be dangerous. Also, unlimited height could take down power and phone lines. A suggest amendment is submitted.
- ③ Caleb Dobbin - State Maintenance Engineer DOT. Concern that bill does not address destination. Dept. is willing to work with sponsor and all parties. suggest that bill states that a load be reduced to the maximum possible (separate tractor from trailer, etc.)  
(over)

(4) Rick Belonger - Epsom Supports. Recommends 120 feet allowable length and 14 feet height. Towing tractor and trailer together is "no problem." Also, suggests 43 pounds max per double ~~axle~~ axle. Need to specify the word "emergency."

Rep. Newkirk will work with Rep. Quaresima (sponsor) to draft an appropriate amendment.

# Testimony



Transportation Committee:

I Michael Lampert of Al's Automotive and Truck support House Bill 1195. I believe this is very important to our industry. We are asked daily by law enforcement to remove commercial vehicles from our roads that are damaged from accidents, broken down, or put out of service for mechanical defects. These vehicles operate at the max weight and length by themselves, and then when hooked to a tow truck we are overweight and over length. There is no reasonable solution to this dilemma. Unloading a cement truck, garbage truck, or tractor trailer on the side of the road is impracticable and time consuming. Currently law enforcement looks the other way but this bill would protect us. At the present time 23 states have similar laws on their books and there is House Bill HR1451 being considered by the House Transportation and Infrastructure Committee in Washington. Thank you for supporting this bill and I apologize for not attending but with the recent winter weather towers everywhere are working 24/7.

Thank you,

Michael Lampert  
V.P Operations

603-778-8158  
Exeter, NH

800-660-8158  
Central Dispatch

207-361-1166  
Eliot, ME

**24hr Towing-Recovery-Road Service**

From Earl Sweeney

New Hampshire Department of Safety  
Legislative Position Paper  
Date: January 4, 2010

Bill Title: RELATIVE TO HEIGHT, LENGTH, WIDTH, AND WEIGHT LIMITS FOR TRUCKS

Testimony before:

LSR#: 10-2238

BILL#: HB 1195

AMENDMENTS:

SAFETY'S POSITON	<input type="checkbox"/>	SUPPORT
	<input type="checkbox"/>	OPPOSE as written
	<input type="checkbox"/>	NO POSITION/OBJECTION
	<input checked="" type="checkbox"/>	SUGGEST AMENDMENT
	<input type="checkbox"/>	REQUEST INFORMATION

Currently, the law as it is, does the following:

As proposed, the Bill is intended to do the following:

This bill exempts from the weight and size requirements in Chapter 265 of the Motor Vehicle Code, damaged, disabled, or abandoned vehicles being towed by a tow truck. Section 1 exempts them from the height, width and length requirements and Section 2 exempts the total weight of the tow truck and the towed vehicle from the maximum total gross weight restrictions.

We can understand that it would be very difficult for certain types of commercial vehicles such as tractor/trailer combinations that were disabled, damaged, or abandoned to be removed from the highways if the total overall length of the units could not exceed the maximum length of a single tractor/trailer combination. However, we have a concern with this bill because it does away with any length requirement whatsoever for such a combination of wrecker and towed vehicle or vehicles, and we would like to see the bill amended to put in place a reasonable length limit.

Currently a single unit vehicle such as a tow truck is limited to 45 feet in length. A

tractor-trailer unit is limited to 53 feet. 53+45 feet is 98 feet. Most generally vehicles such as this are towed in what is called a saddle mount, where the front wheels of the towed vehicle are resting on the back of the tow truck. The current law for a saddle mount plus full mount combination of two vehicles plus the towed vehicle is 65 feet. We feel it would be dangerous for a single vehicle to tow a double tractor/trailer unit, and would never recommend such an operation. We also are concerned that the bill as written might become a way to avoid registering certain construction equipment by towing it and claiming it is "disabled or damaged." Further, we do not see any reason to exempt towed vehicles from the maximum width or maximum height restrictions. Allowing vehicles of any width could cause hazardous conditions for people meeting them on narrow roads, and a total exemption from the height requirements could result in taking down telephone wires, damage to highway overpasses, etc.

We suggest that section 1 of the bill be amended to read as follows:

**266:13-c Exception for Vehicles Being Towed.**

**I. Notwithstanding other provisions of this subsection, the following size restrictions shall apply to tow trucks and towed vehicles:**

**I.a. When any portion of the weight of the disabled unit rests upon the tow truck, the weight must not exceed 600 pounds per square inch of tire up to ~~23,000~~<sup>45,000</sup> pounds per single axle, or 43,000 pounds per tandem axle set, or the weight allowed for axle groups per the formula in RSA 266:18 on the interstate system or RSA 266:18-a on the non-interstate and general highway system, and the tow truck steering axle must carry sufficient weight to maintain safe operation.**

**II.b. No disabled unit including load shall exceed 13 feet 6 inches in height and 102 inches in width unless being towed under a special permit allowing a greater height or width or where an accident or collision has caused a disfigurement of the disabled unit resulting in a width greater than 102 inches but not exceeding 120 inches in width and the disabled unit in the daytime carries warning flags indicating its maximum width or during the hours of darkness the maximum width is indicated by lighted clearance lamps that comply with the Code of Federal Regulations. Rear view mirrors may extend to a point not in excess of that which affords the driver of the tow truck a view of the rear along both sides of the vehicle in conformance with Federal Motor Vehicle Safety Standard 111 (49 CFR 571.111). The combined overall length of the tow truck and disabled, damaged, or abandoned vehicles in tow shall not exceed 98 feet.**

**III.c. The overall length of a single unit tow truck shall not exceed 43 feet and the length of the disabled unit shall not exceed the maximum length for such unit allowed in this subdivision or as allowed by a special permit.**

**IV.d. The towing of a tractor truck and semi-trailer or full trailer, or a straight truck**



**and full trailer combination is only authorized during an emergent situation where directed by a law enforcement officer or the department of transportation to move the disabled combination to the nearest safe location off the highway.**

**V.e. Exceptions to the limits provided in this section shall be considered on an individual basis by special permit, after the disabled unit has been moved to the nearest safe location.**

**VI.f. When being moved during the hours of darkness the towing vehicle and towed vehicles shall be subject to the lighting and reflector requirements in this chapter.**

We have no objection to the exemption from the total gross weight requirement.

**Fiscal Impact:**

# Voting Sheets

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on HB 1195

**BILL TITLE:** relative to height, length, width, and weight limits for trucks.

**DATE:** January 26, 2010

**LOB ROOM:** 203

**Amendments:**

Sponsor: Rep. Nedeau OLS Document #: 0307h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** ~~OTP~~, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Nedeau

Seconded by Rep. Stuart

Vote: (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE:**

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,  
Rep. C. Pennington Brown, Clerk

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on HB 1195

BILL TITLE: relative to height, length, width, and weight limits for trucks.

DATE: 1/26/10

LOB ROOM: 203

Amendments:

Sponsor: Rep. *Nedean* OLS Document #: *0307h*  
Sponsor: Rep. OLS Document #:  
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Nedean*

Seconded by Rep. *Stuart*

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. C. Pennington Brown, Clerk

## TRANSPORTATION

Bill #: HB1195 Title: relative to height, length, width, & weight limits for trucks.PH Date: Jan 1 21 2010Exec Session Date: Jan 1 26 10

Motion: \_\_\_\_\_ Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Williams, Robert W, Chairman	X	
O'Brien, Michael B, V Chairman	X	
Brown, Jennifer M	—	
Brown, C. Pennington, Clerk	X	
Ingersoll, Paul H	X	
Hebert, Roger G	—	
LaPlante, Roland H	—	
Rhodes, Brian D	X	
Rokas, Theodoros V	—	
Soucy, Timothy A	—	
Stuart, Richard T	X	
Nedeau, Stephen H	X	
Katsakiores, <del>George N</del> <i>Tachard</i>	X	
Flanders, John W	X	
Veazey, John A	—	
Coffey, Jennifer R	X	
Hikel, John A	X	
Hinch, Richard W	X	
Umberger, Karen C	X	

TOTAL VOTE:

Printed: 12/18/2009

13

0

# Committee Report

**CONSENT CALENDAR**

**January 27, 2010**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

The Committee on TRANSPORTATION to which was referred HB1195,

AN ACT relative to height, length, width, and weight limits for trucks. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

**Rep. Stephen H Nedeau**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	TRANSPORTATION
Bill Number:	HB1195
Title:	relative to height, length, width, and weight limits for trucks.
Date:	January 27, 2010
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS WITH AMENDMENT

### STATEMENT OF INTENT

This bill came to light because of towing issues and not being allowed to remove certain big rigs off the highway because of size and weight. This was reviewed with Dept. of Safety and Dept. of Transportation to make it clear to the police departments, being the most important thing is to get vehicles off the road. This was also reviewed by the towing associations. This is really dealing with big double trailers and larger vehicles

Vote 13-0.

Rep. Stephen H Nedeau  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File



## CONSENT CALENDAR

### TRANSPORTATION

**HB1195**, relative to height, length, width, and weight limits for trucks. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen H Nedeau for TRANSPORTATION. This bill came to light because of towing issues and not being allowed to remove certain big rigs off the highway because of size and weight. This was reviewed with Dept. of Safety and Dept. of Transportation to make it clear to the police departments, being the most important thing is to get vehicles off the road. This was also reviewed by the towing associations. This is really dealing with big double trailers and larger vehicles **Vote 13-0.**

Blurb

HB 1195 relative to height, length, width, and weight limits for trucks.

Consent Calendar OTPw/A #0307h

This bill came to light because of towing issues and not being allowed to remove certain big rigs off the highway because of size and weight. This was reviewed with Dept. of Safety and Dept. of Transportation to make it clear to the police departments, being the most important thing is to get vehicles off the road. This was also reviewed by the towing associations. This is really dealing with big double trailers and larger vehicles.

13-0

Rep. Stephen H. Nedeau,  
for the committee

A handwritten signature in black ink, enclosed within a hand-drawn oval. The signature appears to be "S. Nedeau" or similar, written in a cursive style.

COMMITTEE REPORT

COMMITTEE: TRANSPORTATION

BILL NUMBER: HB 1195

TITLE: relative to height, length, width, & weight limits for trucks.

DATE: \_\_\_\_\_ CONSENT CALENDAR: YES  NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2<sup>nd</sup> year of biennium)

Amendment No. _____
------------------------

STATEMENT OF INTENT:

THIS Bill CAME TO LIGHT, BECAUSE OF TOWING ISSUES AND NOT BEING ALLOWED TO REMOVE CERTAIN BIG RIGS OFF THE HIGHWAY BECAUSE OF SIZE AND WEIGHT, THIS WAS REVIEWED WITH DEPT. OF SAFETY AND DEPT. OF TRANSPORTATION TO MAKE IT CLEAR TO THE POLICE DEPTS, BEING THE MOST IMPORTANT THING IS TO GET VEHICLES OFF THE ROAD. THIS WAS ALSO REVIEWED BY THE TOWING ASSOCIATIONS. THIS IS REALLY DEALING WITH BIG DOUBLE TRAILERS AND LARGER VEHICLES

(RWU)

COMMITTEE VOTE: 13-0

- |   |
|---|
| <ul style="list-style-type: none"> <li>• Copy to Committee Bill File</li> <li>• Use Another Report for Minority Report</li> </ul> |
|---|

RESPECTFULLY SUBMITTED,

Rep. Stephen H. Pedean  
For the Committee