

Summary of Boat Trailer Brake Equipment Requirements

State /Federal	Statute & Regulations	Active Brake Requirements	Breakaway Brake Requirements
<p>Federal Regulations</p>	<p>49 C.F.R. § 393.42 (b)(4)</p> <p>49 C.F.R. § 393.48</p> <p>49 C.F.R. § 393.40(b)(5)</p>	<p>Light Duty Trailers: Every <u>commercial</u> motor vehicle must have brakes on all wheels except for ---</p> <p><i>Semi trailer or pole trailer</i> with a GVW 1,361 kg (3,000 lbs) or less if the axle weight of the towed vehicle does not exceed 40% of the sum of the axle weights of the towing vehicle;</p> <p><i>Full Trailer or four-wheel pole trailer</i> with a GVW 1,361 kg (3,000 lbs) or less which is subject to this part is not required to be equipped with brakes if the sum of the axle weights of the towed vehicle does not exceed 40% of the sum of the axle weights of the towing vehicle.</p> <p>Note – This standard would apply in those situations where the manufacturer delivers boats to the dealer on the trailer and the dealer delivers boats to the first retail owner, because in those instances, the transport of the boat trailer may fall under the Federal Motor Carrier Safety Requirements (FMCSRs) if the boat trailer crosses state lines and falls under the definition of interstate commerce.</p> <p>Surge brakes allowed on commercial motor vehicle trailers with a gross GVWR of 12,000 lbs. less, when its GVWR does not exceed 1.75 times the GVWR of the towing vehicle; and any trailer with a GVWR greater than 12,000 lbs., but less than 20,001 lbs., when its GVWR does not exceed 1.25 times the GVWR of the towing vehicle.</p>	

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Alabama	Ala. Code 1975 § 32-5-212 (brakes); Ala. Admin Code r. 760-X-1-.09 (brake equipment required); Ala. Code 1975 § 32-9A-2 (commercial motor vehicle safety requirements) – [incorporates 49 C.F.R. § 393.42]; Ala. Code 1975 § 32-2-9 (authority to promulgate motor vehicle rules); Ala. Code 1975 32-9a-1 (definitions) & § 40-12-40 (definitions for licensing of motor vehicles)	3,000 lbs. gross weight on all wheels provided that (i) the total weight on and including the wheels of the trailer or trailers shall not exceed 40% of the gross weight of the towing vehicle when connected to the trailer or trailers, and (ii) The combination of vehicles, consisting of the towing vehicle and its total towed load, is capable of complying with the performance requirements of the Alabama rule.	3,000 lbs. gross weight
Alaska	Alaska Admin Code Title 13, § 04.205 (Brakes); Alaska Stat. § 28.05.011 (Duty of commissioners to adopt regulations); Alaska Stat. § 28.90.990 (Definitions)	5,000 lbs. GVWR must have operating brakes on at least two wheels on each side of a three axle vehicle , or on one wheel on each side of a double or single axle vehicle . Gross weigh less than 10,000 - Combination of vehicles must be able to stop within 40 feet while travelling at 20 m.p.h.	5,000 lbs. gross weight

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Arizona	Ariz. Rev. Stat. § 28-952 (Required Brake Equipment); Ariz. Rev. Stat. § 28-101 (Definitions)	<p>3,000 lbs. gross weight</p> <p>A trailer with a gross weight of 3,000 lbs or more shall be equipped with brakes that are adequate to control the movement of and to stop and hold the vehicle and that are designed to either be applied by the driver of the towing motor vehicle from its cab or be of a type that operates automatically when the service brakes of the towing motor vehicle are applied.</p> <p>New trailers sold in Arizona -- Less than 3,000 lbs – no brakes required. More than 3,000 lbs –service brakes on all wheels of the vehicle.</p>	3,000 lbs. gross weight
Arkansas	Ark. Code Ann. § 27-37-501 (brakes generally); Ark. Code Ann. § 27-31-502 (Required Capabilities of Vehicle); Ark. Code Ann. § 21-14-210 (Trailers Defined)	<p>3,000 lbs. gross weight</p> <p>-- shall be equipped with brakes adequate to control the movement of, and to stop and to hold, such vehicle and so designed as to be applied by the drive of the towing motor vehicle from its cab</p> <p>New Trailers sold in Arkansas and operated on the highways shall be equipped with service brakes upon all wheels of every such vehicle. [Note that only semitrailers less than 1,500 lbs gross weight are exempted from the need to have brakes.]</p>	3,000 lbs. gross weight

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<p>California</p>	<p>Ann. Cal. Vehicle Code § 26302 (Trailer Brake Requirements); Ann. Cal. Vehicle Code § 630 (Trailer definition); Ann. Cal. Vehicle Code § 26303 (trailer coaches and camp trailers brake requirements); Ann. Cal. Vehicle Code § 26304 (breakaway brakes); Ann. Cal. Vehicle Code § 26454 (Brakes – Control and stopping requirements); Ann. Cal. Veh. Code § 670 (Definition of Vehicle); Cal. Code Regs. Tit. 8 § 3475 (Vehicles)</p>	<p>3,000 lbs gross weight --brakes on at least two wheels</p> <p>If equipped with air brakes – must have brakes on all wheels</p> <p>Brakes must comply with stopping distance of Ann. Cal. Vehicle Code § 26454.</p> <p>Trailer coaches or camp trailer -- 1,500 lbs gross weight – brakes on at least two wheels.</p>	<p>Mandatory if otherwise required to have power brakes</p>
<p>Colorado</p>	<p>Colo. Rev. Stat. Ann. § 42-4-223 (brakes); Colo. Rev. Stat. Ann. § 42-1-102 (definitions); 8 Colo Code Regs § 1507-18 (Rules and Regulations concerning the Use of Surge Brakes)</p>	<p>3,000 lbs. gross weight– all wheels; Trailers under 3,000 lbs. gross weight don't need brakes</p> <p>Surge brakes may be used on trailers provided they meet the following criteria:</p> <ul style="list-style-type: none"> --GVWR does not exceed 10,000 lbs --Actual gross weight of the trailer does not exceed GVWR --The GVWR of the trailer(s) cannot exceed 1 ½ times the GVWR of the towing vehicle. -- accidental breakaway will automatically be applied; -- brakes must apply to all wheels of a trailer -- meet performance standard <p>Surge Brake regulation (§1507-18) applies to any individual who operates a trailer equipped with surge brakes except for: Commercial vehicle in interstate commerce (subject to 49 CFR Part 393,</p>	<p>3,000 lbs. gross weight</p>

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		subpart C); Commercial vehicles are subjected to §42-4-235(4); Trailers not required to be equipped with brakes pursuant to § 42-4-223(1)(d), CRS [Trailers under 3,000 lbs. gross weight]	
Connecticut	Conn. Gen. Stat. Ann. § 14-81 (Brake equipment of trailers); Conn. Gen. Stat. Ann. §14-1 (Definitions); Conn. Agencies Regs. § 14-80-2a (Service Brakes); Conn. Gen. Stat. Ann. § 14-260n (Definitions)	<p>3,000 lbs. gross weight - all wheels</p> <p>-- except for the brakes on trailers having a gross weight of 8,000 lbs or less which do not need to be capable of being controlled or operated from driver's seat by either the hand or foot.</p> <p>The commissioner may make regulations for the performance of brakes (stopping distance) for trailers except for boat trailers and pole trailers.</p>	
Delaware	Del. Code Ann. tit. 21, § 4305 (Trailers and semi-trailers); Del. Code Ann. tit. 21, § 4304; (Brakes- performance requirements); Del. Code Ann. tit. 21, § 4303 (brakes – general motor vehicle requirements); Del. Code Ann. tit. 21, § 101 (Definitions – Words and Phrases); 7 Del. Admin. Code § 9201-11.1 (Vehicles in Public Lands)	<p>4,000 lbs. gross weight – must have brakes controlled by the operator of the towing vehicle</p> <p>The service brakes upon any motor vehicle or combination of vehicles shall be adequate to stop such vehicle when traveling 20 miles per hour within a distance of 30 feet</p>	
Florida	Fla. Stat. Ann. § 316.261 (Brake equipment required); Fla. Stat. Ann. § 316.262 (Performance ability of motor vehicle brakes); Fla. Stat. Ann. § 316.263 (Maintenance of brakes); Fla. Stat. Ann. § 316.003	<p>3,000 lbs. gross weight -- all wheels</p> <p>Under 3,000 lbs. gross weight - no brakes as long as total weight of trailer does not exceed 40% of gross weight of towing vehicle and trailer when connected and able to stop within 40 feet from an initial speed of 20 mph. (14 feet per second deceleration)</p>	3,000 lbs. gross weight – all wheels & Every trailer, semitrailer, and pole trailer with air or vacuum-actuated brakes

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	(Definitions)	Surge breaks allowed if (1) gross vehicle weight rating or the actual gross weight of any surge brake equipped trailer or semitrailer does not exceed 20,000 pounds; (2) breakaway protections added; and (3) trailers and semitrailers with a gross vehicle weight rating of 12,000 pounds or less, the gross vehicle weight rating of any such trailer shall not exceed 1.75 times the gross vehicle weight rating of the towing vehicle [See Ga. Code Ann. § 40-8-50 for additional requirements]	
Georgia	Ga. Code Ann. § 40-8-50 (Brakes, Equipment required); Ga. Code Ann. § 40-8-53 (Performance ability of brakes) Ga. Code Ann. § 40-1-1 (Definitions)	3,000 lbs. gross weight - all wheels Surge brakes expressly allowed for GVWR that does not exceed 12,000 lbs.	3,000 lbs. gross weight Must have breakaway if using surge brakes.
Hawaii	Haw. Rev. Stat. § 287-1 (Definition of motor vehicle includes trailer); Haw. Rev. Stat. § 286-2 (Definition of Trailer); Haw. Admin. Rules § 19-141 (Incorporation by reference); Honolulu Rules & Ordinances §§ 15-19.24-19.26‡	3,000 lbs. gross weight* Under 3,000 lbs. gross weight - no brakes as long as such weight does not exceed 50% of the weight of the towing vehicle* Incorporations by reference Title 49, Parts 390-399 of the Code of Federal Regulations (as of June 27, 2003).	3,000 lbs. gross weight*
Idaho	Idaho Code Ann. § 49-933 (Brakes); Idaho Code Ann. § 49-121 (Definition of Trailer)	Over 1,500 lbs. gross weight - all wheels Any trailer of less than 1,500 lbs unladen weight need not be equipped with brakes.	1,500 lbs. gross weight
Illinois	625 Ill. Comp. Stat. § 5/12-301 (Brakes); Ill. Admin Code 92, § 390.1020 (Definition of "motor vehicle" includes trailer)	Boat trailer of a gross weight of over 3,000 lbs must be equipped with brakes. Under 3,000 lbs., no brakes needed	Boat trailer -- 5,000 lbs. gross weight

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		<p>Need brakes only on one wheel on each side of the vehicle for trailers over 3000 lbs but under 5001 lbs.</p> <p>Must stop distance in distance of 30 feet when travelling at 20 m.p.h.</p>	
Indiana	Ind. Code § 9-19-3-3 (Brakes – Trailers and semi-trailers of gross weight of three thousand pounds or more); See also Ind. Code §§ 9-19-3-1 thru 9-19-3-7(Chapter 3 Brakes)	3,000 lbs. gross weight – all wheels	3,000 lbs. gross weight
Iowa	Iowa Code Ann. § 321.430 (Brake, hitch and control requirements); Iowa Code Ann. § 321.1 (Definitions)	<p>3,000 lbs. gross weight or more. Trailers with gross weight of 3,000 lbs or more must have a separate, auxiliary means of applying brakes from towing vehicle or with self-actuating brakes. Trailer must also be equipped with a weight equalizing hitch with a sway control unless towed by a truck or truck tractor.</p> <p>Trailers or semitrailers with less than 3,000 gross weight does not need brakes</p>	
Kansas	Kan. Stat. Ann. § 8-1734 (Braking systems for motor vehicles and combinations of vehicles) ; Kan. Stat. Ann. § 8-126 (Definitions)	Every combination of vehicles shall have a service braking system which will stop it within 40 feet from an initial speed of 20 mph and an adequate parking brake.	
Kentucky	Ky. Stat. Ann. § 189.090 (Brakes); Ky. Stat. Ann. § 189.010 (Definitions)	Every motor vehicle (includes trailer) shall be equipped with brakes adequate to control the movement of and to stop and hold the vehicle; on at least two wheels; performance based (stop within 40 feet when traveling at a speed of 20 mph.	

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Louisiana	La. Rev. Stat. Ann. § 32:341 (Brake equipment required); La. Rev. Stat. Ann. § 32:1 (definitions).	<p>3,000 lbs. gross weight or more (between 3001 and 5,000 lbs. gross weight need only have brakes on a single axle over 5,000 need brakes on all wheels).</p> <p>All sport, boat, or any nonagricultural trailers and semi-trailers of less than 3,000 lbs gross weight need not be equipped with brakes.</p> <p>Cab operated.</p>	3,000 lbs. gross weight or more
Maine	Me. Rev. Stat. Ann. 29-A, § 1902 (Brakes); Me. Rev. Stat. Ann. 29-A, § 101 (Definitions)	3,000 lbs. gross weight - all wheels (braking performance standard depends on number of wheels)	
Maryland	Md. Code Ann. Trans., § 22-301 (Necessary brake equipment); Md. Code Ann. Trans., 22-302 (Brake performance requirements); Md. Code Regs. 11.14.05.04 (Inspection standards for Brakes)	<p>Under 3,000 lbs. gross weight - no brakes as long as total weight of trailer does not exceed 40% of gross weight of towing vehicle and trailer when connected and able to stop within 50 feet</p> <p>3,001 lbs gross weight to 10,000 lbs. with 2 or more axles, brakes on all wheels of at least 1 axle; and meets performance standards.</p> <p>Over 10,000 lbs gross weight brakes on all wheels.</p> <p>Surge brakes allowed if less than 10,000 lbs gross vehicle weight rating or registered weight (which ever is less), must have breakaway, includes a list of other requirements.</p>	<p>3,000 to 10,000 lbs. gross weight all wheels of 1 axle breakaway.</p> <p>Over 10,000 lbs gross weight all wheel breakaway.</p>
Massachusetts	Mass. Gen. Laws Ann. 90 § 7 (Brakes); Mass. Gen. Laws Ann. 90 § 1 (Definitions)	10,000 lbs. gross weight (unladen or empty) must be equipped with air or electric brakes	

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Michigan	Mich. Comp. Laws Ann. § 257.705 (Brakes); Mich. Comp. Laws Ann. § 480.11a (Incorporation of Federal Motor Carrier regulations); Mich. Comp. Laws Ann. § 480.13a (trailers; equipment with surge brakes); Mich. Comp. Laws Ann. §§ 257.59; 257.73 (Definitions)	<p>Under 3,000 lbs. gross weight - no brakes as long as gross weight of trailer, no part of the load of which rests upon the towing vehicle, does not exceed 40% of the gross weight of the towing vehicle.</p> <p>3,000 lbs. gross weight or more—brakes required on at least two wheels</p> <p>15,001 lbs. or more gross weight brakes on all wheels and designed to be applied by driver of towing motor vehicle from cab.</p> <p>Incorporates by reference 49 CFR parts 40, 356, 365, 368, 371 through 373, 375, 376, 379, 382, 383, 385, 387, 390 through 393, 395 through 399 including the appendices of each part, subject to some exceptions.</p>	
Minnesota	Minn. Stat. Ann. § 169.67 (Brakes; includes performance standards); Minn. Stat. Ann. § 169.011 (Definitions)	<p>3,000 lbs. gross weight or more - foot brakes on all wheels.</p> <p>Surge brakes allowed.</p>	3,000 lbs. gross weight
Mississippi	Miss. Code Ann. § 63-7-51 (Brakes); Miss. Code Ann. § 63-7-53 (Brake Standards); Miss. Stat. Ann. § 63-3-103 (Types of vehicles); Miss. Stat. Ann. § 63-3-107 (Types of trailers)	<p>Less than 2,000 lbs gross towed by an automobile of two axles or less – no brakes.</p> <p>More than 2,000 lbs. gross weight and two axles towed by an automobile must have service brakes on all wheels.</p> <p>Trailer carrying over one ton (2,000 lbs), must have brakes to be applied by the driver in cab of towing vehicle.</p>	2,000 lbs. gross weight
Missouri	Mo. Ann. Stat. § 307.170 (other equipment motor vehicles); Mo. Ann. Stat. § 307.360 (Permits and instructions furnished by	<p>N/A</p> <p>[note all motor vehicles (which appears to exclude trailers) must have two sets of adequate brakes. Also “commercial motor vehicles and trailers must</p>	N/A

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	superintendent)	be equipped with adequate and proper brakes, so as to obtain a certificate of inspection and approval as required by § 307.360 (appears to not apply to consumer trailers.])	
Montana	Mont. Code Ann. § 61-9-304 (Brakes required on all wheels – exceptions); Mont. Code Ann. § 61-9-305 (Automatic trailer brake application upon breakaway); Mont. Code Ann. § 61-9-312 (Performance ability of brakes); Mont. Code Ann. § 61-9-301 (Brake equipment required); Mont. Code Ann. § 61-1-101 (Definitions)	Under 3,000 lbs. gross weight - no brakes as long as total weight of trailer does not exceed 40% of gross weight of towing vehicle and trailer when connected and able to stop within 40 feet (61-9-312) 3,000 lbs. gross weight - all wheels	3,000 lbs gross weight
Nebraska	Neb. Rev. Stat. Ann. § 60-6, 246 (Trailers; brake requirements); Neb. Rev. Stat. Ann. § 60-673 (Trailer, defined).	Recreational boat trailers 3,000 lbs. to 6,499 lbs. gross weight -- brakes on two wheels 6,500 lbs. gross weight - all wheels Brakes must be operable from the driving position of the towing vehicle.	3,000 lbs. gross weight – breakaway, surge, or impulse switch.
Nevada	Nev. Rev. Stat. Ann. § 484D.250 (Equipment required); Nev. Rev. Stat. Ann. § 484D.255 (Requirements for Performance); Nev. Rev. Stat. Ann. § 484D. 270 (Arrangement of system; device for control); Nev. Rev. Stat. Ann. § 484D.260 (Maintenance); Nev. Rev. Stat. Ann. § 484D. 265 (Equipment for towing vehicle); Nev. Admin. Code § 484.090 (Service Brake; Performance Standard)	Less than 1,500 lbs. gross weight need not be equipped with brakes. Over 1,500 lbs. gross weight must have service brakes on all wheels. Surge brakes allowed.	3,000 lbs. gross weight

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New Hampshire	N.H. Rev. Stat. § 266:30 (Trailer Brakes); § 266:28 (Brake Performance); N.H. Code Admin. R. Saf-C § 3227.07 (Emergency Brakes); N.H. Code R. Saf-C. § 32207.03 (Trailer, Semi-Trailer, and Full Trailer Brakes)	3,000 lbs. gross weight – adequate brakes to control vehicle at all times.	
New Jersey	N.J. Stat. Ann. § 39:3-67 (Brake Equipment Required); N.J. Stat. Ann. § 39:3-45 (Certain Vehicles exempted); N.J. Stat. Ann. § 39:3-68 (Brake Performance); N.J. Stat. Ann. § 39:3-68.1 (Towing vehicle and towed vehicle defined); N.J. Stat. Ann. 39-1-1 (Definitions)	3,000 lbs. gross weight - all wheels Under 3,000 lbs. gross weight - no brakes as long as gross weight of trailer does not exceed 40% of gross weight of towing vehicle.	3,000 lbs. gross weight
New Mexico	N.M. Stat. Ann § 66-3-840 (Brakes); N.M. Stat. Ann. § 66-1-4.3 & N.M. Stat. Ann. § 4.17(Definitions)	3,000 lbs. gross weight - all wheels	
New York	N.Y. Comp. Codes R. & Regs. 15, §§ 41.1 & 41.2 (Standards for Brake Efficiency); N.Y. Veh. & Traf § 375 (Equipment); N.Y. Veh. & Traf. § 156 (Trailer Defined)	3,000 lbs. gross weight – adequate brakes meeting the standards prescribed in the regulations.	
North Carolina	N.C. Gen. Stat. Ann. § 20-124 (Brakes); 19A NC ADC 3D.0532 (General information regarding safety inspection of motor vehicles – Brakes); N.C. Gen.	4,000 lbs. gross weight (two tons)- Cab operated	

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	Stat. Ann. § 20-4.01. (Definitions)		
North Dakota	N.D. Cent. Code § 39-21-32 (Brake Equipment Required); N.D. Cent. Code § 39-01-01 (Definitions)	All trailers operated on highways at speeds in excess of 25 mph	All trailers operated on highways at speeds in excess of 25 mph
Ohio	Ohio Rev. Code Ann. § 4513.20 (Brake Equipment) ; Ohio Rev. Code Ann. § 4501.01 (Definitions)	Every watercraft trailer with a gross weight of 3,000 lbs or more manufactured after January 1, 2008 must have separate brakes equipped with hydraulic surge or electrically operated brakes on two wheels. But see exclusions in definition of trailer below. 2,000 lbs. gross weight for all other trailers. Parking brakes. 2,000 lbs. gross weight for all trailers (no express exemption for watercraft trailers) Expressly excluded from the definition of motor vehicle and trailer is the following: “trailers that are designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a public road or highway for a distance of no more than ten miles and at a speed of 25 miles per hour or less. ”	Watercraft trailer – gross weight of 3,000 lbs. 2,000 lbs. gross weight for all other trailers.
Oklahoma	Ok!.St.Ann. tit. 47, § 12-301 (Brake Equipment Required); Ok!.St.Ann. tit. 47, § 1-180 (Definition of Trailer); Ok!.St.Ann. tit. 47, § 1-186 (Definition of Vehicle); Ok!.St.Ann. tit. 47, § 12-302	3,000 lbs. gross weight Under 3,000 lbs. gross weight - no brakes as long as weight of trailer does not exceed 40% of gross vehicle weight rating of towing vehicle. Surge brakes are lawful when used on a trailer which is towing or transporting a vessel or vessels.	3,000 lbs. gross weight

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	(Performance ability of brakes)		
Oregon	Or. Rev. Stat. § 815.125 (Brakes, requirements and standards); Or. Rev. Stat § 801.560 (Trailer defined); Or. Rev. Stat § 815.010 (Equipment standards, compliance; application of federal standards). See also Or. Rev. Stat. § 815.130 (penalties for drivers); Or. Rev. Stat. § 815.135 (exemptions)	<p>Combination performance requirement --</p> <p>>8,000 lbs. Total gross weight of vehicle and trailer - trailer needs brakes if combination can not stop within 35 feet from 20 mph.</p> <p><8,000 lbs. Total gross weight of vehicle and trailer - trailer needs brakes if combination can not stop within 25 feet from 20 mph</p>	
Pennsylvania	75 Pa. Cons. Stat. Ann. § 4502 (General requirements for braking systems); Pa. Cons. Stat. Ann. § 102 (Definitions); 67 Pa. Code § 175.123 (Recreational, Semi and Utility Trailers Braking Systems); See also 67 Pa. Code §§ 229.14; 231.7; 231.8 (Incorporation by Reference of 49 CFR)	<p>On all wheels except for vehicles under 3,000 lbs. gross weight if the gross weight of the trailer does not exceed 40% of the gross weight of the towing vehicle.</p> <p>Surge or inertial type brake systems are authorized.</p> <p>A vehicle to which additional axles and wheels have been added shall be equipped with brakes on the additional wheels.</p> <p>Incorporates 49 CFR § 393.42 by reference.</p>	3,000 lbs. gross weight.
Rhode Island	R.I. Gen. Laws § 31-23-4 (Brake equipment required); R.I. Gen. Laws § 31-1-3 (Types of Vehicles); R.I. Code R. § 47-1-35:3.3 (Brakes – Official Manual for Vehicle Inspection)	<p>4,000 lbs. gross weight – cab operated</p> <p>Every new motor vehicle, trailer or semi-trailer sold in state and operated upon the highways must be equipped with service brakes upon all wheels of the vehicle. Any semi-trailer of less than four</p>	4,000 lbs. gross weight

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		thousand pounds (4,000 lbs.) gross weight need not be equipped with brakes.	
South Carolina	S.C. Code Ann. § 56-5-4850 (Brake equipment); S.C. Code Ann. § 56-5-4860 (performance requirements); S.C. Code Ann. § 56-3-20 (Definitions); S.C. Code Ann. § 56-5-4870 (Maintenance and adjustment of brakes); S.C. Code Ann. Regs. 38-393.43 (Breakaway and emergency braking)	3,000 lbs. gross weight - all wheels Under 3,000 lbs. gross weight - no brakes as long as total weight of trailer does not exceed 40% of gross weight of towing vehicle when connected to trailer and able to stop within 50 feet. Surge brakes expressly allowed.	Trailers or semitrailers with air or vacuum actuated and those with 3,000 lbs. gross weight gross weight
South Dakota	S.D. Codified Laws § 32-18-1 (Brakes required); S.D. Codified Laws § 32-18-2 (Wheels on which brakes must act); S.D. Codified Laws § 32-18-3 (trailers exempt from all-wheel requirement); S.D. Codified Laws § 32-18-7 (Service brakes); S.D. Codified Laws § 32-18-8 (Capabilities of service brakes); S.D. Codified Laws § 32-18-9 (testing); S.D. Codified Laws § 32-14-1 (Definitions)	3,000 lbs. gross weight - all wheels Under 3,000 lbs. gross weight - no brakes as long as total weight of trailer does not exceed 40% of gross weight of towing vehicle when connected to trailer and able to stop within 50 feet	
Tennessee	Tenn. Code Ann. § 55-9-204 (Brakes); Tenn. Code Ann. § 55-9-205 (Brakes); Tenn. Code Ann. § 55-8-101 (definitions)	Service Brakes required on all trailers and semitrailers operated on highways or sold in state, Except semitrailers with less than 1,500 lbs. gross weight are not required to have service brakes 3,000 lbs. gross weight requires cab operated braking system with breakaway capability	3,000 lbs. gross weight 7,500 lbs or less if traveling solely intrastate and equipped with a hydraulic breakaway mechanism which is separate from the hitch itself and utilizes surge brakes.

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		<p>7,500 lbs or less if traveling solely intrastate and equipped with a hydraulic breakaway mechanism which is separate from the hitch itself and utilizes surge brakes.</p>	
Texas	<p>Tex. Transp. Code Ann. § 547.401 (Brakes required); Tex. Transp. Code Ann. § 547.402 (Operation and maintenance of brakes); Tex. Transp. Code Ann. § 547.403 (Service brakes required); Tex. Transp. Code Ann. § 547.404 (Parking brakes); Tex. Transp. Code Ann. § 547.405 (Emergency Brakes); Tex. Transp. Code Ann. § 547.406 (Brake Reservoir); Tex. Transp. Code Ann. § 547.408 (Performance Requirements); 43 Tex. Admin. Code § 217.2 (Definitions)</p>	<p>4,500 lbs. gross weight - all wheels</p> <p>Brakes are not required if a trailer's gross weight is heavier than 4,500 lbs but not heavier than 15,000 lbs, and it is drawn at a speed of not more than 30 miles per hour.</p> <p>Brakes allowed on rear axle only on trailers greater than 4,500 lbs gross weight but not heavier than 15,000 lbs drawn at a speed of no more that 30 miles per hour.</p> <p>Surge Brakes can be used on trailers or semitrailers with 15,000 lbs. GROSS WEIGHT or less</p>	<p>A trailer or semitrailer (1) equipped with air or vacuum brakes or (2) that is 3,000 lbs gross weight or more must have emergency brakes that operate on all wheels; and are promptly applied in case of a breakaway.</p> <p>A motor vehicle used to tow a trailer, semitrailer, or pole trailer equipped with brakes shall be equipped with service brakes arranged so that, in case of a breakaway of the towed vehicle, the towing vehicle is capable of stopping by use of its service brakes.</p>
Utah	<p>Utah Admin. Code 700-300-3 (Standards for Motor Vehicle Braking Systems) [Incorporates by reference 49 C.F.R. § 393.42 (49 C.F.R. §§ 393.40 through 393.50, 571.105, 571.122, 1996 edition] Utah Code Ann. § 41-6a-102 (Definitions)</p>	<p>3,000 lbs. gross weight - all wheels</p> <p>Under 3,000 lbs. gross weight - no brakes if sum of axle weights of towed vehicle does not exceed 40% of sum of axle weights of the towing vehicle</p>	

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State /Federal	Statute & Regulations	Active Brake Requirements	Breakaway Brake Requirements
Vermont	Vt. Stat. Ann. tit. 23, § 1307 (Brake equipment required); Vt. Stat. Ann. tit. 23, § 1308 (Performance ability of brakes); Vt. Code R. § 23-1-5:1.6 (Inspection Manual – Trailer Section); Vt. Stat. Ann. tit. 23, § 4 (Definitions)	<p>6,000 lbs. gross weight or more -- all wheels</p> <p>3,000 lbs. but less than 6,000 lbs gross weight – brakes on at least one axle</p> <p>3,000 lbs. gross weight or less - no brakes as long as total weight of trailer does not exceed 40% of gross weight of towing vehicle when connected to trailer.</p> <p>Combination of towed vehicle and towing vehicle must be able to stop the vehicles within 30 feet while travelling at 20 m.p.h.</p>	Required at over 3,000 lbs. gross weight
Virginia	Va. Code Ann. § 46.2-1070 (Brakes on trailers); Va. Code Ann. § 46.2-1067 (within what distances brakes should stop vehicle); Va. Code Ann. § 46.2-1066 (Brakes); Va. Code Ann. § 46.2-100 † (definitions)	<p>3,000 lbs. gross weight</p> <p>Combination of vehicles must be able to stop at 40 feet.</p>	
Washington	Wash. Rev. Code § 46.37.340 (Braking equipment required); Wash. Rev. Code § 46.37.351 (Performance ability of brakes); Wash. Rev. Code § 46.04.320 (motor vehicle definition); Wash. Rev. Code § 46.04.620 (trailer definition)	<p>3,000 lbs. gross weight - all wheels</p> <p>Under 3,000 lbs. gross weight - no brakes as long as total weight of trailer does not exceed 40% of gross weight of towing vehicle when connected to trailer and able to stop within 40 feet</p> <p>Combination of vehicles must be able to stop at 40 feet when travelling at 20 m.p.h.</p>	Trailers or semitrailers with air or vacuum actuated and those with 3,000 lbs. gross weight gross weight
West Virginia	W. Va. Code, § 17C-15-31 (Brakes generally); W. Va. Code §§ 17C-1-15; 17C-1-16; 17C-1-17 (Definitions)	<p>Service brakes on all wheels, except semitrailers with less than 1,500 lbs. gross weight</p> <p>3,000 lbs. gross weight; cab operated and breakaway protections required</p>	3,000 lbs. gross weight

Summary of Boat Trailer Brake Equipment Requirements

State /Federal	Statute & Regulations	Active Brake Requirements	Breakaway Brake Requirements
Wisconsin	Wis. Stat. Ann. § 347.35 (Brakes); Wis. Stat. Ann. § 347.36 (performance ability of brakes); Wis. Admin. Code Trans. § 308.09 (Brake performance); Wis. Stat. Ann. § 340.01 (Words and Phrases Defined)	<p>3,000 lbs. gross weight; Brakes not needed if the gross weight of the towed vehicle is not more than 40% of the gross weight of the towing vehicle and brakes on towing vehicle are able to bring combination of vehicle within performance standards</p> <p>Over 10,000 lbs gross weight – all wheels</p> <p>Should be able to stop combined vehicles within 50 feet when travelling at 20mph</p>	
Wyoming	W.S. 1977 § 31-1-101 (Definition Trailer); W.S. 1977 § 31-5-950 (General braking requirements)	Able to stop within 40 feet at an initial speed of 20 mph	
District of Columbia	D.C. Mun. Regs., tit. 18, § 720 (Brakes: General Provisions); § 721 (Tractor and Trailer Brakes); § 724 (Performance Ability of Brakes); § 700 (general provisions); D.C. Code § 50-2201.03 (General granting to Mayor the authority to issue regulations governing vehicles)	<p>3,000 lbs. gross weight - all wheels Under 3,000 – no brakes so long as the total weight on and including the wheels of the trailer or trailers does not exceed 40% of the gross weight of the towing vehicle when connected to the trailer or trailers and the combination of vehicles can stop within 40 feet at speed of 20 m.p.h.</p>	Trailers or semitrailers with air or vacuum actuated and those with 3,000 lbs. gross weight gross weight

*Data consistently shows up in other source brake law surveys but was unable to verify.

† Section Effective October 1, 2012

‡ Honolulu Rules and Ordinances are provided for reference