



### ISSUE #12 TRUCK SIZE & WEIGHT

#### PROBLEM

There has been no significant change in federal size and weight law since 1982 except for the 1991 freeze on longer combination vehicles. However, since 1982 there have been many changes in freight movement that are also related to truck size and weight such as significant growth in freight traffic, changes in freight characteristics and movement patterns, just-in-time delivery, global economics and trade, intermodalism, economic deregulation, enhanced safety and enforcement programs and truck equipment advances. In addition, there has been a tremendous movement in the adoption of technology (in industry and government), data availability and analytical capabilities and performance-based program development and delivery. Given the above, as well the current landscape, it is clear that we need a more comprehensive approach in the United States to truck size and weight policy.

#### BACKGROUND

The enforcement of truck size and weight limitations has been a long-standing obligation of the states, performed in conjunction and with the assistance of the Federal Highway Administration (FHWA). Traditionally, the enforcement aspects of truck size and weight have been viewed through the prism of infrastructure protection and preservation. While CVSA supports this belief and view, we also believe more emphasis needs to be placed on the safety performance of vehicles, drivers and motor carriers who operate larger vehicles—and more specifically and importantly—those who choose to violate the law and operate vehicles in excess of the size and weight limitations.

Without question we understand the need to protect and maintain our nation's highway infrastructure—and want to continue our compliance and enforcement efforts in this regard. However, we are also committed to compliance and enforcement efforts that not only ensure the protection of our infrastructure, but also ensure the safety of those vehicles and drivers traveling on our highways.

One of the largest challenges with existing truck size and weight policies and regulations is the lack of uniformity from state to state, and sometimes even within states. The problem that exists today is due to the fact that we have had a patchwork of regulations, exemptions and permit programs for decades. We cannot allow this to continue. This often times translates into challenges for enforcement, and it certainly makes life more difficult for industry to maintain compliance. Many of these programs have varying requirements associated with them. As an example, some states require pilot car escorts with certain types of loads. Some states require law enforcement officials to escort the load. Some states do not require escorts. We are encouraged of the efforts of AASHTO, SASHTO and WASHTO with respect to trying to standardize pilot car escort policies



## CVSA DOT Reauthorization Policy Issues



among the states. FHWA should continue to support this effort and any resulting impacts to the states from recommended changes should be supported by federal funds.

From 2006 through 2008, there were 911,101 commercial vehicle size and weight violations cited by roadside inspectors. These data were for those situations where a driver/vehicle inspection report was completed and uploaded to the MCMIS database. This number represents 13.41% of the total number of violations cited during driver inspections over this time period and ranks number 2 on the list in terms of the most often cited violations.

### **SOLUTION(S)**

1. CVSA does not support enacting any significant legislative or regulatory changes to truck size and weight until such time as we have a more uniform, methodical and science-based approach to evaluating the safety, infrastructure and environmental costs and benefits.
2. There needs to be a stronger federal role in facilitating a framework for research, policy and performance based regulations and the enforcement for truck size & weight operations on the Interstate portion of the National Highway System.
3. U.S. DOT needs to evaluate and determine the safety nexus to truck size and weight. Having this will help the state enforcement agencies make their case for receiving their full measure of support and resources (state and federal funding) from the state Departments of Transportation to carry out their enforcement efforts. While a number of state enforcement agencies do receive the FHWA funding and support through their state DOTs for this effort, others have difficulty in making the necessary agency linkages for such funding support. As a final point related to resource issues, one of the major cost items for size and weight enforcement is labor. We are hopeful that as efforts move ahead to reauthorize the federal truck size and weight program that this will be taken into consideration concerning the state enforcement agency's funding needs.
4. We **MUST** gain a better understanding of the true impacts that truck size and weight have to all aspects of our transportation system. We also need to further examine the various oversize/overweight exemptions and permit programs to evaluate their costs and benefits. The more variety there is in regulations and permit programs, the more difficult the task for enforcement to monitor compliance, initiate effective enforcement actions and levy appropriate sanctions.
5. Except under extreme circumstances, states and municipalities should not be permitted to provide exemptions or exceptions for inter OR intrastate operations on this portion of the National Highway Network. If the National Network weight threshold were to be increased, states would be pressured to allow for increases to the state roadway network. The state roads (and bridges) are not built to the same standards and therefore could not adequately support the increased loading. This would present a risk to both the condition of the infrastructure as well as to safety.



## CVSA DOT Reauthorization Policy Issues



6. More study needs to be completed on the non-interstate portions of the National Highway System because there are similar infrastructure and safety concerns on these sections of roadway. In fact, the large truck-related crash data seems to indicate that are larger proportion of fatality crashes occurring on non-interstates. Many of our member enforcement agencies are seeing increases in truck size and weight violations on these sections of roadways.
7. CVSA supports the recommendation referenced in *Transportation Research Board Special Report No. 267: Regulation of Weights, Lengths, and Widths of Commercial Motor Vehicles* which discusses the creation of a Commercial Traffic Effects Institute (CTEI). The work that would fall under the mandate of this organization would help guide and develop a more comprehensive, rational and equitable national freight policy that will aid decision makers in making more sound and objective judgments with regards to truck size and weight issues. It will also aid in establishing more transparency and accountability throughout the system.
8. CVSA supports a federally supervised, state-administered, performance-based oversize and overweight permit program for the operation of heavier and larger vehicles on the public highways.
9. CVSA believes there is merit to the idea of establishing (in certain locations and circumstances) dedicated truckways for commercial vehicle operations. As previously mentioned, since many large truck crashes are multi-vehicle crashes involving smaller vehicles and the fact that many crashes occur off the interstate system, we believe the notion of dedicated highway facilities for trucks is worth further exploration.
10. If Congress were to consider any increase in truck size and weight, there MUST be at the minimum an equivalent level of safety established. In particular, there are several specific safety issues that would concern us with respect to increasing sizes and weights:
  - a. The potential increases in stopping distances that would likely result, and how the performance of other vehicle components will be affected;
  - b. How size and weight increases to carrying capacity will impact performance as it relates to manufacturer weight ratings (i.e. we do not want people overloading vehicles further than what they were designed for);
  - c. We already have issues and compliance problems today with load securement, and there continues to be a large number of crashes related to this issue – how would size and weight increases impact on this;
  - d. Adding axles—while in concept this is helpful to spread the load to more locations, but in practical terms we have concerns (today) with air axles (i.e. putting not enough air or too much air as it hampers vehicle stability and performance) and lift axles that have the potential of being exacerbated with an increase to truck sizes and weights; and
  - e. While we are not experts on the infrastructure-related issues, we wonder what the impact of increasing truck sizes and weight would have on the bridges in our country. It is well documented that many of our bridges are in need of significant



## CVSA DOT Reauthorization Policy Issues



- maintenance and upgrade, and the obvious question arises as to whether increasing truck sizes and weights will add to these concerns.
- f. In addition to the safety issues above, there **MUST** be adequate resources made available to the enforcement agencies so they are able to monitor compliance and take enforcement action when warranted.
11. With respect to the “pilot study” recommendation provided for in TRB Special Report 267, we suggest the following factors be considered for the program if that recommendation is to be pursued:
- a. Make sure the sample is science-based and that (to the extent possible) the results can be shown to be statistically significant;
  - b. Motor carriers, drivers and vehicles participating in the pilot study must abide by the Federal Motor Carrier Safety Regulations;
  - c. States participating in the study need to be fully compliant with the Federal Motor Carrier Safety Regulations;
  - d. Select companies with a proven track record of superior safety performance;
    - i. Must have a Satisfactory US DOT Safety Rating;
    - ii. Cannot be a SafeStat category A-G carrier; and
    - iii. Must maintain their crash rate per 100 million miles, and their vehicle and driver out-of-service rates in the top 25 percent of the national average as indicated in the Motor Carrier Management Information System.
  - e. Ensure there is a control group in order to help assess and measure the efficacy of the vehicle configuration(s) and performance;
  - f. Ensure that the drivers are trained, tested and competent at operating the vehicles they will be driving and have clean driving records;
  - g. Ensure that the drivers are operating the vehicles on sections or roadways that they are familiar with;
  - h. Make sure the vehicle size and weight configuration(s) do not put additional stress on the bridge structures than the current bridge formula allows;
  - i. Employ computer modeling and validation testing of vehicle configuration(s) prior to initiating the pilot vehicle(s) into operation on the roadways;
  - j. Consider the establishment of truck-only lanes and/or time of day restrictions to confine the use of heavier trucks to these lanes and limit their interaction with smaller vehicles;
  - k. Require that the vehicles install all 4 of the truck technologies contemplated in The Commercial Motor Vehicle Advanced Safety Technology Tax Act of 2009 (H.R. 2024): collision warning systems, lane departure warning systems, vehicle stability systems and brake monitoring systems;
  - l. Provide consideration for time of day operational limitations;
  - m. Require vehicle monitoring systems to record and measure performance data;



## CVSA DOT Reauthorization Policy Issues



- n. Instrument vehicles and roadways to measure impacts on the infrastructure;
- o. Require periodic vehicle inspections to evaluate the impacts on the condition of performance of the vehicles;
- p. Consider limitations on length or travel and/or adjustments to driver hours of service requirements to minimize the potential for fatigued operators;
- q. Consider allowing the vehicles only on sections of roadway that are major freight corridors;
- r. The federal government should be charged with creating and managing the performance standards, evaluating performance and establishing federal sanctions for non-compliance, while the state governmental agencies should be charged with administration and enforcement of the program;
- s. Evaluate the compliance and enforcement resources necessary to adequately monitor compliance in the event the result(s) of the pilot would become national standard(s); and
- t. Conduct a comprehensive cost-benefit evaluation and to build what works from the pilot studies into national performance-based standards.