

Permit Equity Study



An Equitable Approach to Setting Permit Fees
for Overweight Motor Vehicles

Prepared pursuant to 2011 House Bill 2022 and
Presented to the Transportation Committee of the House of Delegates
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Table of Contents

Executive Summary	1
The Issue.....	1
The Study.....	3
Recommended Fees	4
Other Recommendations	6
Fiscal Impact of Recommendations	8
1. Introduction.....	9
1.1. Overweight Permits in Virginia.....	9
1.2. Damage to Infrastructure Caused by Overweight Vehicles	12
1.3. Recent Legislation Regarding Overweight Vehicles	13
1.4. Prior VDOT Studies of Damage Caused by Overweight Vehicles	16
1.5. Scope and Objectives of the Present Study.....	18
1.6. Structure and Methods of the Present Study.....	20
2. Analysis.....	24
2.1. General Issues.....	24
2.1.1. Pavement damage caused by overweight vehicles.....	24
2.1.2. Bridge damage caused by overweight vehicles.....	24
2.1.3. Tiering of fees	26
2.1.4. Economic competitiveness.....	26
2.1.5. Disposition of revenue	27
2.2. Hauling Permits (Excluding Permits for Superload Vehicles, for Vehicles Hauling Coal, Gravel, Sand, or Crushed Stone, and for Unladen Equipment).....	27
2.2.1. Single-trip permits.....	30
2.2.2. Multi-trip permits for non-exempt vehicles.....	30
2.2.3. Multi-trip permits for exempt vehicles	32
2.3. Hauling Permits for Superload Vehicles	34
2.4. Hauling Permits for Vehicles Carrying Coal, Gravel, Sand, or Crushed Stone and for Unladen Equipment	37
2.4.1. Permits for vehicles hauling coal.....	38
2.4.2. Permits for vehicles hauling gravel, sand, and crushed stone	39

2.4.3. Permits for unladen equipment	39
2.5. Overload Permits	40
2.6. Permits Issued by Localities.....	42
2.6.1. Multi-trip permits.....	43
2.6.2. Designated access route permits	43
2.6.3. Single-trip permits.....	44
2.6.4. Conditions for state issuance of local permits	44
3. Recommendations.....	47
3.1. Schedule of Fees for Overweight Permits	47
3.2. Other Items Requiring Legislative Action	50
3.3. Administrative Process Improvements	50
3.4. Fiscal Impact of Recommendations.....	51
3.5. Recommendations Regarding Out-of-Scope Issues Raised in Study.....	54
4. Conclusion	56
Appendices	57
A. Draft Legislation Recommended by the Study Group	
B. Chapter 793 of the 2011 Acts of the General Assembly (House Bill 2022)	
C. Letter from Delegate Joe T. May to DMV Commissioner Richard D. Holcomb	
D. Other Legislation from the 2011 Session that Was Considered in the Study	
E. Timeline of the Study	
F. Study Participants	
G. Written Responses from Stakeholders Regarding the Study Report and Draft Legislation	
H. Overweight and Oversized Hauling Permit Practices, a Report Prepared by the Office of Intermodal Planning and Investment and the Department of Motor Vehicles, August 2011	

Executive Summary

This document reports the results of the study undertaken in 2011 in response to the enactment of Delegate Joe May's House Bill 2022, which called upon the Department of Motor Vehicles (DMV) to:

develop a uniform system of permitting for overweight and oversize vehicles and a comprehensive, tiered schedule of fees for overweight vehicles, taking into consideration the Virginia Department of Transportation's research on the cost impact of damage to Virginia's highways from overweight vehicles, the administrative feasibility of such fee structure, and the impact of such fee structure on the Commonwealth's economic competitiveness.

Working in close consultation with the Virginia Department of Transportation (VDOT) and the Virginia Port Authority (VPA), and with additional input from the Virginia State Police (VSP), the Virginia Economic Development Partnership, and more than 100 stakeholders from state and local government and from the private sector, DMV examined Virginia's current programs for issuing permits to overweight vehicles, compared these programs to those in other states, evaluated earlier studies regarding the damage overweight vehicles cause to transportation infrastructure, and developed a new schedule of overweight permit fees that recovers some of the cost of that damage, while preserving Virginia's competitive position as a business-friendly state.

The Issue

Overweight vehicles are those that exceed the statutory limits either for the weight placed on any axle or axle grouping (axle weight), or for the weight of the vehicle and its load as a whole (gross weight). The purpose of these statutory weight limitations is to protect other motorists from roadway hazards and to preserve the capacity and structural integrity of the Commonwealth's highways and bridges. A vehicle that exceeds the statutory weight limits may lawfully operate only by permit.

DMV is responsible for Virginia's overweight permitting programs, and issues two basic types of permits for overweight vehicles:

- *Overload permits.* These permits are valid for one year (the term of a vehicle's registration), and are available for any vehicle. They authorize the vehicle to exceed axle and gross weight limits by up to 5%. Currently, permits are offered for 1%, 2%, 3%, 4%, and 5% overloads.

- *Hauling permits.* These permits authorize the movement of an overweight (or oversize) vehicle either for a one- or two-year period on all unrestricted routes (a multi-trip permit), or for a single trip along a specific route (a single-trip permit).

Although hauling permits can authorize heavier weights than those allowed under overload permits, hauling permits are not issued to any and every vehicle. Rather, DMV generally will only issue the permit if the vehicle's weight cannot be reduced to within the statutory maximums—i.e., it is an “irreducible load.” However, certain types of vehicles are exempt from this irreducibility requirement. These exempt vehicles—which include coal trucks, tank wagons, and vehicles hauling certain containerized freight, among others—are able to obtain multi-trip hauling permits even if their loads are reducible.

Overweight vehicles have generated considerable legislative interest in recent years. Since 2007, there have been 26 bills in the General Assembly addressing overweight vehicles. Many of these bills have specifically raised the issue of the damage to pavements, bridges, and other structures caused by such vehicles. It should be noted that overweight vehicles operating under a permit are not solely responsible for damage to roadways; all vehicles, including passenger cars, inflict some degree of damage on pavements, though for a passenger vehicle the amount of damage will usually be exceedingly small. In addition, vehicles illegally operating without a permit are also responsible for some damage, as are many heavy vehicles that operate within standard weight limits and thus are not required to obtain a permit (although these vehicles do pay weight-based registration fees). However, there is a nonlinear relationship between increases in axle weight and damage to pavement: the damage to pavement doubles, for example, when axle weight increases from 20,000 pounds to 24,000 pounds.¹ For this reason, the most heavily loaded vehicles, and the fees they pay to use Virginia's roadways, have come under particularly close legislative scrutiny.

House Bill 2022 in the 2011 Session of the General Assembly embodied the efforts of the Joint Commission on Transportation Accountability to integrate a number of these legislative initiatives into a single, comprehensive proposal. The bill called upon DMV to develop a uniform system of permitting for all types of overweight vehicles and a fee schedule that at least reflected, even if it did not fully capture, the cost impact of the damage such vehicles cause to infrastructure. Among other things, House Bill 2022 directed DMV to take into consideration VDOT's recent research into the issue of infrastructure damage. That research, which staff at the Virginia Transportation Research Council (VTRC; now the Virginia Center for Transportation Innovation and Research (VCTIR)) had undertaken in response to legislation enacted in 2007 and 2008, included an analysis of data regarding the damage to infrastructure caused by vehicles' weight, and the development of a method for measuring the cost of the damage an individual vehicle can be expected to cause to pavements, based on its axle weights and spacings. While

¹ Virginia Transportation Research Council, “A Review of the Current Overweight Permit Fee Structure in Virginia (HB 1551),” a report presented to the General Assembly, November 2008, 3.

this research was expected to serve as one point of reference in DMV’s study, House Bill 2022 also instructed the agency to keep in view two further considerations: the administrative feasibility of the proposed permit fees, and their impact on Virginia’s economic competitiveness.

The Study

Direction and oversight for the study was vested in an Executive Oversight Team, led by the DMV Commissioner and including representatives from the Office of the Secretary of Transportation, VDOT, VPA, and VSP. Staff from DMV and VDOT provided ongoing, day-to-day project management. More than 100 stakeholders from state and local government and from the private sector were brought together in a series of meetings, where they worked collaboratively with project staff to develop a permit fee schedule that, it was hoped, would be acceptable to a majority of those involved.

To facilitate work on the project, the subject matter of the study was broken into five areas:

- *Hauling Permits Issued to Superload Vehicles.* Superload vehicles are those carrying irreducible loads that, because of their extreme weight or size, require individual review and engineering analysis to determine their potential impact to infrastructure. Both single-trip and multi-trip hauling permits (including a 3-month multi-trip permit) are available for superload vehicles; however, multi-trip permits are generally available only for vehicles that fall within certain weight thresholds, and may authorize travel only over a limited number of specific routes.
- *Hauling Permits Issued to Vehicles Hauling Coal, Gravel, Sand, or Crushed Stone.* These vehicles are among those exempt from the statutory provisions that limit issuance of hauling permits to vehicles carrying irreducible loads. Vehicles are issued a multi-trip permit to haul coal, over distances of up to 85 miles within Virginia, from a mine or other place of production to a preparation plant, loading dock, or railroad. In addition, vehicles carrying overweight loads of gravel, sand, and crushed stone are authorized to move within those counties that impose a severance tax on coal or gas, provided the trip does not exceed a distance of 50 miles. Because the coal and gas severance taxes provide funds for the maintenance of roads and bridges in localities levying the taxes, the study group believed that coal trucks and vehicles hauling gravel, sand, and crushed stone warranted separate analysis.
- *All Other Hauling Permits.*
- *Overload Permits.*

- *Permits Issued by Localities.* Currently, 12 localities in Virginia issue overweight permits for vehicles operating on locally maintained roads. Permit requirements, issuance processes, and fees vary widely.

Subcommittees consisting of both project staff and stakeholders were formed to analyze the particular issues each of these groups of permits presented. Although DMV staff led each of the subcommittees, stakeholders in each subcommittee elected representatives to a Subcommittee Leadership Team that helped to coordinate work on the project and to ensure collaboration and consensus across subcommittees.

In developing and analyzing proposals for permit fees, project staff and stakeholders considered both the costs of damage as quantified in VDOT's research, and the permit fees charged in other states, which formed the competitive landscape within which Virginia would have to operate in order to remain "open for business." In most cases, considerations of economic competitiveness precluded fees that would recover the load-related cost of damage to infrastructure. However, it was generally agreed that fees for most permit types would be increased, that those increases would represent industry's contribution to the recovery of costs for damage caused to pavements and bridges by overweight vehicles, and that the revenue generated by the fee increases would be dedicated to infrastructure maintenance and repair. It was also agreed that, where administratively feasible, heavier vehicles would be subject to higher permit fees, in accordance with House Bill 2022's call for a "tiered schedule of fees."

Along with changes to permit fees, the study produced agreements concerning a number of administrative process improvements, which all parties understood would be undertaken only if the proposed fee increases were enacted. By far the most significant of these agreements resulted from work undertaken in the subcommittee on permits issued by localities, where it was agreed that every county, city, and town that issues permits would be required to enter an agreement authorizing DMV to issue permits on its behalf (although the locality would also be able to continue issuing permits through its own offices). This proposal, like the other process improvements recommended below, would help to improve the efficiency and reduce the costs of doing business in Virginia.

The study concluded with the production of two documents: this report, and a draft of proposed legislation, included as an appendix to this report. Drafts of both the report and the legislation were shared with stakeholders, and each has been revised to address several of the concerns raised in their feedback.

Recommended Fees

For overload permits, it is recommended that permits authorizing 1%, 2%, 3%, and 4% overloads be eliminated, and that the fee for the 5% overload permit be raised from \$200 to \$250.

The recommended fee schedules for multi-trip and single-trip hauling permits are as follows (more detailed tables appear on pages 48-49):

Multi-Trip Hauling Permits

	Current Fees	Recommended Fees		
		Administrative charge and temporary registration (DMV)	Damage fees (VDOT) ²	Total Fee
<i>Non-Exempt Vehicles</i>				
Annual permit for vehicles weighing 115,000 pounds or less	\$140	\$140	\$360	\$500
Annual permit for vehicles weighing more than 115,000 pounds	\$140	\$140	\$420	\$560
Three-month permit (superload only)	\$110	\$110	\$110	\$220
<i>Exempt Vehicles</i>				
Annual permit to haul coal, or liquids produced from a gas or oil well, or water used for drilling and completion of a gas or oil well	\$0	\$0	\$0	\$0³
Annual permit to haul gravel, sand, or crushed stone	\$0	\$5	\$65	\$70
Annual permit for underground pipe cleaning, hydroexcavating, or water blasting equipment	\$140	\$10	\$120	\$130
Annual permit for tank wagons	\$405			
Annual permit for all other exempt vehicles ⁴	\$0			
Seasonal permit to haul seed cotton modules, or to haul Virginia-grown produce in Accomack and Northampton counties	\$0	\$5	\$40	\$45
Temporary permit for unladen equipment ⁵	Engineering cost	VDOT to continue collecting cost to cover engineering analysis		

² For exempt vehicles, a portion of the revenue collected from permit fees would be allocated to local jurisdictions based on lane mileage.

³ The proposed fee reflects the revenue that the coal and gas severance taxes already generate for transportation infrastructure in areas where these vehicles operate.

⁴ Excluding free permits issued for certain trucks operated by Arlington County.

⁵ These permits are issued by VDOT. The permitted equipment is used principally in the mining industry.

Single-Trip Hauling Permits

Vehicle Gross Weight	Current Fees		Recommended Additional Fees		Sample Total Fee (based on 180-mile trip)	
	Administrative charge (DMV)	Temporary registration (DMV)	Per-mile fee for damage (VDOT)	Flat fee for damage (VDOT)	Current fees only	Current fees plus additional fees
115,000 pounds or less, non-superload	\$20	\$0.10/mile	\$0.20/mile	\$0	\$38	\$74
115,000 pounds or less, superload	\$30	\$0.10/mile	\$0.20/mile	\$0	\$48	\$84
115,001 to 150,000 pounds	\$30	\$0.10/mile	\$0.20/mile	\$50	\$48	\$134
150,001 to 200,000 pounds	\$30	\$0.10/mile	\$0.20/mile	\$160	\$48	\$244
200,001 to 500,000 pounds	\$30	\$0.10/mile	\$0.20/mile	\$250	\$48	\$334
500,001 pounds or more	\$30	\$0.10/mile	\$0.20/mile	\$1,420	\$48	\$1,504

Other Recommendations

Along with the above fee schedule, the following items requiring legislative approval are also recommended:

- Authorize the issuance of multi-trip hauling permits to certain specialized vehicles used exclusively to haul farm animal feed, subject to the \$130 annual fee recommended for other exempt vehicles.
- Eliminate the sunset date (currently July 1, 2012) for issuance of hauling permits to vehicles carrying gravel, sand, and crushed stone. The annual permit fee for these vehicles will be \$70, as indicated in the above schedule of fees.
- Allow all holders of multi-trip hauling permits, whether for an overweight or an oversize vehicle, to transfer the permit to other vehicles, provided (a) that no more than two transfers are authorized in any 12-month period for each permit, and (b) that the vehicle to which the permit is transferred is subject to all the limitations (on weight, size, route, etc.) set forth in the permit as originally issued. An administrative fee of \$10 would be charged for each transfer.

- Amend statutory provisions regarding the measurement of coal truck beds to allow interior volume to be determined by measuring the exterior of the bed. This change would greatly improve the safety of DMV staff who take these measurements.
- Amend statutory provisions regarding the maximum travel distance authorized by permit for certain heavy machinery (“unladen equipment”) used in the mining and construction industries. Currently, such permits limit travel to no more than 35 miles; however, VDOT staff believe that it would be reasonable to allow trips of up to 75 miles.
- Require every locality that issues overweight permits to enter into a memorandum of understanding with DMV stipulating the requirements the locality would need to satisfy prior to issuing permits, and authorizing DMV to issue certain permits on the locality’s behalf.

If the fee schedules and other recommendations listed above are enacted, then it is further recommended that DMV, VDOT, and localities begin taking the administrative steps necessary to offer the following process improvements:

- Combining oversize permits for vehicles with 9-, 12-, and 14-foot widths, to improve operational efficiency for industry and for DMV by reducing the paperwork that drivers and administrative staff must deal with.
- Including multiple axle groupings on a multi-trip hauling permit, also to improve operational efficiency.
- Issuing multi-trip hauling permits that are valid for interstate travel only, which would reduce administrative burdens and overall costs for some carriers. (Fees for these permits would be the same as for any other multi-trip permits.)
- Amending DMV’s manual regarding size, weight, and equipment requirements to clarify that a vehicle may carry both an oversize and an overweight permit.
- Allowing carriers to obtain 5% overload permits online for every type of vehicle, not just for vehicles registered under the International Registration Plan (IRP), as is currently the case.
- Reformatting VDOT’s list of restricted structures issued to holders of overweight permits, to include separate sections containing additions to and deletions from the list. In addition, VDOT will offer a hyperlinked map of structure restrictions on its public web site, which would provide drivers with clearer and timelier information to help them plan their routes. DMV and VDOT will work with law enforcement to provide information and education regarding the documents amending the structure restriction list.

- Improving communications about VDOT’s process for issuing permits to unladen equipment, evaluating the possibility of emergency and after-hours issuance of those permits (for an additional fee), examining the feasibility of route-specific multi-trip permits for unladen equipment, and developing a process for pre-permitting these vehicles.
- Offering permits for localities via DMV’s online platform.
- Development of “designated access route permits” for carriers who do not need a permit that covers all city or county roads, but only wish to travel on specific, commercially significant routes within a locality.

Additional recommendations regarding several out-of-scope issues raised in the course of the study are included in section 3.5 of the full report.

Fiscal Impact of Recommendations

DMV worked with the Department of Taxation (TAX) to estimate the revenue impact of the recommended permit fees. Using as a baseline hauling permit data from FY 2010 and overload permit data from June 2010 through May 2011, TAX and DMV estimated that the proposed fees would nearly double the amount of annual revenue generated by overload permits and by hauling permits issued to overweight vehicles, from approximately \$5.2 million to approximately \$10.1 million. Revenue for VDOT would rise by an estimated \$4,797,420, from \$3,253,895 to \$8,051,315. However, VDOT would redistribute to localities a portion of the approximately \$750,000 in new revenue generated by exempt permits (see note 2 on page 5, and the discussion in section 2.2.3 of the report). Revenue for DMV would rise by an estimated \$136,870, from \$1,917,580 to \$2,054,450.

The study team also asked agencies affected by the recommended fees and process improvements to estimate the implementation costs they would incur. Representatives from VPA and VSP indicated that they did not believe the study recommendations would result in any additional costs for their agencies. A preliminary estimate from VDOT indicated a cost of \$25,000 to develop a web-based mapping interface on its public website showing restricted structures. DMV’s preliminary estimate indicated a total cost of \$235,500 to modify the agency’s systems to accommodate the new permit structure and process improvements. The additional revenue generated for DMV under the recommended fee structure would provide funds needed for these system modifications.

1. Introduction

Delegate Joe May's House Bill 2022, enacted as Chapter 793 of the 2011 Acts of the General Assembly, called upon the Department of Motor Vehicles (DMV), in consultation with the Virginia Department of Transportation (VDOT) and the Virginia Port Authority (VPA), to:

develop a uniform system of permitting for overweight and oversize vehicles and a comprehensive, tiered schedule of fees for overweight vehicles, taking into consideration the Virginia Department of Transportation's research on the cost impact of damage to Virginia's highways from overweight vehicles, the administrative feasibility of such fee structure, and the impact of such fee structure on the Commonwealth's economic competitiveness.

This report summarizes the background, objectives, approach, analyses, results, and recommendations of the comprehensive study undertaken in response to this legislation.

1.1. *Overweight Permits in Virginia*

Overweight vehicles are those that exceed the statutory limits either for the weight placed on any axle or axle grouping (axle weight), or for the weight of the vehicle and its load as a whole (gross weight). These limits, set forth in Subtitle III, Chapter 10, Article 17 of Title 46.2, depend upon a number of different factors, but in general vehicles are limited to no more than 20,000 pounds on any single axle, no more than 34,000 pounds on any tandem axle (two consecutive axles whose centers are spaced more than 40 inches apart but not more than 96 inches apart), and no more than 80,000 pounds gross weight, regardless of the number of axles. The purpose of these statutory limitations on vehicle loads is to protect other motorists from roadway hazards, and to preserve the capacity and structural integrity of the Commonwealth's highways and bridges.

A vehicle that exceeds the statutory weight limits or the weight limits allowed under 24 VAC 20-81-60 based on axle spacing may lawfully operate only by permit. DMV is responsible for Virginia's overweight permitting programs, and issues two basic types of permits for overweight vehicles:

- *Overload permits.* These permits are valid for one year (the term of a vehicle's registration), and are available for any vehicle. They authorize the vehicle to exceed axle and gross weight limits by up to 5%. Currently, permits are offered for 1%, 2%, 3%, 4%, and 5% overloads.
- *Hauling permits.* These permits authorize the movement of an overweight (or oversize) vehicle either for a one-year period on all unrestricted routes (a multi-trip permit), or for a single trip along a specific route (a single-trip permit).

Although hauling permits can authorize heavier weights than those allowed under overload permits, these permits are not issued to any and every vehicle. Rather, DMV generally will only issue a permit if either the load or the vehicle is nondivisible. Virginia's Hauling Permit Regulations, 24 VAC 20-81-10 *et seq.*, define a nondivisible load or vehicle as:

a vehicle configuration exceeding applicable size or weight limits which, if separated into smaller loads, would:

Compromise the intended use of the vehicle, i.e., make it unable to perform the function for which it was intended;

Destroy the value of the load or vehicle, i.e., make it unusable for its intended purpose; or

Require more than eight man work hours to dismantle using appropriate equipment. The applicant for a nondivisible load permit has the burden of proof as to the number of man work hours required to dismantle the load.

"Nondivisible load or vehicle" can also be defined as in 23 CFR 658.5 [which, in addition to loads or vehicles meeting one of the above criteria, allows states to treat as nondivisible any of the following: emergency response vehicles, including those loaded with salt, sand, chemicals or a combination thereof, with or without a plow or blade attached in front, and being used for the purpose of spreading the material on highways that are or may become slick or icy; casks designed for the transport of spent nuclear materials; and military vehicles transporting marked military equipment or materiel].

Note that "divisible" and "nondivisible" loads and vehicles are also commonly referred to as "reducible" and "irreducible." The latter terms will be used throughout this report.

While DMV will generally issue a hauling permit only for irreducible loads or vehicles, the *Code of Virginia* specifically exempts thirteen categories of vehicles from standard statutory weight limits, regardless of whether their loads are reducible:

1. Vehicles transporting containerized cargo in a sealed seagoing container bound to or from a seaport, if the seagoing container has been or will be transported by marine shipment. Va. Code § 46.2-1141.
2. Vehicles used to haul farm produce grown in Virginia. These permits are valid only in Accomack and Northampton counties. Va. Code § 46.2-1148.
3. Three- or four-axle vehicles used exclusively for mixing concrete in transit or at a project site or for transporting necessary components in a compartmentalized vehicle to produce concrete immediately upon arrival at a project site. Va. Code § 46.2-1142.
4. Three- or four-axle vehicles hauling excavated materials from construction-related land clearing operations. Va. Code § 46.2-1143.1.

5. Two- and three-axle vehicles hauling solid waste, other than hazardous waste. Va. Code § 46.2-1144.
6. Vehicles used exclusively to transport seed cotton modules. Va. Code § 46.2-1149.1.
7. Articulated buses. Va. Code § 46.2-1147.
8. Self-propelled motor vehicles manufactured for the specific purpose of supporting well-drilling machinery on the job site and whose movement on any highway is incidental to the purpose for which they were designed and manufactured. Va. Code § 46.2-1149.4.
9. Straight trucks designed or used to carry fuel and having a capacity of less than 6,000 gallons—i.e., tank wagons. Tank wagons are limited to two axles and cannot exceed a gross weight of 40,000 pounds, or carry more than 24,000 pounds on a single axle. Va. Code § 46.2-1144.1.
10. Underground pipe cleaning equipment (a self-propelled motor vehicle manufactured for the specific purpose of vacuuming and cleaning underground sanitary and storm pipe), hydroexcavating equipment (a self-propelled motor vehicle manufactured for the specific purpose of digging with water and vacuuming of debris) and water blasting equipment (a self-propelled motor vehicle manufactured for the specific purpose of waterblasting flat concrete surfaces and vacuuming spent water for reuse). Va. Code § 46.2-1149.5.
11. Vehicles operated by Arlington County and used for hauling household waste or for highway or utility construction, operation, or maintenance. The permits are valid only on roads located in the county.
12. Three-, four-, five-, and six-axle vehicles hauling coal or coal byproducts from a mine or other place of production to a preparation plant, electricity generation facility, loading dock, or railroad. These permits are valid for trips of 85 miles or less within Virginia. In addition, vehicles hauling either (a) gravel, sand, crushed stone, and other materials and equipment involved in or incidentally produced from mining operations, or (b) liquids produced from a gas or oil well, and water used for drilling and completion of a gas or oil well, may travel for up to 50 miles, from origin to destination, within counties that impose a severance tax on coal or gas extractions. Va. Code § 46.2-1143.
13. Unladen, rubber-tired, self-propelled haulers and loaders used in the construction and coal mining industries—i.e., unladen equipment. The permits require engineering analysis of proposed routing by VDOT, and are valid only for trips of 35 miles or less. Va. Code § 46.2-1149.

Since federal regulations allow an overweight vehicle to travel on the interstate highway system only if the vehicle or its load is irreducible, most of Virginia’s exempt permits are valid only on state-maintained roads. The permits for vehicles carrying containerized freight are an important exception: under federal rules, the freight is considered irreducible because it is in a sealed container; accordingly, permits issued to vehicles carrying such freight are valid on the interstate system.

1.2. Damage to Infrastructure Caused by Overweight Vehicles

While the development of a comprehensive, uniform system of permitting would likely result in a number of administrative benefits—operational efficiencies, procedural transparency, etc.—the main purpose of House Bill 2022 was to establish the basis for a fee schedule that would recover, so far as possible and practical, the cost of the load-related damage that overweight vehicles cause to Virginia’s transportation infrastructure.

All vehicles cause some wear and tear to roadway surfaces and structures, but according to studies undertaken by scientists at the Virginia Center for Transportation Innovation and Research (VCTIR), the heaviest vehicles are responsible for the majority of load-induced damage to pavements and to bridges.⁶ The damage that a vehicle does to pavements depends on how the vehicle’s weight is distributed across the road surface, which is a matter of axle weight and spacing. The heavier the axle weight, the more damage the vehicle causes. In fact, the amount of damage caused to a pavement increases exponentially with increases in axle weight: on a typical interstate pavement, a 24,000-pound single axle load will cause about twice as much damage as a 20,000-pound single axle load.⁷

In an analysis of data from Fiscal Year 2007, researchers at VCTIR found that while passenger cars accounted for about 77% of the daily vehicle miles traveled (DVMT) in Virginia by all types of vehicles, they were responsible for only 0.3% of the load-induced damage-miles on the Commonwealth’s roadways. In comparison, 5-axle tractor-semitrailer combinations—the most common configuration for commercial vehicles hauling freight—accounted for only 4.2% of DVMT, but were responsible for nearly 80% of the load-induced pavement damage-miles. VCTIR scientists estimated the portion of the needs-based budget attributable to load-related pavement damage caused by all vehicles at nearly \$175 million for FY 2007.⁸

⁶ Virginia Transportation Research Council (VTRC), “A Review of the Current Overweight Permit Fee Structure in Virginia (HB 1551),” a report presented to the General Assembly, November 2008, 3 (hereinafter “VTRC 2008 Report”); Brian K. Diefenderfer et al., “Development of a Weight-Distance Permit Fee Methodology for Overweight Trucks in Virginia,” *International Journal of Pavement Research and Technology* 2, no. 6 (2009): 238.

⁷ VTRC 2008 Report, 3.

⁸ Diefenderfer et al., “Development of a Weight-Distance Permit Fee Methodology for Overweight Trucks in Virginia,” 238-40.

In contrast to pavement damage, the damage vehicles cause to bridges is made up of many factors, including gross vehicle weight, the vehicle’s axle weights and axle spacing, the length of each span being crossed, and the type of bridge. VCTIR researchers have estimated that in FY 2007, approximately \$23.7 million in damage to state-maintained bridges was caused by vehicles, and they have concluded that only a small number of overweight vehicles—perhaps 30,000 of 92,000 that were issued permits in FY 2007—would have been capable of causing this damage.⁹ Moreover, it is likely that some part of the damage was caused by overweight vehicles operating without a permit, either illegally or under a temporary waiver of normal weight restrictions, which can occur whenever the Governor declares a state of emergency and by executive order authorizes a waiver of weight limitations so that essential emergency relief supplies can reach the disaster area in a timely manner. The number of non-permitted overweight vehicles, and their responsibility for damage to bridges, are unknown.

While heavy vehicles are primarily responsible for load-induced damage to transportation infrastructure, historically all motorists have shared the financial burden of repairing that damage. Funding for maintenance and repair of pavements and bridges comes from several different sources, but the principal sources of state-provided funding are the taxes levied on the gasoline and diesel that all motorists use, and the sales and use tax that individuals and businesses pay when purchasing a motor vehicle. Thus, to the extent that the damage they cause exceeds the repairs they pay for, overweight vehicles can be viewed as the beneficiaries of a subsidy, paid for by other motorists.

Ensuring a more equitable apportionment of the financial responsibility for damage to infrastructure was the principal reason that House Bill 2022 called for a thorough review of current permitting practices and fees, and the development of a comprehensive, tiered schedule of overweight permit fees. However, a further purpose of the legislation was to ensure a uniform, concerted response to a number of issues arising from other legislative initiatives to deal with overweight vehicles.

1.3. Recent Legislation Regarding Overweight Vehicles

The legislative genealogy of House Bill 2022 begins with Senate Bill 1321, introduced by Senator Edd Houck in the 2007 Session and approved as Chapter 738 of the 2007 Acts of the General Assembly. Among other things, Senator Houck’s legislation established an annual overweight permit fee of \$800 per tank wagon vehicle for FY 2008, and called upon VDOT to “establish a fee structure that shall become effective on July 1, 2008, based on the results of a study of overweight vehicles.” Subsequent legislative sessions amended these provisions, and addressed other features of Virginia’s laws governing overweight vehicles.

⁹ VTRC 2008 Report, 9.

In 2008, House Bill 1551 amended the provisions of Senator Houck's legislation by bringing the annual overweight permit fee for tank wagons from \$800 down to \$265 for FY 2009. This reduced fee reflected the Virginia Transportation Research Council's (VTRC's) analysis of the incremental cost of damage to pavement resulting from the operation of an overweight tank wagon (see section 1.4 of this report for a more detailed description of VTRC's analysis). The legislation also required VDOT to consult with DMV in reviewing the fee structure applicable to all overload and overweight vehicles. Two other relevant pieces of legislation were enacted in 2008:

- House Bill 144 amended § 46.2-1143 of the *Code* to provide that overweight permits issued to coal trucks are valid only for a distance of 85 miles *traveled within Virginia* from the preparation plant, loading dock, or railroad; and
- Senate Bill 55 increased the weight limits for permits issued to overweight tank wagons from 36,000 pounds to 40,000 pounds.

Among the bills that failed to pass in 2008 were measures authorizing counties to enforce weight limits on highways within their boundaries (House Bill 293), and authorizing towns to adopt ordinances for the assessment of liquidated damages, provided that the governing body of the town had purchased weight scales for the purpose of enforcing weight limits (House Bill 1546). In addition, House Bill 6031, introduced in the second Special Session of the General Assembly in 2008, proposed to have the Commonwealth Transportation Board establish a new schedule of vehicle overweight and overload fees. This bill failed to report from the House Committee on Rules.

In 2009, House Bill 1752 (incorporating House Bills 1622 and 2185, and approved as Chapter 188 of the 2009 Acts of Assembly) further amended the provisions of Senator Houck's 2007 legislation, by providing that the \$265 annual permit fee for tank wagon vehicles would remain effective "until further comprehensive legislation addressing fees for overweight vehicles is enacted." The legislation also extended until July 1, 2010, the sunset on the weight limits applicable to trucks hauling gravel, sand, or crushed stone no more than 50 miles from origin to destination, in counties that impose a severance tax on coal and gases (the statute had made the weight limits for these trucks the same as those for coal trucks). The legislation further authorized use of the same overweight permits for trucks hauling coal and coal byproducts to electricity-generation facilities as for trucks hauling coal to a loading dock or railroad.

Also enacted in 2009 was House Bill 2075, which provided that violation of the terms and conditions of an excess size and weight permit does not invalidate the weight allowed on such permit unless (i) the permit vehicle is operating off the route listed on the permit, (ii) the vehicle has fewer axles than required by the permit, (iii) the vehicle has less axle spacing than required by the permit when measured longitudinally from the center of the axle to center axle with any fraction of a foot rounded to the next highest foot, or (iv) the vehicle is transporting multiple items not allowed by the permit. Among the bills that failed were efforts to revise the

fees for vehicle overload and overweight permits to conform to recommendations of the Virginia Transportation Research Council (House Bill 2319); to revise the fees for temporary vehicle registrations and vehicle overload and overweight permits (Senate Bill 1048); and to require the Commonwealth Transportation Board, in consultation with DMV, to establish a new schedule of fees for issuance of overweight and overload vehicle permits (excluding vehicles hauling cargoes subject to a coal or gas severance tax) (Senate Bill 1500). The two Senate bills were referred by letter to the Joint Commission on Transportation Accountability.

A number of bills regarding overweight vehicles were introduced in the 2010 Session of the General Assembly. House Bill 473, enacted as Chapter 361, extended the sunset date for trucks hauling gravel, sand, and crushed stone to July 1, 2011. Several other pieces of legislation were referred to the Joint Commission on Transportation Accountability:

- House Bill 37, which proposed authorizing DMV to establish fees for vehicle overload and overweight permits based upon recommendations of the Virginia Transportation Research Council.
- House Bill 127, which (i) proposed a new definition of “carrier”; (ii) would have made carriers, rather than owners or operators, responsible for obtaining permits to haul coal or coal byproducts and for painting lines on truck beds signifying upper limits; (iii) proposed changing overweight penalties to civil penalties and subjecting carriers or shippers, rather than owners or operators, to those penalties; and (iv) would have limited to one hour the amount of time allowed for load shifting.
- House Bill 991, which would have exempted vehicles hauling wood pellets from weight limits, overweight permits, and permit fees.
- House Bill 1068, which proposed, for any vehicle whose weight exceeded that authorized in an overweight permit issued for that vehicle, a penalty based on the amount by which the weight of the vehicle exceeded that authorized by the permit, rather than a penalty based on the amount by which its weight exceeded the weight limit that would have been applicable had no overweight permit been issued.
- Senate Bill 212, which was substantively the same as Senate Bill 1500 from 2009.

Delegate May’s House Bill 2022 was introduced in 2011 as the response of the Joint Commission to these various proposals from 2010. Other legislation enacted in the 2011 legislative session included House Bill 1558, prohibiting the operation of overweight farm machinery or agricultural multipurpose drying units on any component of the interstate highway system when the axle and gross weights are over certain amounts; and House Bill 2461, extending (again) the “sunset” on increased weight limits applicable to trucks hauling gravel, sand, and crushed stone in coal-producing counties, this time to July 1, 2012. Among the bills not enacted in 2011 were several that addressed issues within the scope of the present study: exempting from the standard statutory weight limitations certain vehicles used to haul farm

animal feed (House Bill 1827); and authorizing the Secretary of Transportation, in consultation with the Commonwealth Transportation Board, to limit control of oversize and overweight permitting over certain (local) roads to DMV (House Bill 2403). In addition, House Bill 1892, omnibus transportation funding legislation that failed to report from House Finance, included language similar to that in House Bill 2022.

1.4. Prior VDOT Studies of Damage Caused by Overweight Vehicles

The significant increase in legislative activity over the past four years regarding commercial vehicles has prompted two important studies. As directed in the 2007 legislation, VDOT, together with its research arm, the Virginia Transportation Research Council (VTRC; now VCTIR), reviewed the hauling permits issued to tank wagons to determine the annual fee that would be needed to recover the incremental cost of the pavement damage such vehicles caused when operating under the new statutory weight limits, which were 4,000 pounds higher (both for single axle weight and for gross weight) than the old limits. In the course of their analysis, VTRC research scientists developed a method of calculating pavement damage that could be applied not just to tank wagons, but to any type of vehicle, whether overweight or not. The details of this method were published in 2009 in a technical paper titled “Development of a Weight-Distance Permit Fee Methodology for Overweight Trucks in Virginia.”¹⁰

VTRC’s approach involved a particular metric for quantifying the load-related damage a vehicle causes to pavements: the vehicle’s Equivalent Single Axle Load (ESAL) value. An ESAL is defined as the ratio of the pavement damage caused by the axle in question versus the pavement damage caused by a single axle carrying 18,000 pounds. Axles with lesser weights have lower ESAL values than axles with greater weights. An ESAL value can be determined for any vehicle by summing the ESAL values of each of its axle groupings. Using FY 2007 in-lane weigh-in-motion data from VDOT, VTRC estimated the aggregate number of ESAL-miles traveled that year on state-maintained roads: 4.9 billion. Drawing upon VDOT’s FY 2007 needs-based budget, VTRC then estimated the maintenance costs incurred as a result of load-related damage to pavements: \$175 million. Dividing the cost of the load-related damage by the number of ESAL-miles traveled yielded a unit cost of \$0.0356 per ESAL-mile.

This unit cost can be applied to everything from motorcycles to tractor trucks hauling hundreds of thousands of pounds on dozens of axles; all one needs to know are the ESAL value of the vehicle and the number of miles traveled. However, applying the unit cost to a typical passenger car, with an average ESAL value of 0.0002, and traveling 15,000 miles annually on state-maintained roads, reveals that such a vehicle would be responsible for less than 11 cents in load-related maintenance costs per year ($\$0.0356 \times 0.0002 \times 15,000 = \0.1068). In contrast, for larger vehicles with higher ESAL values, the pavement damage costs can be substantial.

¹⁰ Diefenderfer et al., “Development of a Weight-Distance Permit Fee Methodology for Overweight Trucks in Virginia.”

VTRC determined that an annual permit fee of approximately \$265 would be needed to cover the expected load-related pavement damage caused by a tank wagon operating in excess of the standard weight limits, as compared to the same vehicle operating within those weight limits. Enactment of House Bill 1551 in 2008 made this \$265 fee for tank wagons effective for FY 2009.

As noted above, House Bill 1551 also called upon VDOT, in consultation with DMV, to “review the current fee structure applied to overload and overweight vehicles.” VTRC presented the results of this review in a November 2008 report to the General Assembly titled “A Review of the Current Overweight Permit Fee Structure in Virginia (HB 1551).” Along with a review of current permitting practices, VTRC included in the report a summary of its methodology for calculating pavement damage, as well as a summary of its conclusions about damage-based bridge fees for overweight vehicles. As explained both in the report and in the 2009 technical paper, load-induced moment—the bending of a bridge in response to a vehicle’s weight— involves complex calculations. Moreover, as stated in the report, fewer than one third of overweight permitted vehicles in FY 2008 were estimated to have been capable of structurally damaging state-maintained bridges.¹¹ Given the high estimated cost of moment-related damage—\$23.7 million—the report cautioned against attempting to recover the full amount from the small number of overweight vehicles capable of causing damage, and offered instead “a calculation method for bridge damage fees that would equitably distribute some amount of the total bridge damage costs” across these vehicles. Although the report included some examples of possible bridge fees, VTRC’s calculation method required policymakers to “set a target bridge damage revenue amount to be collected.” With that revenue objective in place, it would then be possible for fees “to be calculated in an equitable way, based on [overweight vehicles’] proportional share of all the excess tonnage causing damage to bridges.”¹²

VTRC’s 2008 report did not make any recommendations, but it did offer a number of policy questions for further consideration:

- whether fees should be charged for pavement damage, bridge damage, or both;
- how to balance the recovery of maintenance costs against the economic impact to industry of increased fees;
- whether to continue exempting any categories of vehicles from paying overweight permit fees;
- whether the fees resulting from VTRC’s calculation methods are reasonable; and,

¹¹ Although not discussed in the VTRC report, an additional but undetermined amount of damage is likely caused by vehicles illegally operating without a permit and by vehicles operating under a waiver granted during a state of emergency.

¹² VTRC 2008 Report, 9.

- if bridge damage fees are to be assessed, what the revenue target should be.

1.5. Scope and Objectives of the Present Study

The present study, undertaken by DMV in consultation with VDOT and VPA, and with input from Virginia State Police (VSP), the Virginia Economic Development Partnership (VEDP), and a wide range of government and industry stakeholders, builds upon the work done in the previous studies of overweight permit fees, and proposes solutions to the policy questions raised in VDOT’s 2008 report. Its scope and objectives are set forth explicitly in House Bill 2022:

[to] develop a uniform system of permitting for overweight and oversize vehicles and a comprehensive, tiered schedule of fees for overweight vehicles, taking into consideration the Virginia Department of Transportation’s research on the cost impact of damage to Virginia’s highways from overweight vehicles, the administrative feasibility of such fee structure, and the impact of such fee structure on the Commonwealth’s economic competitiveness.

Obviously, this authorizing language contemplates a very broad scope of study. Moreover, DMV’s understanding of the criteria articulated in House Bill 2022 evolved as work on the project proceeded. In refining the scope, objectives, and structure for the study, the agency was guided by the following principles, distilled from the authorizing legislation:

- *A uniform system of permitting.* The study should result in a fee structure in which all fees are based on a common set of fundamental considerations; specifically, the price of an overweight permit fee should bear some relationship to the cost of the damage the permitted vehicle is expected to cause. In addition, development of a uniform system of permitting should result in the streamlining of permit issuance processes, and the leveling of disparities in the amounts charged for vehicles with similar load characteristics.
- *A comprehensive schedule of fees.* As Delegate May explained in a letter to DMV charging the agency to undertake this study, the fee schedule should include “all permit types—blanket [i.e., multi-trip] and single trip permits, free permits, and permits for all types of carriers, hauling all types of freight, in loads covering all weight possibilities.”¹³ Furthermore, the fees should encompass all types of damage to infrastructure, including damage both to pavements and to bridges. A truly comprehensive permitting system should also extend, so far as possible, to permitting programs administered by local governments.
- *A tiered schedule of fees.* In his letter to DMV, Delegate May stated that a tiered fee structure “means that there should be some relationship between the fees charged

¹³ A copy of Delegate May’s letter is included as an appendix to this report.

and the weight of the load.” Moreover, since the relationship between vehicle loading and damage is nonlinear—damage to pavement increases exponentially with increases in axle weight—a tiered structure can be expected to result in the very heaviest vehicles paying substantially higher fees than lighter ones.

- *The cost impact of damage caused by overweight vehicles.* Taking into account VTRC’s research on this issue, the fees proposed in this study should be set so as to recover, to the extent feasible in light of economic realities, the cost of the damage caused by overweight vehicles.
- *Administrative feasibility.* The schedule of fees should be one that DMV and other authorities can actually administer. In addition, administrative processes and fee structures should be sufficiently transparent and straightforward for industry to be able to budget expected costs.
- *The Commonwealth’s economic competitiveness.* Raising revenue to help pay for the damage caused by overweight vehicles could enhance Virginia’s economic competitiveness by improving the transportation infrastructure essential to commercial activity. However, the fees must be sensitive to the business realities under which carriers operate, and cannot place the Commonwealth at a competitive disadvantage with other states.

Although the scope of this study was extensive, it did not comprehend every issue related to permitting. Most notably, the study did not evaluate current practices or fees for permits issued to vehicles exceeding statutory height, width, or length limits (i.e., oversize permits). While House Bill 2022 specifically called for the development of “a uniform system of permitting for overweight *and* oversize vehicles,” project leaders determined that the issues involved in oversize permits were altogether different from those involved in overweight permits; except when their extreme size results in accidental damage to surrounding structures (abutments, overhead cables, etc.), oversize vehicles do not cause excess damage, compared to vehicles operating within statutory size limits. Project leaders regarded the recovery of infrastructure maintenance costs as the primary objective of the present study. They therefore concluded that oversize permits, which involve complex public safety and traffic management considerations that could easily distract from the issue of damage to infrastructure, should be placed outside the study’s scope.

Also falling outside the scope of this study were Virginia’s current statutory limits on vehicle gross and axle weights, and the lack of uniform standards in local permitting practices. Section 3.5 of this report contains an account of these and other “parking lot” issues that, despite their merits, were determined to be out of scope.

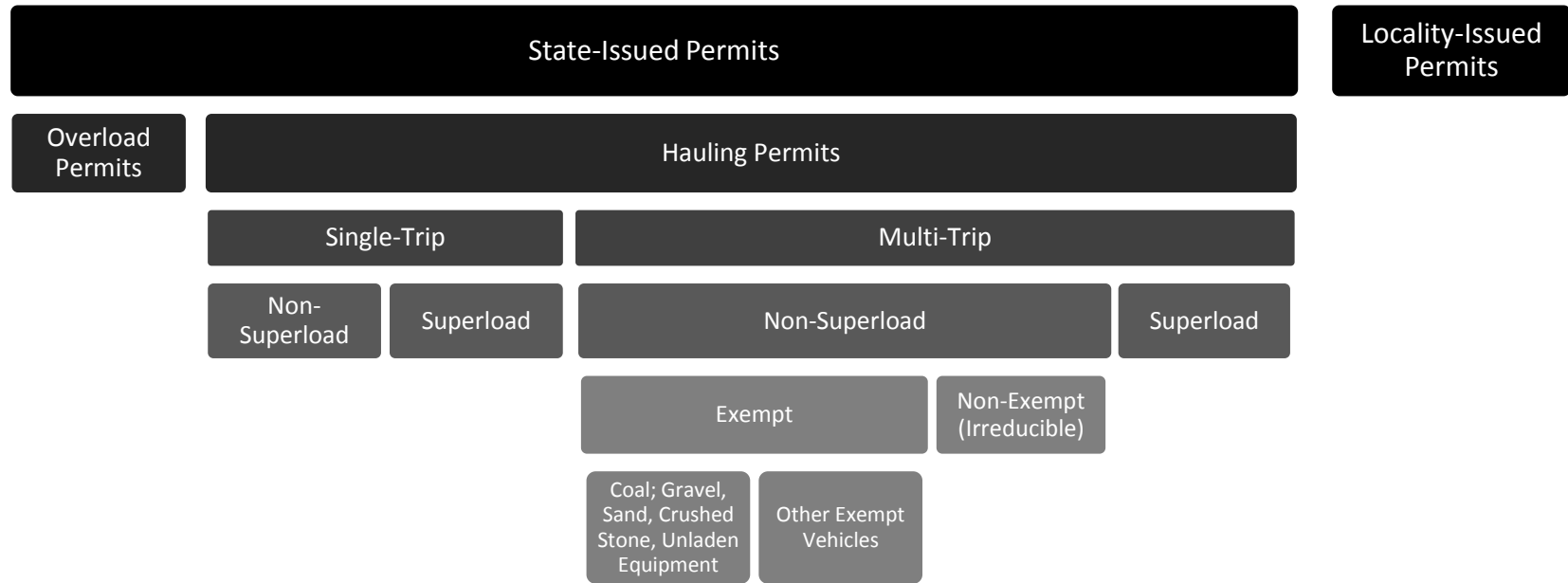
1.6. Structure and Methods of the Present Study

Direction and oversight for the project was vested in an Executive Oversight Team, led by the DMV Commissioner and including representatives from the Office of the Secretary of Transportation, VDOT, VPA, and VSP. Staff from DMV and VDOT provided ongoing, day-to-day project management.

Because there are many different types of weight-based permits issued in Virginia, it was determined that work on the project would be facilitated if the study's subject matter were broken into five groups of permits:

- *Hauling Permits Issued to Superload Vehicles.* Superload vehicles are those carrying irreducible loads that, because of their extreme weight or size, require individual review and engineering analysis to determine their potential impact to infrastructure. Both single-trip and multi-trip hauling permits (including a three-month multi-trip permit) are available for superload vehicles; however, multi-trip permits are generally available only for vehicles that fall within certain weight thresholds, and may authorize travel only over a limited number of specific routes. In addition to paying permit fees, carriers operating superload vehicles above a certain gross weight—generally 500,000 pounds—may be required to provide a bond.
- *Hauling Permits Issued to Vehicles Hauling Coal, Gravel, Sand, or Crushed Stone.* These vehicles are among those exempt from the statutory provisions that limit issuance of hauling permits to vehicles carrying irreducible loads. Vehicles are issued a multi-trip permit to haul coal, over distances of 85 miles or less in Virginia, from a mine or other place of production to a preparation plant, loading dock, or railroad. Permits are also issued for coal trucks to haul gravel, sand, and crushed stone, provided the trip occurs only within those counties that impose a severance tax on coal or gas and does not exceed a distance of 50 miles. Because the coal and gas severance taxes provide funds for the maintenance of roads and bridges in localities levying the taxes, the study group believed that the permits issued to coal trucks warranted separate analysis. In addition, the industry has other special requirements, such as permits for moving the unladen equipment used in mining operations.
- *All Other Hauling Permits.*
- *Overload Permits.*
- *Permits Issued by Localities.* Currently, 12 localities in Virginia issue overweight permits for vehicles operating on locally maintained roads. Permit requirements, issuance processes, and fees vary widely.

Virginia’s Overweight Permit Programs and This Study’s Subcommittee Structure



- The **Hauling Permits Subcommittee** addressed all state-issued hauling permits, *except* those issued to superload vehicles, to vehicles hauling coal, gravel, sand, or crushed stone, and to unladen equipment.
 - The **Superload Permits Subcommittee** addressed state-issued hauling permits issued to superload vehicles.
 - The **Coal Permits Subcommittee** addressed state-issued hauling permits issued to vehicles hauling coal, gravel, sand, or crushed stone, and to unladen equipment.
 - The **Overload Permits Subcommittee** addressed state-issued overload permits.
 - The **Locality Permits Subcommittee** addressed locality-issued permits.
-

Project leaders decided that five subcommittees, consisting of both government and industry representatives, would be formed to analyze the specific issues involved in each of these categories: a Hauling Permits Subcommittee, a Superload Permits Subcommittee, a Coal Permits Subcommittee, an Overload Permits Subcommittee, and a Locality Permits Subcommittee. Each of these subcommittees would be led by DMV staff, but stakeholders in each subcommittee would be given the opportunity to elect representatives to a Subcommittee Leadership Team that would help to coordinate work on the project and to ensure collaboration and consensus across subcommittees. Project managers established a schedule of monthly meetings for the subcommittees, beginning the third week in May and ending the third week in August. They also scheduled regular meetings for the Executive Oversight Team and the Subcommittee Leadership Team, and developed a timeline for drafting, review, and presentation of the report and legislation that would emerge from the study.

Project leaders brought a large number of stakeholders from industry and from state and local government together for a kick-off meeting at the Science Museum of Virginia on April 26th. Stakeholders were briefed on the study's objectives, scope, and structure, and were invited to participate in the study by attending any or all of the subcommittee meetings that had been scheduled. Stakeholders embraced the opportunity, and work on the project began in earnest, with robust stakeholder participation continuing throughout the summer's meetings.

In preparing for these stakeholder meetings, staff from DMV, VDOT, and VPA worked collaboratively to analyze Virginia's current permit fees, and to research and evaluate alternatives that could be presented for stakeholder feedback. The methods of research and analysis generally fell into one of two categories:

- *Quantitative analysis of fees required to recover damage caused by overweight vehicles.* Applying the results of VDOT's earlier work with damage fees based on vehicles' ESAL values, staff analyzed the pavement damage—and therefore the fees—that would result from various vehicle weights and axle configurations. Staff also evaluated different methods of deriving permit fees that would capture the cost of damage to bridges caused by load-induced moment.
- *Comparative analysis of fees and fee structures in other jurisdictions.* DMV staff, with assistance from the Office of Intermodal Planning and Investment (OIPI), surveyed laws and regulations in other states to determine whether any had adopted damage-based permit fees or had developed tiered fee structures that might suggest options for revising Virginia's permit fee system. Staff from DMV and VPA also collected and shared information regarding the fees that other jurisdictions charge for various types of vehicles, freight, and routes, as a way of mapping the competitive landscape within which Virginia would need to operate if it were to remain "open for business."

Results of the analysis performed under these methods were shared with stakeholders, who provided feedback and guidance that helped to move the project toward a final set of legislative and policy recommendations. The following chapter details both the initial results of the research and analysis conducted by project staff, and the feedback received from stakeholders.

2. Analysis

2.1. General Issues

Although each of the project's five subcommittees focused on issues that were unique to specific types of vehicles and permits, there were also a number of issues that were common to several or all of the subcommittees. What follows are the solutions the study group developed in response to these general problems.

2.1.1. *Pavement damage caused by overweight vehicles*

The common starting point for analysis of permit fees was VCTIR's research on the pavement damage caused by overweight vehicles. To assist in this effort, VCTIR provided project staff with an Excel workbook that allowed them to enter various vehicle weight and axle characteristics and vehicle miles traveled, and to then calculate what the ESAL-based damage fee would be, based on those inputs. Staff at DMV with detailed practical knowledge of the ways carriers load vehicles used this workbook to analyze several representative load configurations for vehicles operating under a given type of permit. The outputs generated through this process were fees that ranged as high as several thousand dollars. Staff then calculated an average of the outputs for each permit type, weighted according to the estimated number of vehicles with the various load configurations. This weighted average fee was then compared to the fees in other jurisdictions, and was further discussed with VDOT, VPA, VEDP, and industry stakeholders. In most instances, project staff concluded that the fees—other than those for single-trip permits—would have to be reduced in order for Virginia to remain commercially competitive with other states. The Executive Oversight Team therefore agreed to reductions in the weighted average ESAL-based fees, generally on the order of 50%, to bring total multi-trip permit fees within the range of fees charged in other states.

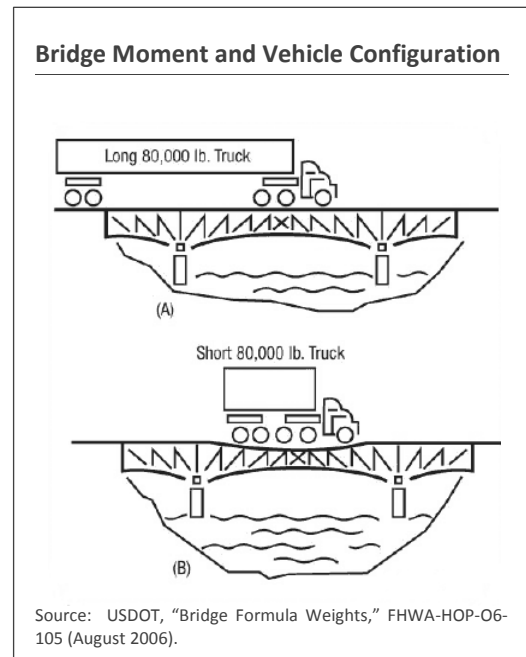
2.1.2. *Bridge damage caused by overweight vehicles*

VCTIR's ESAL-based metric can be used not just to quantify the pavement damage caused by a particular vehicle weight configuration, but to quantify the expected damage from the overweight portion of a particular vehicle. Similar precision in quantifying and assigning the costs for damage to bridges has proven elusive, however. In its 2008 report to the General Assembly, summarized in the preceding chapter of this report, VTRC estimated the cost of moment-related damage at \$23.7 million, but noted that only a small number of permitted vehicles were estimated to be capable of actually causing the damage in the study year, and that it would be problematic to recover the full cost of the damage from such a small base. Moreover, an unknown but possibly substantial amount of damage is caused by overweight

vehicles operating without a permit, either illegally or under a waiver of weight restrictions during a state of emergency.

In light of these difficulties, project leaders considered placing the recovery of costs for bridge damage outside the scope of the present study. Industry stakeholders, however, indicated that they believed the bridge problem ought to be tackled now. Accordingly, staff from DMV, VDOT, and VCTIR tried to determine how best to recover at least part of the damage overweight vehicles cause to bridges.

One of the problems staff faced was the enormous inventory of state-maintained bridges in Virginia: some 12,500 structures altogether (along with another 7500 culverts), each with different span lengths and other unique structural characteristics. A second problem was the wide variety of vehicles that could cross these bridges. Indeed, the problems of bridge variety and vehicle variety compounded one another. For example, a heavy but very long vehicle might cause less damage to a short bridge than would a shorter vehicle of the same weight, or even a shorter, lighter vehicle, since the load might not all be on the bridge at the same time. (See the illustration at right.) Yet another problem was the variety of permits under which vehicles operate in Virginia. A vehicle operating under a multi-trip permit, for example, can cross any number of different bridges, any number of times, during the term of its permit. Moreover, there is not necessarily any relationship between the number of miles traveled and the number of bridges crossed, much less the number of bridges crossed that a vehicle's particular load and configuration might damage.



Because of these problems, assigning bridge damage fees to particular vehicle configurations and permit types ultimately proved unworkable. Staff therefore adopted an alternative approach: once a fee had been established for a permit type based on damage to pavement, an additional fee, representing a fixed percentage of the pavement damage fee, would be added to help recover the cost of damage to bridges. Staff evaluated various methods of arriving at the percentage rate to be used; their figures ranged from 15% (based on the relationship between the cost of load-induced moment—\$23.7 million—to the cost of pavement damage caused by axle loading, estimated at \$174.9 million) to 40% (based on the ratio of the area of pavements on bridges to the area of pavements on roads, and the relative costs of repairing bridge damage versus pavement damage). In the end, the Executive Oversight Committee settled on 20% for vehicles weighing 115,000 pounds or less, and approximately 40%

for vehicles weighing more than 115,000 pounds, as figures that represented a material commitment to recovering some of the cost of damage to bridges, while keeping total fees for permits competitive with fees in other states.

2.1.3. Tiering of fees

A tiered fee structure may be viewed as a strategy for raising revenue, or as a strategy for discouraging characteristics in vehicles that cause damage. Imposing higher fees on vehicles that are expected to cause more damage helps to recover the costs of that damage. By the same token, a fee structure offering lower fees to vehicles that are expected to cause less damage provides carriers with an incentive to reconfigure their vehicles so as to cause less damage.

As the project progressed, however, it became apparent that there were three practical considerations that limited the feasibility of a tiered fee structure. First, not all overweight vehicles are able to be reconfigured. Concrete trucks, for example, have either three or four axles, for carrying up to either 60,000 or 70,000 pounds gross weight. Short of reducing the amount of concrete hauled to a job site, or compelling manufacturers to produce different types of vehicles, there would be no way for these trucks to reduce their axle loadings. Second, imposing very high damage-based fees, particularly on vehicles that cannot be modified to reduce axle loadings, could drive out of business carriers who are unable to bear or transfer the cost, and could stifle economic growth and development in Virginia. Third, tiering fees by weight and number of axles for every type of vehicle, operating under every type of permit, would result in an extremely complex system of fees that would be difficult for industry to understand and for DMV to administer.

For these reasons, the project team limited the application of tiering to gross vehicle weight, with two weight tiers for annual multi-trip hauling permits and six tiers for single-trip hauling permits. The larger number of tiers for single-trip permits principally reflects the wider range of gross vehicle weights authorized under these permits than is authorized under multi-trip permits. However, among vehicles weighing 115,000 pounds or less, the fee schedule for single-trip permits also differentiates between superload and non-superload vehicles, with the former subject to an additional \$10 administrative fee (as they are under current regulations) to defray the additional expense of the engineering analysis required for superload vehicles.

2.1.4. Economic competitiveness

DMV staff, with assistance from OIPI, reviewed the permit fees charged in a number of other states, including those regarded as the leading competitors for business coming through the Port of Virginia. The principal results of that review are contained in a report prepared by OIPI and DMV, *Overweight and Oversized Hauling Permit Practices*, which is included as an appendix to this report.

The review served two purposes. First, project staff wished to determine whether any other state had established a system of permit fees explicitly based on the cost of the damage caused by overweight vehicles. Staff members were especially interested in learning whether any other state had developed a tiered schedule of such fees that could serve as a model for Virginia. Second, staff wanted to determine the range of fees other states charge for various types of permits, in order to better understand the limits of the fees Virginia could charge while remaining economically competitive.

Although states generally do charge fees for overweight vehicles, and most charge higher fees as vehicle weights increase, none of the states reviewed in this study had developed fees that were based upon quantitative analysis of weight-based damage to infrastructure. One state, Texas, did have a comprehensive, tiered schedule of permit fees. Discussions with staff at the Texas Department of Transportation revealed, however, that this fee schedule had been developed by industry stakeholders as a way for Texas DOT to generate additional revenue for specific process improvement projects that benefited industry.

As expected, the survey of other states' permitting programs and fees revealed that every state's program is unique, with different permit types, different systems for classifying which vehicles are subject to different types of permits, and different fees and fee structures. Nevertheless, the research did yield information that helped project staff determine the ranges of fees applicable to several permit types, including permits for vehicles hauling containerized cargo and other freight transported in interstate and international commerce. Detailed information regarding these fees, and their impact on the fees ultimately recommended for permits in Virginia, is included in later sections of this chapter.

2.1.5. Disposition of revenue

Since the whole point of revising the fee structure for overweight permits was to recover some of the costs of damage to infrastructure, industry representatives were insistent that the revenue generated by the damage fees proposed in this study be dedicated to the maintenance and repair of pavements and bridges. Accordingly, the proposed legislation expressly provides that funds deposited to the Highway Maintenance Operating Fund pursuant to the provisions of this legislation will be used to support highway pavement maintenance and rehabilitation and bridge repair.

2.2. Hauling Permits (Excluding Permits for Superload Vehicles, for Vehicles Hauling Coal, Gravel, Sand, or Crushed Stone, and for Unladen Equipment)

Hauling permits are the basic permitting program for overweight vehicles in Virginia. DMV issues these permits on a case-by-case basis, and only if the vehicle and its load are irreducible, or are statutorily exempt from meeting the standard weight and size requirements (see section 1.1, above).

Hauling permits come in two basic forms: single-trip and multi-trip. Single-trip permits authorize a vehicle to carry a particular load on a single trip, along a specified route and within a limited window of time. A carrier who applies for a single-trip permit provides information about the vehicle, the load to be carried, the origin and destination points of the trip, and the desired routes to be traveled. DMV and VDOT then use this information to determine the most efficient route along which the vehicle can safely move. Both the route information and the permit authorization are for state-maintained roads only. Carriers are responsible for picking routes and meeting permit requirements on local roadways.

Multi-trip permits authorize an overweight (or oversize) vehicle to operate on all unrestricted routes (i.e., all state-maintained roads and structures not prohibited to vehicles at that weight). Carriers may obtain a permit that is effective for either one or two years. Like single-trip permits, multi-trip permits are vehicle-specific: they cannot be transferred from one vehicle to another.

Although both single-trip and multi-trip permits are available for vehicles with a variety of load configurations, permit applications for some vehicles—because of the vehicle’s dimensions, axle weight or spacing, or gross weight, or because of special structural considerations along the vehicle’s route of travel—must be referred from DMV to VDOT for custom engineering analysis. The special provisions and fees that apply to these superload vehicles are discussed later, in section 2.3 of this report. What follows in this section (and its subdivisions) applies only to those hauling permits issued to non-superload vehicles.

Fees for single-trip hauling permits currently consist of a \$20 administrative charge, plus a temporary registration fee of \$0.10 per mile. The current annual fees for multi-trip permits are \$100 for administration and \$40 for temporary registration.¹⁴ All these fees are retained by DMV. However, DMV reimburses VDOT for the engineering-related costs it incurs in the issuance of these permits.

Different fees apply to multi-trip permits issued to vehicles that are statutorily exempt from meeting the standard weight and height requirements. The twelve categories of exempt vehicles (more fully described above in section 1.1) are subject to the following annual fees for multi-trip hauling permits:

1. Vehicles transporting containerized cargo to or from a seaport: no fee.
2. Vehicles used to haul farm produce grown in Virginia: no fee.
3. Concrete mixers: no fee.

¹⁴ The mileage fee does not apply to permits that are issued to vehicles that are oversize but not overweight.

4. Vehicles hauling excavated materials from construction-related land clearing operations: no fee.
5. Vehicles hauling solid waste: no fee.
6. Vehicles transporting seed cotton modules: no fee.
7. Articulated buses: no fee.
8. Vehicles supporting well-drilling machinery: no fee.
9. Tank wagons: \$265 damage-based fee (to VDOT), plus \$100 administrative fee (to DMV).
10. Underground pipe cleaning equipment, hydroexcavating equipment, and water blasting equipment: \$100 administrative fee and \$40 temporary registration fee.
11. Vehicles operated by Arlington County: no fee.
12. Vehicles hauling coal, or crushed stone, sand, and gravel, or liquids produced from a gas or oil well, and water used for drilling and completion of a gas or oil well: no fee.
13. Unladen equipment: costs to cover engineering analysis by VDOT.

Along with the fact that most are free of charge, permits issued to exempt vehicles are also different from other permits issued by DMV in that they have generally been recognized by localities. Apart from the City of Norfolk, which issues its own exempt permits (at no charge), all localities with permitting programs have allowed vehicles carrying state-issued exempt permits to travel freely on local unrestricted routes.

The last two groups of exempt vehicles in the above list were taken up in the Coal Permits Subcommittee. Vehicles operated by Arlington County were excluded from the study (government vehicles are exempt from fees). All other exempt vehicles were considered in the Hauling Permits Subcommittee, along with one additional vehicle type: specially partitioned vehicles used exclusively to haul farm animal feed. In the 2011 General Assembly session, House Bill 1827 had proposed exempting these vehicles from standard weight requirements, and subjecting them to an annual permit fee of \$265—the same as the annual damage-based fee for permits issued to tank wagons. House Bill 1827 was referred by letter to the Joint Commission on Transportation Accountability, which in turn directed DMV to include the proposed permits in its study. Project leaders and stakeholders were in agreement that the animal feed vehicles should be considered alongside the other groups of exempt vehicles.

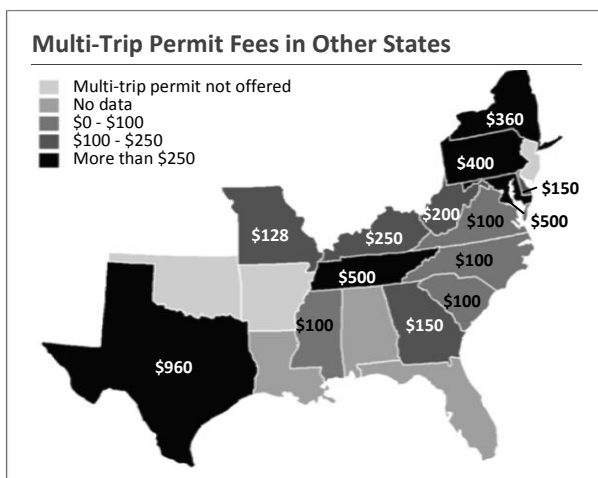
Since single-trip permits and multi-trip permits presented different issues, and since permits issued to exempt vehicles presented different issues from multi-trip permits issued to other vehicles, project staff and stakeholders analyzed each of these permit types separately.

2.2.1. Single-trip permits

Calculation of an ESAL-based damage fee for single-trip permits appeared, at least initially, to be fairly straightforward. Because an application for one of these permits generates information about the distance and route that will be traveled, and also captures vehicle-specific weight and axle information that can be used in determining the vehicle’s ESAL value, project staff thought it might even be possible to calculate a customized damage fee for each permit, based upon the specific characteristics of the vehicle and the distance to be traveled. However, after entering weight and axle information for representative vehicle types into the Excel workbook VCTIR had provided, staff determined that the complexity of customizing fees for every single vehicle would make it hard for industry to budget costs, and difficult for DMV to administer the permitting program. DMV staff therefore calculated a weighted average of the ESAL-based mileage fee that all permitted vehicles with a gross weight of 115,000 pounds or less would have to pay, on top of the current \$0.10-per-mile temporary registration fee, to cover the cost of damage to pavements, and also factored in a damage assessment for bridges (generally, in Virginia, all vehicles weighing over 115,000 pounds are treated as superloads; see section 2.3, below, for a discussion of the permit fees developed for those vehicles). The result was rounded to \$0.20 per mile, producing a total mileage-based fee of \$0.30.

Staff then surveyed the fees charged in neighboring states. While differences in the ways other states set permit fees made comparative analysis difficult—many jurisdictions, for example, levy a ton-mile fee—staff determined that a damage fee of \$0.20 per mile, added to the \$0.10-per-mile temporary registration fee currently assessed and retained by DMV, probably would not weaken Virginia’s competitive position.

After review and discussion with industry stakeholders, the Executive Oversight Team approved the proposal to retain the current \$20 base fee for single-trip permits, and to raise total per-mile fees from \$0.10 per mile to \$0.30 per mile, with the \$0.20 per mile damage fee going to VDOT.



2.2.2. Multi-trip permits for non-exempt vehicles

Analysis of multi-trip permit fees was relatively straightforward. The DMV project team determined that, for all overweight vehicles with a gross weight of 115,000 pounds or less (generally, non-superload vehicles), the weighted average ESAL-based fee for pavement damage would be approximately \$600 to \$1400. This fee was then compared to the base

fees for multi-trip permits in other jurisdictions, as compiled in the study undertaken by OIPI and DMV. Those fees, as shown in the figure on the preceding page, ranged from \$100 to \$960. In view of this competitive landscape, staff concluded that a total fee of \$500 would be about as much as the market could accept.

The Executive Oversight Team approved the following proposal for multi-trip permits issued to vehicles weighing 115,000 pounds or less:

Administrative fee	\$100
Temporary registration fee	40
Pavement damage fee	300
Bridge assessment fee	60
<hr/> Total permit fee	<hr/> \$500

The bridge assessment fee was established at 20% of the fee for pavement damage (see section 2.1.2, above, for an explanation of the reason for this figure). Under the proposal, DMV would continue to retain the administrative and temporary registration fees, while pavement and bridge damage fees would be directed to VDOT.

This proposal was shared with stakeholders, who conditioned their consent on certain process improvements accompanying the fee increases. Project leaders and stakeholders therefore agreed that the following administrative changes would be implemented alongside any increase in multi-trip permit fees:

- *Combining oversize permits for vehicles with 9, 12, and 14 feet widths.* Currently, a carrier must apply for one of three different permits. The proposed single permit would be subject to all the conditions that currently apply to the permit for 14 feet. Combining the permits would improve operational efficiency for industry and for DMV by reducing the paperwork that drivers and administrative staff must deal with.
- *Including multiple axle groupings on a single multi-trip permit.* This change would also improve operational efficiency.
- *Improving communications about structure restrictions.* VDOT publishes a list of structures that are restricted to overweight vehicles. The list is more than 180 pages long and is updated every 90 days. Reformatting the list to include separate sections containing additions to and deletions from the list, and offering a hyperlinked map of structure restrictions on VDOT’s public web site, would provide drivers with clearer and more timely information to help them plan their routes. DMV and VDOT staff agreed to work with law enforcement to provide information and education regarding the documents amending the structure restriction list.

- *Offering permits for local routes via DMV’s online platform.* This proposed enhancement, which would provide carriers with one-stop shopping for multi-trip permits to travel on both state and local roads, is discussed at greater length in section 2.6, below.
- *Amending DMV’s manual regarding size, weight and equipment requirements to clarify that a vehicle may carry separate oversize and overweight permits.* Virginia law prohibits the use of multiple, “stacked” overweight permits to extend a vehicle’s weight limits. However, a vehicle that has been issued a permit for excessive width, height, or length is allowed to obtain an additional permit for excessive weight. DMV agreed to amend its manual to clarify that this type of multiple permitting is lawful.
- *Issuing multi-trip permits that are valid for interstate travel only.* At least one industry representative indicated that such a permit would be beneficial, in that it would reduce the carrier’s administrative burdens and overall costs. It was agreed that, except for the limitation imposed on the route, the terms of the permit—including the fee—would be the same as for any other multi-trip permit.
- *Allowing holders of multi-trip permits to transfer a permit to another vehicle, subject to certain restrictions.* This process improvement is described more fully in the next section.

2.2.3. Multi-trip permits for exempt vehicles

The issue of economic competitiveness was especially acute in the analysis of permits issued to exempt vehicles. For most of these vehicles there is currently no charge for a permit, so any proposal to impose a permit fee would be subject to heightened scrutiny of the potential economic impact. Moreover, as staff from VPA emphasized, the shipping industry is extremely sensitive even to the smallest differences in the cost of transporting freight via one port rather than another. Thus permit fees for vehicles carrying containerized cargo could result in a substantial loss of business for Virginia’s ports, even if those fees made the total costs of doing business here only slightly higher than in other ports on the Eastern seaboard.

With these considerations in mind, the study team carefully considered the extent to which the industries that benefit from exempt permits could absorb the imposition of damage fees. Taking all vehicles operating under exempt permits as a single group, DMV staff estimated a weighted average ESAL-based fee of approximately \$250. After extensive discussion among staff at DMV, VDOT, and VPA, as well as among members of the Executive Oversight Team and stakeholders in the Hauling Permits Subcommittee, it was agreed that the annual fee should be reduced to \$130, consisting of a \$100 pavement damage fee, a \$20 bridge assessment fee, and a \$10 administrative fee. The administrative fee would be retained by DMV; the other fees would be sent to VDOT.

There were two main reasons for the fee reduction. One was equity: since fees for other multi-trip hauling permits had been set well below the ESAL-based value, it was agreed that exempt permits should be given a similar discount. The other reason for the reduction was that it brought the fee closer to what the market would bear for vehicles carrying containerized cargo. VPA staff noted that in other states with ports that compete for business coming to the Port of Virginia, permits for vehicles carrying containerized freight were well below the \$250 mark: in Maryland the permits were free; in North Carolina and South Carolina, they were \$100; and in Georgia, \$150. A fee of \$130 would therefore be close to the upper limit of what could be charged if Virginia wanted its ports to remain competitive.

In addition to these fees for annual multi-trip permits, the project team proposed to offer seasonal multi-trip permits, with correspondingly lower fees, to vehicles used to transport seed cotton modules and to vehicles used to transport Virginia-grown farm produce in Accomack and Northampton counties. Since these vehicles only operate during harvest seasons, their permit fee would be \$45, or about one-third the price of the annual permit. Of this amount, \$35 would be for pavement damage, \$5 would be for bridges, and \$5 would be for program administration.

The process improvements that were proposed for multi-trip permits issued to non-exempt vehicles would also be available for carriers operating exempt vehicles. In addition, the City of Norfolk agreed to end its own program for issuing permits to exempt vehicles, so that going forward all DMV-issued permits for exempt vehicles would be valid on both state and local unrestricted routes. The only exception, it was decided, would be for unladen equipment. In the construction industry, such machinery often is moved from job site to job site over local roads. It was therefore determined that counties, cities, and towns should retain the authority to recover the costs of the engineering analysis required in issuing permits to these vehicles.

For their part, localities indicated that if exempt vehicles were to operate over local roads under state-issued permits, then localities should be given their fair share of the fee revenue generated by these permits. It was therefore agreed that VDOT would allocate between the localities and the state the pavement damage and bridge assessment fees it received from permits issued to exempt vehicles. The allocation would be based proportionally on the lane mileage of state- versus locally maintained roads. For locally maintained roads, the funds would be distributed with local maintenance payments based on lane mileage. Under this agreement, all localities maintaining their own roads would receive a share of the permit fees, regardless of whether they have a permitting program.

Industry stakeholders raised one concern about the proposal for exempt vehicle permits, particularly as it applied to carriers hauling freight to and from the ports. Many of these carriers, the stakeholders noted, often hire individual owner-operators to move freight, and provide them with the permit needed to carry the load. Many of these arrangements between carriers and individual owner-operators are short-lived, however, and since the permits are vehicle-specific, the carrier loses the permit when the owner-operator leaves the

carrier. Industry representatives stated that they would like to have some mechanism whereby carriers in these circumstances could transfer a permit from one vehicle to another. Project staff therefore agreed that all holders of multi-trip permits—exempt or otherwise—would be allowed to transfer the permit to other vehicles. However, to limit abuse, it was decided that no more than two transfers would be authorized for each permit in any 12-month period, and that the original permit would be voided and a new permit issued with the original permit number plus a suffix, indicating that it was a transferred permit. Moreover, the vehicle to which the permit was transferred would be subject to all the limitations (weight, size, route, etc.) set forth when the permit was originally issued. DMV would charge a \$10 administrative fee for each transfer. Although not every stakeholder agreed that authorizing permit transfers would fully resolve the problem, project staff believed that this solution represented a reasonable compromise between the extremes of requiring each permit to remain tied to the same vehicle, and eliminating vehicle-specific permitting altogether.

2.3. Hauling Permits for Superload Vehicles

Superload vehicles carry irreducible loads that, because of their extreme weight or size, require individual review and engineering analysis to determine their potential impact to bridges and pavements. In Virginia, vehicles with a gross weight above 115,000 pounds are generally treated as superloads. In addition, some vehicles with a gross weight of 115,000 pounds or less may be classed as superloads, depending upon axle loads and spacings, as well as upon the vehicle's length, height, and/or width.

Both multi-trip and single-trip hauling permits are available for superload vehicles. Multi-trip permits are issued on a case-by-case basis and, depending on vehicle weight, may be valid either for one year or for three months. The permits may either limit travel to a specific route or authorize operation of the vehicle on all unrestricted routes. In a meeting of the Superload Permits Subcommittee, one industry stakeholder suggested that the three-month permit be discontinued, and that all vehicles eligible for a three-month permit be given an annual permit instead. Staff from VDOT noted, however, that with these superloads 90 days was the maximum "shelf life" for a specific vehicle's load, axle configuration, and authority to travel along a particular route, since periodic inspections could reveal deterioration of bridges and structures requiring maintenance or repairs. It was therefore agreed that DMV would continue to issue three-month multi-trip permits for superloads.

Apart from the individual review and analysis performed by VDOT, single-trip superload permits are generally no different than other single-trip hauling permits. For especially large loads, however—typically only those in excess of 500,000 pounds—the carrier operating the permitted vehicle may be required to provide a bond to cover any damage resulting from the vehicle's operation. In addition, VDOT engineers often will go into the field to examine conditions along the route traveled by one of these "megaload" vehicles, both before and after the permitted trip, to determine whether the vehicle has caused any damage. If damage has

occurred as a result of the vehicle’s operations, then the carrier will be required, under the terms of the permit, to bear the cost of the repairs.

Current fees for permits issued to superload vehicles are nearly the same as for other hauling permits. For multi-trip permits, the annual administrative and temporary registration fees are in fact identical for superload and non-superload vehicles: there is a \$100 administrative charge, and a \$40 temporary registration charge. For three-month multi-trip permits, the temporary registration charge is reduced to \$10. The cost of a single-trip permit includes a \$30 base fee (\$10 more than for non-superload hauling permits), and a \$0.10-per-mile temporary registration fee (the same as for non-superload hauling permits). All permit fees for superloads are currently retained by DMV.

For multi-trip hauling permits issued to superload vehicles, project staff proposed an annual fee that was modeled on the proposed fee for non-superload vehicles (see section 2.2.2, above):

Administrative fee	\$100
Temporary registration fee	40
Pavement damage fee	300
Bridge assessment fee	120
<u>Total permit fee</u>	<u>\$560</u>

The only difference between the proposed annual fees for superload vehicles and those for non-superload vehicles was the higher bridge assessment fee for permits issued to superloads. Since superloads generally have higher gross weights than other overweight vehicles, and since gross weight is a principal factor contributing to bridge damage from load-induced moment, it was thought fitting that permits for superloads should include a larger bridge assessment fee than other multi-trip permits. The \$120 bridge assessment fee for the annual permit was therefore set at 40% of the pavement damage fee—twice as much as the bridge assessment fee for non-superload permits. For three-month multi-trip permits the temporary registration, pavement damage, and bridge assessment fees were simply reduced by (approximately) 75%, to reflect the shorter term of the permit:

Administrative fee	\$100
Temporary registration fee	10
Pavement damage fee	80
Bridge assessment fee	30
<u>Total permit fee</u>	<u>\$220</u>

Under the proposals for multi-trip permits, DMV would continue to retain the administrative and temporary registration fees, while pavement and bridge fees would be directed to VDOT.

The proposal for single-trip permits issued to superload vehicles was likewise modeled, in part, on the proposal that had been developed for non-superload vehicles. As with other

single-trip permits, the total per-mile charges for superloads would be increased from \$0.10 per mile to \$0.30 per mile, with the additional \$0.20 going to VDOT. Analysis of the ESAL values of representative superload vehicles, however, indicated that simply raising the per-mile fees by \$0.20 per mile would not be enough to recover the cost of the damage caused by these vehicles. In addition, because the heaviest superload vehicles pose a greater risk to bridges and structures than do other vehicles, the project team believed this should be reflected in the fee structure. Rather than further increasing the per-mile fees, however, staff concluded that it would be far easier, administratively, to add an extra flat fee for VDOT to DMV’s \$30 base administrative fee. Moreover, given the very wide range of weights included in the superload category—loads range from less than 115,000 pounds to over 1 million pounds—staff believed that it made sense to tier the extra flat fee according to the vehicle’s gross weight.

Staff at VDOT and DMV worked collaboratively to develop reasonable gross-weight tiers and to set the flat fees that would be needed to capture the total damage-based fees—including both pavement and bridge damage—for five different tiers of superload vehicles, assuming a trip distance of 180 miles (the average for single-trip permits). The Executive Oversight Team then reviewed the proposed flat fees, and ultimately approved the following tiered schedule:

Gross Weight (in Pounds)	Per-Mile Fees for 180-mile Trip (\$0.30/mile)	Administrative Fee	Flat Fee for Damage	Total Fee
Up to 115,000	\$54	\$30	\$0	\$84
115,001 – 150,000	\$54	\$30	\$50	\$134
150,001 – 200,000	\$54	\$30	\$160	\$244
200,001 – 500,000	\$54	\$30	\$250	\$334
500,001 and above	\$54	\$30	\$1,420	\$1,504

Although project staff had set the base fee for the fifth tier at \$4,346, the Executive Oversight Team reduced that fee to \$2,120, and then reduced it again to \$1,420, in the interest of economic competitiveness. One industry stakeholder had observed that at \$2,120, Virginia’s permit fees for “megaloads” would be among the highest in the country (top 10% of all states); reducing the fee to \$1,420 would still leave Virginia’s permit fees higher than most (top 30% of all states), but would be much more acceptable to carriers and their customers.

In stakeholder meetings the study team noted that all the process improvements that had been proposed for non-superload vehicles (see section 2.2.2, above) would also be available to superloads. Industry representatives welcomed these proposals.

One stakeholder asked the study team whether it would be possible, in light of the new fee structure, to change the bonding requirements for superloads. Project staff agreed to research the requirements in other states, and subsequently found that only one of the surrounding jurisdictions—Maryland—requires carriers to be bonded. When the results of this research were shared at the next meeting of the Superload Permits Subcommittee, however,

there was consensus that insurance and bonding requirements were no longer matters of concern and could be tabled.

2.4. Hauling Permits for Vehicles Carrying Coal, Gravel, Sand, or Crushed Stone and for Unladen Equipment

The Coal Permits Subcommittee analyzed fees for hauling permits issued to three types of exempt vehicles: vehicles hauling coal; vehicles hauling gravel, sand, or crushed stone (these are the same trucks used to haul coal); and certain unladen equipment used in the mining industry.

Section 46.2-1143 of the *Code* authorizes DMV to issue hauling permits to vehicles that are used to carry coal or coal byproducts from a mine or other place of production to a preparation plant, electricity generation facility, loading dock, or railroad. These multi-trip permits are valid for one year and authorize trips of 85 miles or less within the Commonwealth. Vehicles entering Virginia from a neighboring state may obtain a permit that authorizes travel from the point of entry; however, the distance traveled within Virginia still cannot exceed 85 miles. There is no fee for the permits.

Since 1999, § 46.2-1143 has also authorized vehicles to carry reducible loads of gravel, sand, and crushed stone, subject to the same weight limits that apply to vehicles hauling coal. Travel is limited to 50 miles from origin to destination, and is authorized only in those counties that impose a severance tax on coal and gas—currently, the counties of Buchanan, Dickenson, Lee, Russell, Scott, Tazewell, and Wise (Washington County assesses a severance tax on gas, but not on coal). Initially, the authority for overweight movements of gravel, sand, and crushed stone was scheduled to expire in 2001, but subsequent legislation has repeatedly extended that sunset. Under current law, the sunset date is July 1, 2012.

Since 2005, the statute has also exempted vehicles carrying liquids produced from a gas or oil well, and water used for drilling and completion of a gas or oil well. These vehicles are subject to the same weight limits as vehicles hauling gravel, sand, and crushed stone, and are authorized to travel only for distances of 50 miles or less, and only within counties that impose a severance tax on coal and gas. There is, however, no sunset date for this program.

Along with the permits authorized under § 46.2-1143, the coal industry makes extensive use of permits for unladen equipment, which authorize the movement of certain oversize and overweight haulers and loaders over distances of up to 35 miles. Both multi-trip and single-trip permits are available. Unlike other overweight permits, these specialty permits are issued by VDOT rather than DMV, due to the detailed engineering analysis required. Carriers apply for the permits at a VDOT Residency, which then routes the application information to the Central Office. Section 46.2-1149 of the *Code* authorizes VDOT to recover the costs of its engineering analysis from the applicant.

One thing distinguishing all these vehicles from the others considered in this study is the fact that the industry using them pays special taxes, the revenue from which is used, among other things, to repair and maintain transportation infrastructure in those areas where the permitted vehicles chiefly operate. From FY 2007 through FY 2010, the coal and gas severance taxes generated over \$195 million in revenue, more than \$42 million of which was allocated to road maintenance and improvements in the counties of Buchanan, Dickenson, Lee, Norton, Russell, Scott, Tazewell, and Wise. Based on information provided by both industry representatives and VDOT staff in the field and in Richmond, the project team concluded that the coal industry was already covering the costs of any damage caused by coal trucks. Accordingly, it was agreed that there would be no damage-based fee for permits issued to vehicles hauling coal, or carrying liquids produced from a gas or oil well or water used for drilling and completion of a gas or oil well. Vehicles carrying these loads are all directly involved in the mining and drilling activities taxed under the coal and gas severance taxes. Discussion in the Coal Permits Subcommittee then turned to other matters.

2.4.1. Permits for vehicles hauling coal

Three issues arose in discussions with stakeholders about coal trucks, all involving measurement of vehicle weight. Given the size of the vehicles that haul coal, and the often narrow rural roads those vehicles travel, it is not always safe to check their weight with scales to determine whether there is a permit violation. Instead, vehicle weight is derived from the vehicle's maximum bed size in cubic feet, together with the statutorily established average weight of coal: 52 pounds per cubic foot (52 lbs/ft³).

The first issue that arose in subcommittee meetings was the accuracy of the 52 lbs/ft³ statutory weight. Staff from VDOT questioned whether this figure, which was based upon an average weight of high-grade bituminous coal, was too low, given that trucks sometimes haul lower-grade coal, and/or coal mixed with rock and other material. If the actual weight of a coal truck were substantially higher than its statutory weight, then this could put bridges and other structures in jeopardy. Industry representatives were comfortable that the statutory weight was adequate, and noted that industry was no less concerned than was the Commonwealth about vehicle safety and the integrity of transportation infrastructure. As one representative noted, a damaged road or bridge could result in a major economic loss to industry. The discussion concluded with stakeholders and project staff agreeing to leave the statutory weight of coal at 52 lbs/ft³, and with VDOT and industry agreeing to work toward better sharing of information regarding the inventory of rated bridges in southwest Virginia.

The second issue regarding vehicle weight was the method used to measure the volume of coal truck beds. Section 46.2-1143(D) of the *Code* stipulates that the bed size of a coal truck "shall be measured by its interior dimensions with volume expressed in cubic feet." Since measuring the interior of a coal truck bed is a hazardous endeavor, DMV staff suggested that the statute be amended to expressly authorize DMV staff to use exterior measurements in

determine the interior volume of a truck bed. This amendment would help to ensure workers' safety. VDOT engineers and industry stakeholders agreed to this proposal.

Finally, the project team asked industry representatives whether they would be willing to pay an administrative fee for coal permits, to support the hiring of additional staff for coal truck calibration. Calibration is the process of measuring and marking a coal truck bed to establish the maximum load of coal it can carry by volume; it is performed exclusively by DMV staff working in the field. DMV noted that there had been a significant increase in demand for coal truck calibration in recent months, and that as a result some carriers had had to wait up to 30 days for DMV to calibrate their trucks. Industry responded that there was no need for the agency to hire more staff: the spike in demand for truck calibration was simply due to a temporary shortage of rail cars, which had forced them to move more coal than usual by truck. Based on this response, DMV agreed that there was no need for industry to pay an administrative fee for DMV to hire additional staff.

2.4.2. Permits for vehicles hauling gravel, sand, and crushed stone

As noted above, the authority to issue hauling permits for overweight vehicles carrying gravel, sand, and crushed stone has always been temporary, and the sunset date for the permit program has been extended repeatedly since its enactment in 1999. In meetings of the Coal Permits Subcommittee the project team gauged industry's interest in creating a permanent exemption for these vehicles, subject to a fee. Industry representatives responded that they believed the permits were valuable, and that the need for them would be ongoing. They therefore agreed to pay a fee, based on the fee for the multi-trip hauling permits issued to other exempt vehicles, provided the *Code* was amended to eliminate the sunset date. The fee that was eventually agreed to was approximately half the amount for permits issued to other exempt vehicles: \$70, consisting of a \$55 pavement damage fee, a \$10 bridge assessment fee, and a \$5 administrative fee. This reduced fee was based upon an estimate of the percentage of overall operations under such permits that were not related to coal and gas extraction, and thus were not covered by coal and gas severance taxes.

2.4.3. Permits for unladen equipment

Industry stakeholders emphasized the importance of being able to move unladen equipment quickly when and where it was needed, and asked what could be done to help expedite permit issuance. VDOT staff noted that security concerns foreclosed development of a web-based permitting application, which could compromise sensitive information concerning the structural characteristics of bridges. However, VDOT did commit to improving communications about the permit issuance process, to evaluating the possibility of emergency and after-hours issuance of permits (for an additional fee), and to examining the feasibility of route-specific multi-trip permits for unladen equipment.

VDOT staff noted that it has received applications for permits requesting travel for distances in excess of the 35-mile statutory maximum. Since agency staff did not believe there would be any problem extending the range of these permits, VDOT requested and project staff agreed to include in the draft legislation a statutory amendment authorizing unladen equipment to travel up to 75 miles by permit.

2.5. Overload Permits

Section 46.2-1128 of the *Code* authorizes any vehicle owner to purchase an “extension” of the statutory maximums for single axle, tandem axle, and gross vehicle weight. This extension—generally referred to as an “overload permit”—is a special type of multi-trip permit, valid for one year and issued according to the following fee schedule:

Percentage	Fee for Permit
1%	\$35
2%	\$75
3%	\$115
4%	\$160
5%	\$200

Section 46.2-1129 authorizes a further 5% extension, at no cost, for any vehicle hauling Virginia-grown forest or farm products from the site of harvest or felling to the initial processing facility. This 5% extension can be added to any of the extensions authorized under § 46.2-1128; thus a vehicle with a 1% overload permit would have a combined weight extension of 6%, and a vehicle with a 5% overload permit would have a combined extension of 10%. Pursuant to § 46.2-1142.1, concrete trucks are eligible to purchase overload permits that extend the special statutory weight limits that apply to these vehicles. These overload permits have the same validity period and fee structure as the regular overload permits established under § 46.2-1128. Although neither the *Code* nor the state budget specifies where the revenue from overload permit fees should go, DMV has always sent all of the money to VDOT.

Overload permits are unique in two respects. First, unlike all the other overweight permits DMV issues, carriers purchase these for vehicles that ordinarily operate within standard weight limits. Second, Virginia appears to be the only state that offers a permit of this type.

In stakeholder meetings, industry representatives characterized overload permits, fittingly, as insurance. First authorized under legislation enacted in 1982, the permits were originally viewed as a way for carriers to fully load their vehicles without worrying that unforeseen weather conditions (rain, snow, ice) would add weight to the load and inadvertently trigger an overweight violation. Viewed in this light, overload permits clearly do function as a kind of insurance. Moreover, based on feedback from industry in the stakeholder meetings, this insurance continues to be highly valued.

Proposals to change the fee structure for overload permits were driven less by the damage these vehicles cause to infrastructure than by two other considerations. One consideration was the extremely limited demand for permits granting 1%, 2%, 3%, and 4% extensions. Tabulated below are data for overload permit issuance from June 2010 through May 2011, including both vehicles subject to the International Registration Plan (IRP), and non-IRP vehicles (which are typically smaller vehicles or vehicles that operate only intrastate).

Extension	Issued to IRP Vehicles	Issued to Non-IRP Vehicles	Total Issued
1%	33	62	95
2%	1	1	2
3%	11	4	15
4%	13	1	14
5%	8,874	7,296	16,170
Total	8,932	7,364	16,296

Since fewer than 1% of all permits were issued for extensions of less than 5%, project staff concluded that the elimination of permits with lower limits would be a fairly straightforward way to improve the administrative efficiency of Virginia’s permitting program. Anecdotal reports from industry stakeholders suggested that most of those purchasing the 1% overload permit—second in popularity, after the 5%—were carriers in the agricultural and forestry industries, who were purchasing the least expensive overload permit simply so they could obtain the additional 5% extension authorized under § 46.2-1129. Presumably, most of these carriers, as well as a majority of those who purchased 2%, 3%, and 4% permits, would choose to purchase a 5% permit if the other permits were eliminated. If so, then collapsing the overload fee structure into a single 5% permit with a single fee not only would simplify administration of the program, but also would raise a modest amount of additional revenue.

A second consideration favoring a revised fee structure for these permits was the fact that fees had remained unchanged since 1982, the year the overload program was created. Adjusted for inflation, the \$200 fee instituted in 1982 for a 5% permit would be equivalent to a fee of about \$470 in 2011. Moreover, since the project team was proposing, under the banner of “permit equity,” fee increases for every other type of permit issued to overweight vehicles, it did not appear equitable to leave the fees for overload permits untouched.

In view of these considerations, the project team offered the following proposals to stakeholders:

- the elimination of all overload permits except those authorizing a 5% extension of weight limits; and
- an increase in the fee for this permit from \$200 to \$250.

While most stakeholders appeared to be comfortable with these proposals, two industry representatives recommended changes. One recommended that DMV be authorized to recover its own administrative costs for the program (historically, the agency has absorbed the costs of issuing overload permits). This recommendation was generally agreed to, and the proposal was revised to reflect that DMV would reserve \$5 of the \$250 permit fee to defray its administrative expenses. Another industry representative asked that the \$50 increase in the permit fee be phased in over a period of two or more years. Project staff responded that phasing in the fee increase would complicate both the statutory and administrative framework for the program, and that it did not seem warranted given the small size of the increase.

Accompanying the changes to the fee structure, the project team noted, was a proposed process improvement. Under this proposal, carriers would be allowed to obtain overload permits online for every type of vehicle, not just for vehicles registered under the International Registration Plan (IRP), as is currently the case. Industry welcomed the proposal.

2.6. Permits Issued by Localities

Pursuant to various provisions in Titles 15.2, 33.1, and 46.2 of the *Code of Virginia*, all cities and towns, as well as the counties of Arlington and Henrico, have the authority to issue permits that limit the movement of overweight vehicles on highways and streets within their jurisdictions. Of the 81 localities authorized to establish an overweight permitting program, currently only 12 have such a program in place: the counties of Arlington and Henrico, and the cities of Alexandria, Chesapeake, Fairfax, Hampton, Newport News, Norfolk, Portsmouth, Richmond, Suffolk, and Virginia Beach. Since state-issued permits may not be valid on locally maintained highways and streets within these localities, carriers who wish to move overweight vehicles in these jurisdictions sometimes must obtain separate, locally issued permits.

Local permit issuance processes and fees vary from one jurisdiction to the next. Although reducing disparities in the fees was never considered to be within the scope of the present study, members of the Locality Permits Subcommittee understood that the development of a uniform process for permit issuance was an essential objective. Industry representatives who commented on local permitting processes described long delays in permit issuance, and huge volumes of permit paperwork for multijurisdictional travel that often confused both drivers and law enforcement. Localities, meanwhile, acknowledged that measures to simplify and expedite permit issuance would encourage more carriers to obtain the required permits, which would in turn generate additional permit fee revenue and help to protect infrastructure. The consensus that emerged from these discussions was that the best approach to procedural uniformity—one that provided industry with most of the benefits it sought, while preserving the authority of localities to develop their own rules for their own roads—would be to authorize DMV to issue local permits, on behalf of the localities, as well as permits for state-maintained roads. DMV would thus provide carriers with “one-stop shopping”

for all state and local permits needed to travel in Virginia. Discussion then turned to how far this goal could be achieved, given technical and other limitations.

2.6.1. Multi-trip permits

Developing a process for DMV to issue multi-trip permits on behalf of localities proved fairly straightforward. Localities would provide DMV with all the data used when the locality itself issued a permit—route information and restrictions, fees, and so on—and DMV would incorporate that data into its online permitting system. Carriers would then be able to apply online at DMV for either a state permit or, simply by checking as many boxes as the carrier wished, any number and combination of state and local permits. The permit issued to the applicant would be a single, streamlined document that would still include all the information regarding local route restrictions that would have been obtained had the carrier received the permit directly from the locality. It would be valid on all unrestricted routes, state and/or local, in the jurisdictions covered by the permit. Moreover, the carrier would make a single payment, covering both the regular charge for the state’s multi-trip permit, and the regular charges imposed by the locality (or localities) for its permit. There would be no surcharge for this service, and DMV would remit to localities all fees collected on their behalf.

A second proposal, described more fully in section 2.2.3, above, ensured that the City of Norfolk would end its program for issuing multi-trip permits to exempt vehicles, and that all localities would continue to allow exempt vehicles to operate on local routes using permits issued by DMV. Localities would, in turn, receive a share of the fee revenue collected for the state-issued permits for exempt vehicles, based on lane mileage.

While industry representatives generally welcomed the proposals for multi-trip permits, some localities voiced concerns that it could result in a loss of autonomy, as well as a loss of control over the disposition of revenue. Staff from DMV emphasized that the proposal would not affect local permit rules or reduce local permit fees. In addition, all local jurisdictions would remain free to issue permits from their own offices; DMV’s system would simply provide an additional method for carriers to obtain local permits. Given that many carriers would find the DMV alternative quicker and more convenient to use, staff suggested that it would more likely help to raise permit fee revenue for localities than to reduce it. With these assurances and considerations in mind, representatives of localities joined other stakeholders in giving the proposal their consent.

2.6.2. Designated access route permits

In the final stakeholder meeting of the summer, project staff offered a proposal for a new type of local multi-trip permit, the “designated access route permit.” These multi-trip permits would be offered to carriers who do not need a permit that covers all city or county roads, but only wish to travel on specific, commercially significant routes within a locality. One

possible candidate for such a permit type would be Terminal Boulevard in Norfolk, which provides access to the Port of Virginia, and is sometimes the only route in the City of Norfolk that a carrier ever intends to travel.

It would be entirely within the discretion of each locality whether to adopt these types of permits, and which route or routes would be included in them. However, staff believed them well worth considering, given their potential benefits: they would be less costly to carriers; they would be flexible, and could be tailored to a particular carrier's needs; and they would allow for a more in-depth analysis by the locality of both the carrier's vehicle specifications and the route's structural particulars.

VEDP and representatives from several localities expressed an interest in this proposal, which they viewed as potentially having a positive impact on job creation and economic development. Some localities also registered an interest in piloting programs for designated access route permits.

2.6.3. Single-trip permits

In contrast to multi-trip permits, the project team was unable to develop a comprehensive proposal for issuance of combined state-local single-trip permits. The main obstacle was simply the state's lack of timely, detailed information about locally maintained infrastructure. Without this information, it is not possible for DMV to safely issue single-trip permits that are valid on local routes. DMV and the City of Norfolk agreed, however, to explore the possibility of a pilot program for single-trip permits that would generate a better understanding of what would be needed for a comprehensive permit program for all state and local routes.

2.6.4. Conditions for state issuance of local permits

In the course of this study project staff heard numerous concerns, from all sides, about local permitting practices and about the potential consequences of state issuance of local permits. Generally, these concerns fell into three categories:

- *Ensuring public safety.* For DMV to issue a permit that is valid on locally maintained roads, the Commonwealth must have some assurance that its information about local infrastructure is reliable.
- *Preserving the authority of localities.* The *Code of Virginia* vests local governments with the authority to issue permits over their roadways. It is not within the scope of the present study to remove that authority.
- *Promoting the free flow of commerce throughout Virginia.* Although localities are authorized to develop permit programs, a proliferation of these programs could

impede the movement of freight through the Commonwealth. No proposal developed in this study should create fresh incentives for localities to launch permitting programs.

Project staff worked closely with stakeholders to develop safeguards for the local permitting proposal that would balance all these concerns. The results were twofold. First, it was agreed on all sides that every locality that had or that subsequently developed a permit program would be required to make its permits available through DMV (however, as noted above, DMV would initially be able to issue only multi-trip permits for local routes). Although every locality would be able to issue permits directly to carriers, none would be allowed to opt out of authorizing DMV to issue permits on its behalf.

Second, it was agreed that every locality's permitting program would be required to meet certain minimum standards for safety, quality assurance, and customer service. These standards were expressed in ten criteria:

1. The locality shall have applications available for each permit type, and they shall be available online.
2. The locality shall have designated telephone and fax lines to address hauling permit requests and inquiries.
3. The locality shall have at least one staff member whose primary function is to issue hauling permits.
4. The locality shall have one or more engineers on staff or contracted to perform bridge inspections and provide analysis for overweight vehicles.
5. The locality shall maintain maps indicating up-to-date vertical and horizontal clearance locations and limitations.
6. The locality shall provide to the Department an emergency contact phone number and assign a staff person who is authorized to issue the permit and/or authorized to make a decision regarding the permit request at all times (24 hours a day, seven days a week).
7. The locality shall process a "standard permit" for a "standard vehicle" by the next business day after receiving the completed permit application. Each locality shall define and provide the Department with its definition of a standard vehicle and standard permit. All other requests for permits shall be processed within 10 business days.
8. The locality shall retain for at least 36 months all hauling permit data it collects.

9. The locality shall maintain an updated list of all maintenance and construction projects within that locality. The list shall provide starting and ending locations and dates for each project, and shall be updated as those dates change.
10. The locality shall maintain a list of restricted streets. This list shall indicate all time of travel restrictions, oversize restrictions, and weight restrictions for streets within the locality's jurisdiction.

It was agreed that these minimum standards would be set forth in statute and included in the memorandum of understanding that each locality would enter with DMV prior to the agency's issuance of the locality's permits.

3. Recommendations

Following is a summary of the revised fees, other statutory amendments, and administrative process improvements generally agreed upon in this study, along with recommendations regarding several out-of-scope issues that arose in the meetings with stakeholders. Draft legislation to implement the recommendations is included as an appendix to this report. Note that the legislation, if enacted, would become effective January 1, 2013. This would allow adequate time for systems upgrades and other necessary steps to be taken prior to the effective date of the changes.

3.1. Schedule of Fees for Overweight Permits

For the overload permits issued pursuant to §§ 46.2-1128 and -1142.1 of the *Code*, it is recommended that permits authorizing 1%, 2%, 3%, and 4% overloads be eliminated. These permits represent less than 1% of all overload permits issued. In addition, it is recommended that the fee for the 5% overload permit be raised from \$200 (which it has been since 1982) to \$250.

The recommended fees for multi-trip and single-trip hauling permits are presented in the tables on the following pages.

Recommended Fee Schedule for Multi-Trip Hauling Permits

	Number Issued (FY 2010)	Current Fees	Recommended Fees				Total Fee (1)+(2)+(3)+(4)
			(1) Administrative Fee	(2) Temporary Registration	(3) Pavement Damage Fee	(4) Bridge Damage Assessment	
<i>Non-Exempt Vehicles</i>							
Annual permit for vehicles weighing 115,000 pounds or less	2,651	\$140	\$100	\$40	\$300	\$60	\$500
Annual permit for vehicles weighing more than 115,000 pounds	832	\$140	\$100	\$40	\$300	\$120	\$560
Three-month permit — superload only	1,338	\$110	\$100	\$10	\$80	\$30	\$220
<i>Exempt Vehicles</i>							
Annual permit to haul coal, or liquids produced from a gas or oil well, or water used for drilling and completion of a gas or oil well	824	\$0	\$0	\$0	\$0	\$0	\$0
Annual permit to haul gravel, sand, or crushed stone	n/a	\$0	\$5	—	\$55	\$10	\$70
Annual permit for underground pipe cleaning, hydroexcavating, or water blasting equipment	4	\$140	\$10	—	\$100	\$20	\$130
Annual permit for tank wagons	47	\$365					
Annual permit for all other exempt vehicles	9,707	\$0					
Seasonal permit for vehicles hauling seed cotton modules and for vehicles hauling Virginia-grown produce in Accomack and Northampton counties	43	\$0	\$5	—	\$35	\$5	\$45
Temporary permit for unladen equipment	75	Engineering cost	VDOT to continue collecting cost to cover engineering analysis				

Administrative and temporary registration fees would be retained by DMV. All other fees would be sent to VDOT. Pavement damage and bridge assessment fees for permits issued to exempt vehicles would be allocated between VDOT and localities according to lane mileage within each jurisdiction.

Recommended Fee Schedule for Single-Trip Hauling Permits

Vehicle Gross Weight	Number Issued (FY 2010)	Current Fees		Recommended Additional Fees		Sample Total Fee (based on 180-mile trip)	
		(1) Administrative fee	(2) Temporary registration	(3) Per-mile fee for damage	(4) Flat fee for damage	Current fees only (1)+(2)	With additional fees (1)+(2)+(3)+(4)
115,000 pounds or less (non-superload)	13,624	\$20	\$0.10/mile	\$0.20/mile	\$0	\$38	\$74
115,000 pounds or less (superload)	5,400	\$30	\$0.10/mile	\$0.20/mile	\$0	\$48	\$84
115,001 to 150,000 pounds	8,539	\$30	\$0.10/mile	\$0.20/mile	\$50	\$48	\$134
150,001 to 200,000 pounds	1,170	\$30	\$0.10/mile	\$0.20/mile	\$160	\$48	\$244
200,001 to 500,000 pounds	714	\$30	\$0.10/mile	\$0.20/mile	\$250	\$48	\$334
500,001 pounds or more	18	\$30	\$0.10/mile	\$0.20/mile	\$1,420	\$48	\$1,504

Current administrative and temporary registration fees would continue to be retained by DMV. All other fees would be sent to VDOT.

3.2. Other Items Requiring Legislative Action

In addition to codifying the provisions above regarding fees, the legislation recommended by the study group would also:

- Authorize the issuance of multi-trip hauling permits to certain specialized vehicles used exclusively to haul farm animal feed, as proposed in House Bill 1827 during the 2011 legislative session. Permits for these vehicles would be subject to the \$130 annual fee recommended for other exempt vehicles.
- Eliminate the sunset for issuance of permits to overweight vehicles hauling gravel, sand, and crushed stone.
- Allow all holders of multi-trip permits, for both overweight and oversize vehicles, to transfer the permit to other vehicles. To limit abuse, no more than two transfers would be authorized in a 12-month period for each permit. In addition, the vehicle to which the permit is transferred would be subject to all the limitations set forth in the permit as originally issued.
- Amend statutory provisions regarding the measurement of coal truck beds to allow interior volume to be determined by measuring the exterior of the bed.
- Authorize trips of up to 75 miles for unladen equipment.
- Require every county, city, and town that issues overweight permits to enter into a memorandum of understanding with DMV stipulating the requirements the locality would need to satisfy prior to issuing permits, and authorizing DMV to issue certain permits on the locality's behalf.

3.3. Administrative Process Improvements

Following enactment of the proposed legislation, DMV, VDOT, and localities will begin taking steps to offer several process improvements to carriers:

- Combining oversize permits for vehicles with 9-, 12-, and 14-foot widths, to improve operational efficiency for industry and for DMV by reducing the paperwork that drivers and administrative staff must deal with.
- Including multiple axle groupings on a single multi-trip permit, also to improve operational efficiency.
- Issuing multi-trip permits that are valid for interstate travel only, which would reduce administrative burdens and overall costs for some carriers. (Fees for these permits would be the same as for any other multi-trip permits.)

- Amending DMV’s manual regarding size, weight, and equipment requirements to clarify that a vehicle may carry separate oversize and overweight permits.
- Allowing carriers to obtain 5% overload permits online for every type of vehicle, not just for vehicles registered under the International Registration Plan (IRP), as is currently the case.
- Reformatting VDOT’s list of restricted structures issued to holders of overweight permits, to include separate sections containing additions to and deletions from the list. In addition, VDOT will offer a hyperlinked map of structure restrictions on its public web site, which would provide drivers with clearer and timelier information to help them plan their routes. DMV and VDOT will work with law enforcement to provide information and education regarding the documents amending the structure restriction list.
- Improving communications about VDOT’s process for issuing permits to unladen equipment, evaluating the possibility of emergency and after-hours issuance of those permits (for an additional fee), examining the feasibility of route-specific multi-trip permits for unladen equipment, and developing a process for pre-permitting these vehicles.
- Offering permits for localities via DMV’s online platform.
- Development of “designated access route permits” for carriers who do not need a permit that covers all local roads, but only wish to travel on specific, commercially significant routes within a locality.

Industry representatives who participated in the project’s stakeholder meetings understood that these process improvements are conditioned upon enactment of the proposed legislation, which would generate the additional revenue needed to implement them.

3.4. Fiscal Impact of Recommendations

DMV worked with the Department of Taxation (TAX) to estimate the revenue impact of the recommended permit fees. Using as a baseline hauling permit data from FY 2010 and overload permit data from June 2010 through May 2011, TAX and DMV estimated that the proposed fees would nearly double the amount of annual revenue generated by overload permits and by hauling permits issued to overweight vehicles, from approximately \$5.2 million to approximately \$10.1 million. Revenue for VDOT would rise by an estimated \$4,797,420, from \$3,253,895 to \$8,051,315 (as noted above, VDOT would redistribute some of the new revenue from exempt permits to localities). Revenue for DMV would rise by an estimated \$136,870, from \$1,917,580 to \$2,054,450. The following table details the sources of the new revenue:

Projected Additional Revenue from Recommended Permit Fees

	Current Fees	Recommended Fees	Number Issued	New Revenue for DMV	New Revenue for VDOT	Total New Revenue
<i>Overload Permits</i>						
1%	\$35	NA	95	\$81,480	\$751,080	\$832,560
2%	\$75	NA	2			
3%	\$115	NA	15			
4%	\$160	NA	14			
5%	\$200	\$250	16,170			
<i>Multi-Trip Hauling Permits: Non-Exempt Vehicles</i>						
Annual permit for vehicles weighing 115,000 lbs and less	\$140	\$500	2,651	\$0	\$954,360	\$954,360
Annual permit for vehicles weighing more than 115,000 lbs	\$140	\$560	832	\$0	\$349,440	\$349,440
Three-month permit (superload only)	\$110	\$220	1,338	\$0	\$147,180	\$147,180
<i>Multi-Trip Hauling Permits: Exempt Vehicles</i>						
Annual permit to haul gravel, sand, or crushed stone	\$0	\$70	385	\$1,925	\$25,025	\$26,950
Annual permit for underground pipe cleaning, hydroexcavating, or water blasting equipment	\$140	\$130	4	-\$520	\$480	-\$40

	Current Fees	Recommended Fees	Number Issued	New Revenue for DMV	New Revenue for VDOT	Total New Revenue
Annual permit for tank wagons	\$365	\$130	47	-\$4,230	-\$6,815	-\$11,045
Annual permit for all other exempt vehicles	\$0	\$130	5,800 ¹⁵	\$58,000	\$696,000	\$754,000
Seasonal permit to haul seed cotton modules, or to haul Virginia-grown produce in Accomack and Northampton counties	\$0	\$45	43	\$215	\$1,720	\$1,935
<i>Single-Trip Hauling Permits¹⁶</i>						
Vehicles weighing 115,000 lbs or less (non-superload)	\$38	\$74	13,624	\$0	\$490,464	\$490,464
Vehicles weighing 115,000 lbs or less (superload)	\$48	\$84	5,400	\$0	\$194,400	\$194,400
Vehicles weighing 115,001 to 150,000 lbs	\$48	\$134	8,539	\$0	\$1,194,086	\$1,194,086
Vehicles weighing 150,001 to 200,000 lbs	\$48	\$244	1,170			
Vehicles weighing 200,001 to 500,000 lbs	\$48	\$334	714			
Vehicles weighing 500,001 lbs or more	\$48	\$1,504	18			
Total				\$136,870	\$4,797,420	\$4,934,290

¹⁵ Assumes a 30% decline in permits issued to these vehicles. Since many of these permits are currently issued free of charge, some carriers obtain more of the permits than they actually use. Imposition of a fee for these permits would prompt carriers to purchase only as many as they expected to use.

¹⁶ Estimates for single-trip permits assume an average mileage of 180 miles.

The study team also asked agencies affected by the recommended fees and process improvements to estimate the implementation costs they would incur. Representatives from VPA and VSP indicated that they did not believe the study recommendations would result in any additional costs for their agencies. A preliminary estimate from VDOT indicated a cost of \$25,000 to develop a web-based mapping interface on its public website showing restricted structures. DMV's preliminary estimate indicated a total cost of \$235,500 to modify the agency's systems to accommodate the new permit structure and process improvements. The additional revenue generated for DMV under the recommended fee structure would provide funds needed for these system modifications.

3.5. Recommendations Regarding Out-of-Scope Issues Raised in Study

Although several issues that surfaced in the course of this study lay outside the project's scope, three were particularly noteworthy. Rather than exclude them entirely from this report of the study's results, project staff agreed to place them in a "parking lot" of issues meriting further comment, and to offer a recommendation concerning each. The issues, and the project team's recommendations, are as follows:

- *Increasing statutory maximum allowable weight.* Some industry stakeholders inquired whether standard weight limits for motor vehicles carrying reducible loads could or should be raised. In line with federal weight limits, the maximum gross weight currently authorized under the *Code of Virginia* is 80,000 pounds, regardless of the number of axles on the vehicle. Vehicles exceeding this gross weight may operate only by permit. Although there has been some research suggesting that the benefits of higher weight limits outweigh the costs and should therefore be authorized under federal rules,¹⁷ project staff believe that it would not be advisable at this time to seek an increase in the maximum allowable weight.
- *Lack of uniformity in local permitting requirements.* Several industry representatives voiced frustrations about differences in escort requirements, time of travel restrictions, and timeliness of permit issuance in different localities. Carriers also noted that some localities require separate permits for each trailer, depending on weight, axle configuration, and width, and that not all localities publish dimensional and weight restrictions on the permit, which can create problems for drivers. This feedback in stakeholder meetings prompted some localities to begin discussing ways to promote uniformity of permitting standards across jurisdictions. It is recommended that this work continue, with the involvement of all localities and stakeholders from industry.

¹⁷ Transportation Research Board, *Truck Weight Limits: Issues and Options*. TRB Special Report 225 (Washington: TRB, 1991); Transportation Research Board, *Regulation of Weights, Lengths, and Widths of Commercial Motor Vehicles*. TRB Special Report 267 (Washington: TRB, 2002).

- *Support from law enforcement for overweight vehicles crossing bridges.* Project staff heard from industry that it is often difficult to obtain the necessary police escort when an overweight vehicle is required to make a “slow roll” over a bridge. It is recommended that DMV, VDOT, law enforcement, and industry representatives meet to discuss steps that can be taken to improve responsiveness.

4. Conclusion

Although the fees recommended in this report do not fully recover the cost of damage to pavements and structures caused by vehicles operating under an overweight permit, they do represent a significant contribution from industry to help pay for the maintenance and repair of the Commonwealth's transportation infrastructure. The recommended schedule of permit fees also establishes a more equitable distribution of costs, both among different types of overweight vehicles, and between carriers operating overweight vehicles and other motorists using Virginia's roadways. Finally, the fees, though in some cases substantially higher than those currently in effect, have been proposed at a level where they are not expected to impair the Commonwealth's economic competitiveness. Indeed, given the benefits that industry will enjoy upon enactment of the proposed fees—such as one-stop shopping for state and local permits, designated access route permits to facilitate movement of commercial freight into localities, and enhanced communications regarding route restrictions—the full package of legislative and administrative recommendations offered in this report should only enhance Virginia's reputation as being “open for business.”

Finally, DMV would like to note one outcome of this study that it believes is evident throughout the report, but merits explicit recognition and comment, namely the extraordinary cooperation and sharing of information and experiences that made this study possible. A project of this size and scope is rare, as is the opportunity for stakeholders from across affected industries—motor carriers, their suppliers, and their customers—to sit down with representatives from state and local government in one room to discuss differences of opinion and to reach agreement on matters of common concern. DMV hopes that the communication and education that began to occur in the course of this study—between state and local agencies, between localities and industry, and between industry and VEDP, among others—will continue, and that it will continue to generate fresh insights and creative solutions to move Virginia forward.

Appendices

A. Draft Legislation Recommended by the Study Group

1 § 46.2-652. Temporary registration or permit for oversize vehicles; fees.

2 The Commissioner may grant a temporary registration or permit for the operation of ~~(i)~~ a
3 vehicle or equipment that cannot be licensed because the vehicle, excluding any load thereon, is
4 ~~overweight, oversize, or both~~ or ~~(ii) a licensed vehicle that~~ exceeds statutory weight size limits
5 on the highways in the Commonwealth from one point to another within the Commonwealth, or
6 from the Commonwealth to a point or points outside the Commonwealth, or from outside the
7 Commonwealth to a point or points within the Commonwealth. Any temporary registration or
8 permit issued under this section shall show the registration or permit number, the date of issue,
9 the date of expiration, the vehicle to which it refers, and the route to be traveled or other
10 restrictions and shall be ~~displayed in a prominent place on~~ carried in the vehicle.

11 For a single-trip temporary registration or permit issued under this section, the applicant
12 shall pay a fee of \$.10 per mile for every mile to be traveled, in addition to any administrative fee
13 required by the Department. In lieu of a single-trip permit, an annual multi-trip permit may be
14 issued for a fee of \$40, in addition to any administrative fee required by the Department.

15 For any vehicle that is both overweight and oversize, the permit fees under § 46.2-652.1
16 shall apply.

17 § 46.2-652.1. Temporary registration or permit for overweight vehicles; fees.

18 A. The Commissioner may grant a temporary registration or permit for the operation of
19 (i) a vehicle or equipment that cannot be licensed because the vehicle, excluding any load
20 thereon, is overweight or (ii) a licensed vehicle that exceeds statutory weight limits on the
21 highways in the Commonwealth from one point to another within the Commonwealth, or from

22 the Commonwealth to a point or points outside the Commonwealth, or from outside the
23 Commonwealth to a point or points within the Commonwealth. Any temporary registration or
24 permit issued under this section shall show the registration or permit number, the date of issue,
25 the date of expiration, the vehicle to which it refers, and the route to be traveled or other
26 restrictions and shall be carried in the vehicle.

27 B. For a single-trip temporary registration or permit issued under this section, the
28 applicant shall pay: (i) a fee of \$.30 per mile for every mile to be traveled, to be allocated as
29 follows: (a) \$.20 per mile deposited into the Highway Maintenance and Operating Fund to be
30 used to assist in funding needed highway pavement and bridge maintenance and rehabilitation
31 and (b) \$.10 per mile to the Department; and (ii) one of the following fees, depending on gross
32 weight:

33 1. For a single-trip overweight permit issued for gross weights of 115,000 pounds and
34 below, a \$20 administrative fee to the Department, plus, if needed, an additional \$10 to cover
35 extra research and analysis;

36 2. For a single-trip overweight permit issued for gross weights of 115,001 – 150,000
37 pounds, a fee of \$80, to be allocated as follows: (i) \$50 deposited into the Highway Maintenance
38 and Operating Fund to be used to assist in funding needed highway pavement and bridge
39 maintenance and rehabilitation and (ii) a \$30 administrative fee to the Department;

40 3. For a single-trip overweight permit issued for gross weights of 150,001 – 200,000
41 pounds, a fee of \$190, to be allocated as follows: (i) \$160 deposited into the Highway

42 Maintenance and Operating Fund to be used to assist in funding needed highway pavement and
43 bridge maintenance and rehabilitation and (ii) a \$30 administrative fee to the Department;

44 4. For a single-trip overweight permit issued for gross weights of 200,001 – 500,000
45 pounds, a fee of \$280, to be allocated as follows: (i) \$250 deposited into the Highway
46 Maintenance and Operating Fund to be used to assist in funding needed highway pavement and
47 bridge maintenance and rehabilitation and (ii) a \$30 administrative fee to the Department; or

48 5. For a single-trip overweight permit issued for gross weights of 500,001 pounds and
49 over, a fee of \$1,450, to be allocated as follows: (i) \$1,420 deposited into the Highway
50 Maintenance and Operating Fund to be used to assist in funding needed highway pavement and
51 bridge maintenance and rehabilitation and (ii) a \$30 administrative fee to the Department.

52 C. In lieu of a single-trip permit, an annual multi-trip overweight permit may be issued
53 for the following fee:

54 1. For an annual multi-trip overweight permit issued for gross weights of 115,000 pounds
55 and below, a fee of \$500, to be allocated as follows: (i) \$360 deposited into the Highway
56 Maintenance and Operating Fund to be used to assist in funding needed highway pavement and
57 bridge maintenance and rehabilitation and (ii) \$140 to the Department; or

58 2. For an annual multi-trip overweight permit issued for gross weights of 115,001 pounds
59 and above, a fee of \$560, to be allocated as follows: (i) \$420 deposited into the Highway
60 Maintenance and Operating Fund to be used to assist in funding needed highway pavement and
61 bridge maintenance and rehabilitation and (ii) \$140 to the Department.

62 D. In lieu of an annual permit, a three-month overweight permit may be issued for a fee
63 of \$220, to be allocated as follows: (i) \$110 deposited into the Highway Maintenance and
64 Operating Fund to be used to assist in funding needed highway pavement and bridge
65 maintenance and rehabilitation and (ii) \$110 to the Department.

66 E. For any vehicle that is both overweight and oversize, the permit fees under this
67 section shall apply.

68 § 46.2-685. Payment of fees into special fund.

69 ~~All~~Except as otherwise provided, all fees collected by the Commissioner under §§ 46.2-
70 651, ~~46.2-652, and through~~ 46.2-653 shall be paid into the state treasury and set aside as a
71 special fund to be used to meet the expenses of the Department.

72 § 46.2-1128. Extensions of weight limits; fees.

73 The owner of any motor vehicle may obtain an extension of single axle, tandem axle, and
74 gross weight set forth in this article by purchasing an overload permit for such vehicle. The
75 permit shall extend the single axle weight limit of 20,000 pounds, tandem axle weight limit of
76 34,000 pounds, and gross weight limit based on axle spacing and number of axles on such
77 vehicle by a maximum of 5%. However, no such permit shall authorize the operation of a motor
78 vehicle whose gross weight exceeds 84,000 pounds, nor shall any such permit authorize any
79 extension of the limitations provided in § 46.2-1127 for interstate highways.

80 Permits under this section shall be valid for one year and the fee shall be issued according
81 to the following fee schedule:

Percentage	Fee for Permit
1%	\$ 35
2%	75
3%	115
4%	160
5%	200 \$250.

Such fee shall be allocated as follows: (i) \$245 deposited into the Highway Maintenance and Operating Fund to be used to assist in funding needed highway pavement and bridge maintenance and rehabilitation and (ii) a \$5 administrative fee paid into the state treasury and set aside as a special fund to be used to meet the expenses of the Department.

The Commissioner shall make the permit available to vehicles registered outside the Commonwealth under the same conditions and restrictions which are applicable to vehicles registered within the Commonwealth. The Commissioner may promulgate regulations governing such permits. Except as provided in this section and § 46.2-1129, no weights in excess of those authorized by law shall be tolerated.

Vehicles that are registered as farm use vehicles as provided in § 46.2-698 may operate as authorized under this section without a permit or the payment of any fee; provided, however, that should such vehicle violate the weight limits permitted by this section and § 46.2-1129, such vehicle shall be required to apply for and receive a permit and pay the permit fee to operate as authorized in this section.

§ 46.2-1129. Further extensions of weight limits for certain vehicles hauling Virginia-grown farm or forest products.

110 The owner of any motor vehicle used for hauling Virginia-grown forest or farm products,
111 as defined in § 3.2-4709, from the place where they are first produced, cut, harvested, or felled to
112 the location where they are first processed may obtain from the Commissioner an extension for
113 such vehicle of the single axle, tandem axle, and gross weight limits set forth in this title. The
114 permit shall extend the single axle weight limit, tandem axle, and gross weight limits set forth in
115 this title. The permit shall extend the single axle weight limit, tandem axle weight limit, and
116 gross weight limit based on axle spacing and number of axles on such vehicle by five percent,
117 respectively. However, no such permit shall authorize the operation of a motor vehicle whose
118 gross weight exceeds 84,000 pounds.

119 No permit issued under this section shall permit the operation on an interstate highway of
120 any vehicle with (i) a single axle weight in excess of 20,000 pounds, or (ii) a tandem axle weight
121 in excess of 34,000 pounds, or (iii) a gross weight, based on axle spacing, greater than that
122 permitted in § 46.2-1126, or (iv) a gross weight, regardless of axle spacing, in excess of 80,000
123 pounds. The Commissioner ~~shall~~ may promulgate regulations governing such permits.

124 Weight extensions provided in this section shall be in addition to those provided in §
125 46.2-1128, but no weights beyond those permitted by the combination of the extensions provided
126 in this section and § 46.2-1128 shall be tolerated.

127 Vehicles that are registered as farm use vehicles as provided in § 46.2-698 may operate as
128 authorized under this section; provided, however, that should such vehicle violate the weight
129 limits permitted by this section and § 46.2-1128, such vehicle shall no longer be permitted to
130 operate as authorized in this section.

131 § 46.2-1139. Permits for excessive size and weight generally; penalty.

132 A. The Commissioner and, unless otherwise indicated in this article, local authorities of
133 cities and towns, in their respective jurisdictions, may, upon written application and good cause
134 being shown, and pursuant to the requirements of subsection A1, issue a permit authorizing the
135 applicant to operate on a highway a vehicle of a size or weight exceeding the maximum specified
136 in this title. Any such permit may designate the route to be traversed and contain any other
137 restrictions or conditions deemed necessary by the body granting the permit.

138 A1. Any city or town, as authorized under subsection A, or any county that has
139 withdrawn its roads from the secondary system of state highways that opts to issue permits under
140 this article shall enter into a memorandum of understanding with the Commissioner that at a
141 minimum:

142 1. Allows the Commissioner to issue permits on behalf of that locality and

143 2. Provides that the locality shall satisfy the following requirements prior to issuing such
144 permits:

145 a. The locality shall have applications available for each permit type, and they shall be
146 available online.

147 b. The locality shall have designated telephone and fax lines to address permit requests
148 and inquiries.

149 c. The locality shall have at least one staff member whose primary function is to issue
150 permits.

151 d. The locality shall have one or more engineers on staff or contracted to perform bridge
152 inspections and provide analysis for overweight vehicles.

153 e. The locality shall maintain maps indicating up-to-date vertical and horizontal clearance
154 locations and limitations.

155 f. The locality shall provide to the Department an emergency contact phone number and
156 assign a staff person who is authorized to issue the permit and/or authorized to make a decision
157 regarding the permit request at all times (24 hours a day, seven days a week).

158 g. The locality shall process a “standard permit” for a “standard vehicle” by the next
159 business day after receiving the completed permit application. Each locality shall define and
160 provide the Department with its definition of a standard vehicle and standard permit. All other
161 requests for permits shall be processed within 10 business days.

162 h. The locality shall retain for at least 36 months all permit data it collects.

163 i. The locality shall maintain an updated list of all maintenance and construction projects
164 within that locality. The list shall provide starting and ending locations and dates for each
165 project, and shall be updated as those dates change.

166 j. The locality shall maintain a list of restricted streets. This list shall indicate all times of
167 travel restrictions, oversize restrictions, and weight restrictions for streets within the locality’s
168 jurisdiction.

169 If the locality satisfies the requirements in the memorandum of understanding, the
170 locality may issue permits under this article.

171 B. Except for permits issued under § 46.2-1141 for overweight vehicles transporting
172 containerized freight and permits issued for overweight vehicles transporting irreducible loads,
173 no overweight permit issued by the Commissioner or any local authority under any provision of
174 this article shall be valid for the operation of any vehicle on an interstate highway if the vehicle
175 has:

176 1. A single axle weight in excess of 20,000 pounds; or

177 2. A tandem axle weight in excess of 34,000 pounds; or

178 3. A gross weight, based on axle spacing, greater than that permitted in § 46.2-1127; or

179 4. A gross weight, regardless of axle spacing, in excess of 80,000 pounds.

180 C. The Commissioner may issue permits to operate or tow one or more travel trailers as
181 defined in § 46.2-1900 or motor homes when any of such vehicles exceed the maximum width
182 specified by law, provided the movement of the vehicle is prior to its retail sale and it complies
183 with the provisions of § 46.2-1105. A copy of each such permit shall be carried in the vehicle for
184 which it is issued.

185 D. 1. Every permit issued under this article for the operation of oversize or overweight
186 vehicles shall be carried in the vehicle to which it refers and may be inspected by any officer or
187 size and weight compliance agent. Violation of any term of any permit issued under this article
188 shall constitute a Class 1 misdemeanor. Violation of terms and conditions of any permit issued
189 under this article shall not invalidate the weight allowed on such permit unless (i) the permit
190 vehicle is operating off the route listed on the permit, (ii) the vehicle has fewer axles than

191 required by the permit, (iii) the vehicle has less axle spacing than required by the permit when
192 measured longitudinally from the center of the axle to center axle with any fraction of a foot
193 rounded to the next highest foot, or (iv) the vehicle is transporting multiple items not allowed by
194 the permit.

195 2. Any multi-trip permit authorizing the applicant to operate on a highway a vehicle of a
196 size or weight exceeding the maximum specified in this title may be transferred to another
197 vehicle no more than two times in any 12-month period, provided that the vehicle to which the
198 permit is transferred is subject to all the limitations set forth in the permit as originally issued.
199 The applicant shall pay the Department an administrative fee of \$10 for each transfer.

200 E. Any permit issued by the Commissioner or local authorities ~~of cities and towns~~
201 pursuant to state law may be restricted so as to prevent travel on any federal-aid highway if the
202 continuation of travel on such highway would result in a loss of federal-aid funds. Before any
203 such permit is restricted by the Commissioner, or local authority, written notice shall be given to
204 the permittee.

205 F. When application is made for permits issued by the Commissioner as well as local
206 authorities ~~of one or more cities and towns~~, any fees imposed therefor by the Commissioner as
207 well as all affected local authorities may be paid by the applicant, at the applicant's option, to the
208 Commissioner, who shall promptly transmit the local portion of the total fee to the appropriate
209 locality or localities.

210 G. Engineering analysis, performed by the Virginia Department of Transportation or
211 local authority, shall be conducted of a proposed routing before the Commissioner or local

212 authority issues any permit under this section when such analysis is required to promote safety
213 and preserve the capacity and structural integrity of highways and bridges. The Commissioner or
214 local authority shall not issue a permit when the Virginia Department of Transportation or local
215 authority determines that the roadway and bridges to be traversed cannot sustain the vehicles'
216 size and weight.

217 § 46.2-1140. Authority to use certain streets and highways in cities and towns.

218 When the Commissioner issues a permit to a person to move a vehicle of excessive size
219 and weight along specified highways in Virginia, the Commissioner may also include within
220 such permit, after coordinating with or notifying the authorities of a city or town, the authority to
221 use specified highways at specified times within any such city or town which highways
222 constitute extensions of any part of the primary highway system. No city or town otherwise
223 having jurisdiction over its highways, shall have authority to prohibit the use of its highways to a
224 person holding a permit issued by the Commissioner so long as such person travels upon the
225 highways specified in the permit.

226 § 46.2-1140.1. Annual overweight permits; fees.

227 Except as otherwise provided, the annual fee for overweight permits issued under §§
228 46.2-1141 through 46.2-1149.5 shall be \$130, to be allocated as follows: (i) \$120 to the Highway
229 Maintenance and Operating Fund, with a portion equal to the percentage of the Commonwealth's
230 total lane miles represented by the lane miles eligible for maintenance payments pursuant to §§
231 33.1-23.5:1 and 33.1-41.1 being redistributed on the basis of lane miles to the applicable
232 localities pursuant to §§ 33.1-23.5:1 and 33.1-41.1, to be used to assist in funding needed

233 highway pavement and bridge maintenance and rehabilitation and (ii) a \$10 administrative fee to
234 the Department.

235 Unless otherwise prohibited, overweight permits issued under §§ 46.2-1141 through
236 46.2-1149.5 shall be valid on all unrestricted state and local highways.

237 § 46.2-1141. Overweight permits for containerized freight.

238 Permits to operate on the highways a vehicle exceeding the maximum weight specified in
239 this title shall be granted ~~without costs~~ if the vehicle is hauling containerized cargo in a sealed,
240 seagoing container bound to or from a seaport and has been or will be transported by marine
241 shipment. In order to qualify for such a permit the contents of such seagoing container shall not
242 be changed from the time it is loaded by the consignor or his agents to the time it is delivered to
243 the consignee or his agents. Cargo moving in vehicles conforming to specifications shown in this
244 section shall be considered irreducible and eligible for permits under regulations of the
245 Commissioner.

246 The fee for a permit issued under this section shall be as provided in § 46.2-1140.1. Only
247 the Commissioner may issue a permit under this section.

248 § 46.2-1142. Overweight permits for concrete haulers.

249 The Commissioner ~~and local authorities of cities and towns, in their respective~~
250 ~~jurisdictions~~, upon written application made by the owner or operator, shall issue overweight
251 permits for operation of certain vehicles used to haul concrete. Permits under this section shall be
252 issued only for vehicles that are used exclusively for the mixing of concrete in transit or at a

253 project site or for transporting necessary components in a compartmentalized vehicle to produce
254 concrete immediately upon arrival at a project site and either have (i) four axles with more than
255 22 feet between the first and last axle of the vehicle or (ii) three axles. Any vehicle operating
256 under a permit issued pursuant to this section shall have a gross weight of no more than 60,000
257 pounds for three-axle vehicles and 70,000 pounds for four-axle vehicles, a single axle weight of
258 no more than 20,000 pounds, tandem axle weight of no more than 40,000 pounds, and a tri-axle
259 grouping weight of no more than 50,000 pounds, with no single axle of such tri-axle grouping
260 exceeding the weight permitted for a single axle. ~~Such~~ The fee for such permits shall be issued
261 ~~without cost as provided in § 46.2-1140.1.~~ Such permit shall not designate the route to be
262 traversed nor contain restrictions or conditions not applicable to other vehicles in their general
263 use of the highways.

264 Each vehicle, when loaded according to the provisions of a permit issued under this
265 section, shall be operated at a reduced speed. The reduced speed limit is to be 10 miles per hour
266 slower than the legal speed limit in 55, 45, and 35 miles per hour speed limit zones.

267 § 46.2-1142.1. Extensions of overweight limits authorized under § 46.2-1142 for vehicles
268 used to haul concrete; fees.

269 Owners or operators of vehicles used exclusively to haul concrete may apply for permits
270 to extend the single axle weight limit of 20,000 pounds, the tandem axle weight limit of 40,000
271 pounds, the four axle weight of 70,000 pounds, the tri-axle grouping weight of 50,000 pounds,
272 and the three-axle weight of 60,000 pounds provided for in § 46.2-1142, by ~~the percentages and~~
273 ~~upon payment of the fees set forth in this section:~~

	Percentage	Fee for Permit
274		
275		
276	1%	\$35
277		
278	2	75
279		
280	3	115
281		
282	4	160
283		
284	5	200
285		

286 a maximum of 5%. The fee for such permits shall be \$250, to be allocated as follows: (i) \$245
 287 deposited into the Highway Maintenance and Operating Fund to be used to assist in funding
 288 needed highway pavement and bridge maintenance and rehabilitation and (ii) a \$5 administrative
 289 fee to the Department.

290 Permits issued under this section shall be valid for one year from the date of issuance. No
 291 permit issued under this section shall authorize violation of any weight limitation, promulgated
 292 and posted in accordance with § 46.2-1130, applicable to bridges or culverts. Permits issued
 293 under this section shall authorize extensions of the limitation provided for in § 46.2-1128 for
 294 vehicles operating on interstate highways only to the extent that any such extension (i) is not
 295 inconsistent with federal law and (ii) will not jeopardize or require the withholding or reduction
 296 of federal transportation funding otherwise available to the Commonwealth or any of its political
 297 subdivisions.

298 The Commissioner shall make the permit available to vehicles registered outside the
 299 Commonwealth under the same conditions and restrictions which are applicable to vehicles
 300 registered within the Commonwealth. The Commissioner may promulgate regulations governing
 301 such permits. Except as provided in this section and § 46.2-1142, no weights in excess of those
 302 authorized by law shall be tolerated.

303 § 46.2-1143. Overweight permits for coal haulers; trucks hauling gravel, sand, crushed
304 stone, or liquids produced from gas or oil wells in certain counties; penalties.

305 A. The Commissioner ~~and local authorities of cities and towns in their respective~~
306 ~~jurisdictions~~, upon written application by the owner or operator of vehicles used exclusively for
307 hauling coal or coal byproducts from a mine or other place of production to a preparation plant,
308 electricity-generation facility, loading dock, or railroad shall issue, without ~~cost~~ a fee, a permit
309 authorizing those vehicles to operate with gross weights in excess of those established in § 46.2-
310 1126 on the conditions set forth in this section.

311 B. Vehicles with three axles may have a maximum gross weight, when loaded, of no
312 more than 60,000 pounds, a single axle weight of not more than 24,000 pounds and a tandem
313 axle weight of no more than 45,000 pounds. Vehicles with four axles may have a maximum
314 gross weight, when loaded, of no more than 70,000 pounds, a single axle weight of no more than
315 24,000 pounds, and a tri-axle weight of no more than 50,000 pounds. Vehicles with five axles
316 having no less than 35 feet of axle space between extreme axles may have a maximum gross
317 weight, when loaded, of no more than 90,000 pounds, a single axle weight of no more than
318 20,000 pounds, and a tandem axle weight of no more than 40,000 pounds. Vehicles with six
319 axles may have a maximum gross weight, when loaded, of no more than 110,000 pounds, a
320 single axle weight of no more than 24,000 pounds, a tandem axle weight of no more than 44,000
321 pounds, and a tri-axle weight of no more than 54,500 pounds.

322 C. No load of any vehicle operating under a permit issued according to this section shall
323 rise above the top of the bed of such vehicle, not including extensions of the bed. Three-axle
324 vehicles shall not carry loads in excess of the maximum bed size in cubic feet for such vehicle

325 which shall be computed by a formula of 60,000 pounds minus the weight of the empty truck
326 divided by the average weight of coal. For the purposes of this section, the average weight of
327 coal shall be 52 pounds per cubic foot. Four-axle vehicles shall not carry loads in excess of the
328 maximum bed size for such vehicle which shall be computed by a formula of 70,000 pounds
329 minus the weight of the truck empty divided by the average weight of coal. Five-axle vehicles
330 shall not carry loads in excess of the maximum bed size for such vehicle, which shall be
331 computed by a formula of 90,000 pounds minus the weight of the truck empty divided by the
332 average weight of coal. Six-axle vehicles shall not carry loads in excess of the maximum bed
333 size for such vehicle, which shall be computed by a formula of 110,000 pounds minus the weight
334 of the truck empty divided by the average weight of coal.

335 D. For the purposes of this section, the term bed shall mean that part of the vehicle used
336 to haul coal. Bed size shall be ~~measured by~~ based on its interior dimensions, which may be
337 determined by measuring the exterior of the bed, with volume expressed in cubic feet. In order
338 to ensure compliance with this section by visual inspection, if the actual bed size of the vehicle
339 exceeds the maximum as provided above, the owner or operator shall be required to paint a
340 horizontal line two inches wide on the sides of the outside of the bed of the vehicle, clearly
341 visible to indicate the uppermost limit of the maximum bed size applicable to the vehicle as
342 provided in this section. In addition, one hole two inches high and six inches long on each side of
343 the bed shall be cut in the center of the bed and at the top of the painted line. Any vehicle in
344 violation of this section shall subject the vehicle's owner or operator or both to a penalty of \$250
345 for a first offense, \$500 for a second offense within a 12-month period, and \$1,000 and
346 revocation of the permit for a third offense within a 12-month period from the first offense.

347 E. If the bed of any vehicle is enlarged beyond the maximum bed size for which its
348 permit was granted, or if the line or holes required are altered so that the vehicle exceeds the bed
349 size for which its permit was granted, the owner, operator, or both shall be subject to a penalty of
350 \$1,000 for each offense and revocation of the permit. Upon revocation, a permit shall not be
351 reissued for six months. The penalties provided in this section shall be in lieu of those imposed
352 under § 46.2-1135.

353 F. For any vehicle with a valid permit issued pursuant to the conditions required by this
354 section, when carrying loads which do not rise above the top of the bed or the line indicating the
355 bed's maximum size, if applicable, it shall be, in the absence of proof to the contrary, prima facie
356 evidence that the load is within the applicable weight limits. If any vehicle is stopped by
357 enforcement officials for carrying a load rising above the top of the bed or the line indicating the
358 bed's maximum size, the operator of the vehicle shall be permitted to shift his load within the bed
359 to determine whether the load can be contained in the bed without rising above its top or above
360 the line.

361 G. No such permit shall be valid for the operation of any such vehicle for a distance of
362 more than 85 miles within the Commonwealth of Virginia from the preparation plant, loading
363 dock, or railroad.

364 ~~Until July 1, 2012, in~~ H. In counties that impose a severance tax on coal and gases as
365 authorized by § 58.1-3712, ~~the weight limits prescribed in subsection B of this section shall also~~
366 ~~apply to trucks~~ the Commissioner, upon written application by the owner or operator of vehicles
367 used exclusively for hauling gravel, sand, or crushed stone no more than 50 miles from origin to
368 destination, shall issue a permit authorizing those vehicles to operate with the weight limits

369 prescribed in subsection B. Nothing contained in this subsection shall authorize any extension of
370 weight limits provided in § 46.2-1127 for operation on interstate highways. Any weight violation
371 hauling sand, gravel, or crushed stone under this subsection shall be subject to the penalties
372 authorized by § 46.2-1135.

373 The fee for a permit issued under this subsection shall be \$70, to be allocated as follows:
374 (i) \$65 to the Highway Maintenance and Operating Fund, with a portion equal to the percentage
375 of the Commonwealth's total lane miles represented by the lane miles eligible for maintenance
376 payments pursuant to §§ 33.1-23.5:1 and 33.1-41.1 being redistributed on the basis of lane miles
377 to the applicable localities pursuant to §§ 33.1-23.5:1 and 33.1-41.1, to be used to assist in
378 funding needed highway pavement and bridge maintenance and rehabilitation and (ii) a \$5
379 administrative fee to the Department.

380 HI. In counties that impose a severance tax on coal and gases as authorized by § 58.1-
381 3712, the weight limits prescribed in subsection B shall also apply to motor vehicles hauling
382 liquids produced from a gas or oil well and water used for drilling and completion of a gas or oil
383 well no more than 50 miles from origin to destination. Nothing contained in this subsection shall
384 authorize any extension of weight limits provided in § 46.2-1127 for operation on interstate
385 highways. Any weight violation involving hauling liquids produced from a gas or oil well and
386 water used for drilling and completion of a gas or oil well under this subsection shall be subject
387 to the penalties authorized by § 46.2-1135.

388 § 46.2-1143.1. Overweight permits for haulers of excavated material.

389 The Commissioner ~~and local authorities of cities and towns, in their respective~~
390 ~~jurisdictions~~, upon written application made by the owner or operator, shall issue overweight
391 permits for operation of certain vehicles hauling excavated material from construction-related
392 land-clearing operations. Permits shall be issued under this section only for vehicles that have
393 either (i) four axles with more than 22 feet between the first and last axle of the vehicle or (ii)
394 three axles. Any vehicle operating under a permit issued pursuant to this section shall have a
395 gross weight of no more than 60,000 pounds for three-axle vehicles and 70,000 pounds for four-
396 axle vehicles, a single axle weight of no more than 20,000 pounds, tandem axle weight of no
397 more than 40,000 pounds, and a tri-axle grouping weight of no more than 50,000 pounds, with
398 no single axle of such tri-axle grouping exceeding the weight permitted for a single axle. ~~Such~~
399 The fee for such permits shall be issued without cost as provided in § 46.2-1140.1.

400 No permit issued under this section shall authorize the operation of any vehicle hauling
401 excavated material for a distance of more than 25 miles from the land-clearing operation.
402 However, such permit shall not designate the route to be traversed nor contain restrictions or
403 conditions not applicable to other vehicles in their general use of the highways. Each vehicle,
404 when loaded according to the provisions of a permit issued under this section, shall be operated
405 at a reduced speed of 10 miles per hour slower than the legal speed limit in 55, 45, and 35 miles
406 per hour speed limit zones.

407 For purposes of this section, the term "excavated material" shall mean natural earth
408 materials, which includes stumps, brush, leaves, soil, and rocks, removed by any mechanized
409 means.

410 § 46.2-1144. Overweight permits for solid waste haulers.

411 The Commissioner, upon written application by the owner or operator of vehicles used
412 exclusively for hauling solid waste other than hazardous waste, shall issue ~~without cost~~ a permit
413 authorizing the operation on the highway of such vehicles at gross weights in excess of those set
414 forth in § 46.2-1126.

415 No permit issued under this section shall authorize a single axle weight of more than
416 20,000 pounds or a tandem axle weight of more than 40,000 pounds. No such permit shall be
417 issued for a total gross weight in excess of 40,000 pounds for a two-axle vehicle, or of more than
418 60,000 pounds for a three-axle vehicle. Such permit shall be obtained annually at the time the
419 vehicle is registered. The Commissioner ~~shall~~ may promulgate regulations governing such
420 permits.

421 No such permit shall authorize the operation of any vehicle enumerated in this section
422 beyond the boundary of the county or city where it is principally garaged or for a distance of
423 more than 25 miles from the place where it is principally garaged, whichever is greater.
424 However, the permit shall not designate the route to be traversed nor contain restrictions or
425 conditions not applicable to other vehicles in their general use of the highways. Each vehicle,
426 when loaded according to the provisions of a permit issued under this section, shall be operated
427 at a reduced speed of 10 miles per hour slower than the legal speed limit in 55, 45, and 35 miles
428 per hour speed limit zones.

429 The fee for a permit issued under this section shall be as provided in § 46.2-1140.1.

430 For the purposes of this section, the terms "solid waste" and "hazardous waste" shall have
431 the meanings provided in § 10.1-1400.

432 § 46.2-1144.1. Overweight permits for tank wagons.

433 The Commissioner, upon written application and payment of a fee by the owner of tank
434 wagon vehicles as defined in § 58.1-2201, shall issue overweight permits for operation of said
435 vehicles. The fee for such permit shall be as provided in § 46.2-1140.1.

436 ~~The overweight permit fees shall be based on a fee schedule established by the~~
437 ~~Commissioner of Highways. Such fees shall be dedicated to and deposited into the Highway~~
438 ~~Maintenance and Operating Fund.~~

439 ~~The Commissioner may also assess a separate application fee for applications pursuant to~~
440 ~~this section that covers the administrative expenses of the Department. Funds from the~~
441 ~~application fee are to be designated as specified in § 46.2-1149.3.~~

442 No permit issued under this section shall authorize a single axle weight of more than
443 24,000 pounds and a total gross weight in excess of 40,000 pounds. Permits issued under this
444 section shall be valid for one year from the date of issuance. No permit issued under this section
445 shall authorize violation of any weight limitation, promulgated and posted in accordance with §
446 46.2-1130, applicable to bridges or culverts. This permit shall not be combined with any other
447 overweight permit or extension of weight limits.

448 § 46.2-1144.2. Overweight permits for haulers of farm animal feed.

449 The Commissioner, upon written application by the owner or operator of certain vehicles
450 used exclusively for hauling farm animal feed, shall issue overweight permits for operation of
451 said vehicle. Permits shall be issued under this section only for specially designed five-axle

452 tractor-trailer combinations with bulk feed compartments and at least 51 feet of axle spacing
453 between the first and last axle. Such permits shall not be combined with any other overweight
454 permits or extension of weight limits.

455 No permits issued under this section shall authorize a tandem axle weight of more than
456 37,400 pounds or a total gross weight in excess of 84,000 pounds. Permits issued under this
457 section shall be valid for one year from the date of issuance. No permit issued under this section
458 shall designate the route to be traversed or contain restrictions or conditions not applicable to
459 other vehicles in their general use of the highways. However, no such permit shall authorize
460 violation of any weight limitation applicable to bridges or culverts, as promulgated and posted in
461 accordance with § 46.2-1130. Nothing contained in this section shall authorize any extension of
462 weight limits provided in § 46.2-1127 for operation on interstate highways.

463 The fee for a permit issued under this section shall be as provided in § 46.2-1140.1.

464 § 46.2-1145. Overweight permits for certain trucks operated by Arlington County.

465 The Commissioner of Highways, upon written application by Arlington County, shall
466 issue without ~~cost~~ a fee to such county a permit authorizing the county's operation of vehicles
467 used for hauling household waste and vehicles used for highway or utility construction,
468 operation, or maintenance upon the highways of such county at gross weights exceeding those
469 set forth in § 46.2-1126. Permits issued hereunder shall specify that vehicles with two axles may
470 have a maximum gross weight of no more than 48,000 pounds and a single axle weight of not
471 more than 24,000 pounds and that vehicles with three axles may have a maximum gross weight

472 of not more than 60,000 pounds and a single axle weight of not more than 24,000 pounds and a
473 tandem axle weight of not more than 40,000 pounds.

474 The permit shall not designate the route to be traversed nor contain restrictions or
475 conditions not applicable to other vehicles in their general use of the highways. Each vehicle,
476 when loaded according to the provisions of a permit issued under this section shall be operated at
477 a reduced speed of ~~ten~~ 10 miles per hour slower than the legal speed limit in ~~fifty-five~~ 55, ~~forty-~~
478 ~~five~~ 45, and ~~thirty-five~~ 35 miles per hour speed limit zones.

479 § 46.2-1147. Permits for excessive size and weight for articulated buses.

480 The Commissioner ~~and local authorities of cities and towns in their respective~~
481 ~~jurisdictions~~, upon written application by the owner or operator of passenger buses having three
482 or more axles consisting of two sections joined together by an articulated joint with the trailer
483 being equipped with a mechanically steered rear axle, and having a gross weight of no more than
484 60,000 pounds, a single axle weight of no more than 25,000 pounds and a width of no more than
485 102 inches shall issue to such owner or operator, ~~without cost~~, a written permit authorizing the
486 operation of such vehicles on the highways. The fee for such permit shall be as provided in §
487 46.2-1140.1.

488 § 46.2-1148. Overweight permit for hauling Virginia-grown farm produce.

489 In addition to other permits provided for in this article, the Commissioner ~~and local~~
490 ~~authorities of cities and towns, in their respective jurisdictions~~, upon written application by the
491 owner or operator of any three-axle vehicle used for hauling farm produce grown in Virginia
492 shall issue permits for overweight operation of such vehicles as provided in this section. Such

493 permits shall allow the vehicles to have a gross weight of no more than 50,000 pounds, a single
494 axle weight of no more than 20,000 pounds, and a tandem axle weight of no more than 36,000
495 pounds. Additionally, any five-axle combination used for hauling Virginia-grown farm products
496 may have a gross weight of no more than 80,000 pounds and any four-axle combination hauling
497 Virginia-grown produce, may have a tandem axle weight of 36,000 pounds.

498 Except as otherwise provided in this section, no such permit shall designate the route to
499 be traversed nor contain restrictions or conditions not applicable to other vehicles in their general
500 use of the highways.

501 No permit issued under this section shall authorize any vehicle whose axle weights or
502 axle spacing would not be permissible under §§ 46.2-1122 through 46.2-1127 to cross any bridge
503 constituting a part of any public road.

504 Permits The fee for a permit issued under this section shall be \$45, to be allocated as
505 follows: (i) \$40 to the Highway Maintenance and Operating Fund, with a portion equal to the
506 percentage of the Commonwealth's total lane miles represented by the lane miles eligible for
507 maintenance payments pursuant to §§ 33.1-23.5:1 and 33.1-41.1 being redistributed on the basis
508 of lane miles to the applicable localities pursuant to §§ 33.1-23.5:1 and 33.1-41.1, to be used to
509 assist in funding needed highway pavement and bridge maintenance and rehabilitation and (ii) a
510 \$5 administrative fee to the Department. Such permits shall be valid only in Accomack and
511 Northampton Counties.

512 § 46.2-1149. Unladen, oversize and overweight, rubber-tired, self-propelled haulers and
513 loaders; permits; engineering analysis; costs.

514 The Commissioner and local authorities of cities and towns in their respective
515 jurisdictions, upon written application by the owner or operator of any empty, oversize and
516 overweight, rubber-tired, self-propelled hauler or loader used in the construction and coal mining
517 industries, may issue to such owner or operator a permit authorizing operation upon the
518 highways of such equipment with gross empty weights in excess of those established in §§ 46.2-
519 1122 through 46.2-1127 and sizes in excess of those established in §§ 46.2-1105 through 46.2-
520 1108. The permits shall be issued only after an engineering analysis of a proposed routing has
521 been conducted by the Virginia Department of Transportation or local authorities of counties,
522 cities, and towns in their respective jurisdictions to assess the ability of the roadway and bridges
523 to be traversed to sustain the vehicles' size and weight. ~~Costs~~ The fee for a permit issued under
524 this section shall be based on the costs assessed against the applicant to cover engineering
525 analysis.

526 No permit issued under this section shall be valid for the operation of the equipment for a
527 distance of more than ~~35~~ 75 miles.

528 § 46.2-1149.1. Excess tandem axle weight permits for cotton module haulers.

529 The Commissioner, upon application made by the owner or operator of vehicles used
530 exclusively to transport seed cotton modules, shall issue ~~without cost~~ a permit authorizing the
531 operation on the highway of such vehicles, from September 1 through December 31 of each year,
532 at tandem axle weights in excess of that authorized in § 46.2-1125. The Commissioner ~~shall~~ may
533 promulgate regulations governing such permits. Such permits shall allow the vehicles to have
534 tandem axle weights of no more than 44,000 pounds. No permit issued under this section shall

535 authorize a single axle weight in excess of that authorized in § 46.2-1124 or a gross weight in
536 excess of 56,000 pounds.

537 The fee for a permit issued under this section shall be \$45, to be allocated as follows: (i)
538 \$40 to the Highway Maintenance and Operating Fund, with a portion equal to the percentage of
539 the Commonwealth's total lane miles represented by the lane miles eligible for maintenance
540 payments pursuant to §§ 33.1-23.5:1 and 33.1-41.1 being redistributed on the basis of lane miles
541 to the applicable localities pursuant to §§ 33.1-23.5:1 and 33.1-41.1, to be used to assist in
542 funding needed highway pavement and bridge maintenance and rehabilitation and (ii) a \$5
543 administrative fee to the Department.

544 § 46.2-1149.3. Payment of fees into special fund.

545 Except as otherwise provided in § 46.2-1144.1, all fees collected by the Commissioner
546 under ~~§§ 46.2-1139 through 46.2-1149.2~~ this article shall be paid into the state treasury and set
547 aside as a special fund to be used to meet the expenses of the Department.

548 § 46.2-1149.4. Overweight permits for specialized mobile equipment.

549 The Commissioner ~~and local authorities of cities and towns, in their respective~~
550 ~~jurisdictions~~, upon written application made by the owner or operator, shall issue ~~without cost~~ an
551 overweight permit for the operation of specialized mobile equipment. Any vehicle operating
552 under a permit issued pursuant to this section shall have a gross weight of no more than 64,000
553 pounds, a single axle weight of no more than 20,000 pounds, and a tandem axle weight of no
554 more than 44,000 pounds. Such permit shall not designate the route to be traversed nor contain

555 restrictions or conditions not applicable to other vehicles in their general use of the highways.

556 The fee for such permit shall be as provided in § 46.2-1140.1.

557 For purposes of this section, "specialized mobile equipment" means a self-propelled
558 motor vehicle manufactured for the specific purpose of supporting well-drilling machinery on the
559 job site and whose movement on any highway is incidental to the purpose for which it was
560 designed and manufactured.

561 § 46.2-1149.5. Overweight permits for underground pipe cleaning, hydroexcavating, and
562 water blasting equipment.

563 The Commissioner ~~and local authorities of cities and towns, in their respective~~
564 ~~jurisdictions~~, upon written application made by the owner or operator, shall issue an overweight
565 permit for the operation of underground pipe cleaning, hydroexcavating, and water blasting
566 equipment. Any vehicle operating under a permit issued pursuant to this section shall have a
567 gross weight of no more than 64,000 pounds, a single axle weight of no more than 20,000
568 pounds, and a tandem axle weight of no more than 44,000 pounds. Such permit shall not
569 designate the route to be traversed nor contain restrictions or conditions not applicable to other
570 vehicles in their general use of the highways. The fee for such permit shall be as provided in §
571 46.2-1140.1.

572 For purposes of this section, "underground pipe cleaning equipment" means a self-
573 propelled motor vehicle manufactured for the specific purpose of vacuuming and cleaning
574 underground sanitary and storm pipe. "Hydroexcavating equipment" means a self-propelled
575 motor vehicle manufactured for the specific purpose of digging with water and vacuuming of

576 debris. "Water blasting equipment" means a self-propelled motor vehicle manufactured for the
577 specific purpose of waterblasting flat concrete surfaces and vacuuming spent water for reuse.

578 **2. That this act shall become effective on January 1, 2013.**

B. Chapter 793 of the 2011 Acts of the General Assembly (House Bill 2022)

VIRGINIA ACTS OF ASSEMBLY -- 2011 RECONVENED SESSION

CHAPTER 793

An Act to amend and reenact the second enactment of Chapter 738 of the Acts of Assembly of 2007, as amended by Chapter 864 of the Acts of Assembly of 2008, and as further amended by Chapter 188 of the Acts of Assembly of 2009, relating to vehicle weights; fee structure.

[H 2022]

Approved April 6, 2011

Be it enacted by the General Assembly of Virginia:

- 1. That the second enactment of Chapter 738 of the Acts of Assembly of 2007, as amended by Chapter 864 of the Acts of Assembly of 2008, and as further amended by Chapter 188 of the Acts of Assembly of 2009, is amended and reenacted as follows:**
- 2. That the annual overweight permit fee for each eligible tank wagon vehicle shall be \$265 until further comprehensive legislation addressing fees for overweight vehicles is enacted. *The Commissioner of the Department of Motor Vehicles, in consultation with the Commissioner of Highways, the Executive Director of the Virginia Port Authority, the Virginia Trucking Association and a representative from the heavy equipment industry, as well as other groups as may be deemed appropriate by the Commissioner, shall develop a uniform system of permitting for overweight and oversize vehicles and a comprehensive, tiered schedule of fees for overweight vehicles, taking into consideration the Virginia Department of Transportation's research on the cost impact of damage to Virginia's highways from overweight vehicles, the administrative feasibility of such fee structure, and the impact of such fee structure on the Commonwealth's economic competitiveness. Such fee structure shall be presented to the Joint Commission on Transportation Accountability by December 15, 2011.***

C. Letter from Delegate Joe T. May to DMV Commissioner Richard D. Holcomb



COMMONWEALTH OF VIRGINIA

HOUSE OF DELEGATES

RICHMOND

JOE T. MAY
POST OFFICE BOX 2146
LEESBURG, VIRGINIA 20177-7538

THIRTY-THIRD DISTRICT

March 14, 2011

COMMITTEE ASSIGNMENTS:
SCIENCE AND TECHNOLOGY (CHAIRMAN)
TRANSPORTATION
APPROPRIATIONS

Mr. Richard D. Holcomb
Commissioner
Department of Motor Vehicles
P.O. Box 27412
2300 West Broad Street
Richmond, VA 23269

Dear Commissioner Holcomb:

As you know, House Bill 2022 would require DMV, in consultation with VDOT, the Virginia Port Authority, the Virginia Trucking Association, and other stakeholders, to develop “a uniform system of permitting for overweight and oversize vehicles,” as well as a “comprehensive, tiered schedule of fees” for overweight vehicles. This legislation has evolved over this year’s session of the General Assembly as a vehicle for addressing concerns raised in a number of other bills, including House Bill 1827 (regarding haulers of animal feed) and House Bill 2403 (regarding permitting over routes maintained by localities). Since enactment of House Bill 2022 now appears likely, I wanted to provide you with a somewhat more detailed account of what I believe your agency will need to do to comply with its requirements.

The fee structure that DMV will present to the Joint Commission on Transportation Accountability on December 15th should include:

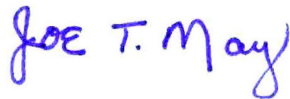
- A “uniform system of permitting”—i.e., a system that establishes a uniform method for issuing permits to overweight and oversize vehicles. To ensure the free flow of commerce throughout the Commonwealth, the system should include both state and local permitting practices.
- A schedule of fees for overweight vehicles that is “comprehensive.” This means that it should include all permit types—blanket and single trip permits, free permits, and permits for all types of carriers, hauling all types of freight, in loads covering all weight possibilities—and all fee types. Because the fee schedule must be comprehensive, you will be expected to solicit input from the widest possible range of stakeholders.

Mr. Richard D. Holcomb. Commissioner
Department of Motor Vehicles
Page (2)

- A schedule of fees that is “tiered.” Generally, this means that there should be some relationship between the fees charged and the weight of the load. It is expected that the relationship will be a non-linear one since the amount of roadway deterioration caused by increased loading increases exponentially with the increase in load. There has been a substantial amount of work done by both USDOT and VDOT on the relationship between load and associated deterioration. It is expected that the new proposed schedules would reflect the results of some of this work.

While the above guidance still provides only an outline of the work you are expected to do, a more detailed and prescriptive agenda would likely do more to impede your efforts than to assist you in uncovering the best solution to meet Virginia’s transportation needs. I wish you success, and look forward to the results of your work on this important task.

Sincerely,



Joe T. May

D. Other Legislation from the 2011 Session that Was Considered in the Study

11103403D

HOUSE BILL NO. 1827

Offered January 12, 2011

Prefiled January 11, 2011

A BILL to amend the Code of Virginia by adding a section numbered 46.2-1144.2, relating to overweight permits for haulers of farm animal feed.

Patrons—Scott, E.T., Bell, Richard P. and Landes

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 46.2-1144.2 as follows:

§ 46.2-1144.2. Overweight permits for haulers of farm animal feed.

The Commissioner, upon written application and payment of an annual fee of \$265 by the owner or operator of certain vehicles used exclusively for hauling farm animal feed, shall issue overweight permits for operation of said vehicles. Permits shall be issued under this section only for specially designed, five-axle tractor-trailer combinations with bulk feed compartments and at least 51 feet of axle spacing between the first and last axle. Such permits shall not be combined with any other overweight permits or extension of weight limits.

The overweight permit fees shall be dedicated to and deposited into the Highway Maintenance and Operating Fund.

The Commissioner may also assess a separate application fee for applications pursuant to this section that covers the administrative expenses of the Department. Funds from the application fee are to be designated as specified in § 46.2-1149.3.

No permit issued under this section shall authorize a tandem axle weight of more than 37,400 pounds or a total gross weight in excess of 84,000 pounds. Permits issued under this section shall be valid for one year from the date of issuance. No permit issued under this section shall designate the route to be traversed or contain restrictions or conditions not applicable to other vehicles in their general use of the highways. However, no such permit shall authorize violation of any weight limitation, promulgated and posted in accordance with § 46.2-1130, applicable to bridges or culverts.

INTRODUCED

HB1827

11103922D

HOUSE BILL NO. 2403

Offered January 17, 2011

A BILL to amend and reenact § 46.2-1140 of the Code of Virginia, relating to authority to use certain streets and highways in cities and towns; permits.

Patron—Cox, J.A.

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1140 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1140. Authority to use certain streets and highways in cities and towns.

When the Commissioner issues a permit to a person to move a vehicle of excessive size and weight along specified highways in Virginia, the Commissioner may also include within such permit, after coordinating with the authorities of a city or town, the authority to use specified highways at specified times within any such city or town which highways constitute extensions of any part of the primary highway system.

A. Notwithstanding any other provisions of this chapter authorizing local authorities of cities and towns to issue overweight or oversize permits, the Secretary of Transportation, in consultation with the Commonwealth Transportation Board, shall have the authority to limit control for oversize and overweight permitting purposes for certain roads solely to the Commissioner. In determining routes to be controlled for permitting purposes by the Commissioner, the Secretary may consider the Commonwealth's corridors of statewide significance pursuant to § 33.1-23.03 and portions of such corridors; access roads to and from any port facility administered by the Virginia Port Authority; and any other roads considered by the Commonwealth Transportation Board to be sufficiently significant to the movement of commerce within the Commonwealth to warrant limiting control for permitting purposes to a single authority.

B. No city or town otherwise having jurisdiction over its highways, shall have authority to prohibit the use of its highways to a person holding a permit issued by the Commissioner so long as such person travels upon the highways specified in the permit and meets the requirements and restrictions specified in the permit.

C. The Secretary of Transportation, in consultation with the Commonwealth Transportation Board, may provide that a portion of any nonadministrative fee assessed and collected upon issuance of a permit pursuant to this section be distributed to cities and towns maintaining roads and structures along the route of the permit.

D. The local authorities of cities and towns shall provide the Virginia Department of Transportation any engineering and inspection data for the highways and structures located within their respective jurisdictions that the Department of Transportation deems necessary to support the engineering analysis required by subsection G of § 46.2-1139.

INTRODUCED

HB2403

E. Timeline of the Study

Timeline of the Permit Equity Study

April	May	June	July	August	September	October	November	December
<p>Executive Oversight Meeting 4/18/2011</p> <p>Stakeholder Kickoff 4/26/2011</p>	<p>Hauling Permits Subcommittee 5/17/2011</p> <p>Overload Permits Subcommittee 5/18/2011</p> <p>Superload Permits Subcommittee 5/18/2011</p> <p>Coal Permits Subcommittee 5/19/2011</p> <p>Locality Permits Subcommittee 5/17/2011</p>	<p>Executive Oversight Meeting 6/28/2011</p> <p>Hauling Permits Subcommittee 6/21/2011</p> <p>Overload Permits Subcommittee 6/22/2011</p> <p>Superload Permits Subcommittee 6/22/2011</p> <p>Coal Permits Subcommittee 6/23/2011</p> <p>Locality Workgroup 6/10/2011</p> <p>Locality Workgroup 6/17/2011</p> <p>Locality Permits Subcommittee 6/21/2011</p>	<p>Subcommittee Leadership Team 7/26/2011</p> <p>Locality Workgroup 7/6/2011</p>	<p>Combined Hauling, Overload, and Superload Permits 8/17/2011</p> <p>Locality Workgroup 8/8/2011</p> <p>Locality Permits Subcommittee 8/16/2011</p> <p>Locality Workgroup 8/31/2011</p>	<p>Executive Oversight Meeting 9/2/2011</p> <p>Locality Workgroup 9/14/2011</p>	<p>Draft Report Sent to Stakeholders for Review 10/11/2011</p> <p>Comments Regarding Draft Report Due from Stakeholders 10/21/2011</p>	<p>Executive Oversight Meeting 11/7/2011</p>	<p>Final Report to Del. May 12/1/2011</p>

F. Study Participants

Executive Oversight Team

Richard D. Holcomb
Commissioner
Department of Motor Vehicles

Matt Strader
Assistant Secretary of Transportation

J.J. Keever
Senior Deputy Executive Director, External Affairs
Virginia Port Authority

Charles A. Kilpatrick
Chief Deputy Commissioner
Virginia Department of Transportation

David A. Mitchell
Deputy Commissioner for Administration and Finance
Department of Motor Vehicles

Lieutenant Colonel Robert B. Northern
Deputy Superintendent
Virginia State Police

Jose P. Gomez
Director
Virginia Center for Transportation Innovation
and Research

Ellen Marie Hess
Assistant Commissioner for Government Affairs
Department of Motor Vehicles

Rena Hussey
Assistant Commissioner for Motor Carrier
and Tax Services
Department of Motor Vehicles

Richard L. Walton
Chief of Policy and Environment
Virginia Department of Transportation

Project Staff

Janet Smoot
Department of Motor Vehicles
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Department of Motor Vehicles

Juliet Nisley
Virginia Department of
Transportation

Mike Baxter
Department of Motor Vehicles

Holly Jones
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Transportation

Caroline Stalker
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Lynwood Butner
Department of Motor Vehicles

Barbara Klotz
Department of Motor Vehicles

Ronald Thompson
Department of Motor Vehicles

Wayne Davis
Department of Motor Vehicles

Richard Lampman
Department of Motor Vehicles

Matt Wells
Department of Motor Vehicles

Patrick Harrison
Department of Motor Vehicles

Stakeholders and Other Participants

Philip Abraham VECTRE Corporation Old Dominion Highway Contractors Association	Janet Brooking Drive Smart Virginia	Joe Durant City of Newport News Attorney's Office
Jimmy Adkins Virginia Mining Association, Inc.	Charlie Brown Brown & Son, LLC	Chuck Duvall Waste Management, Inc.
Emily Baker City of Alexandria	Patricia Bush Arlington County	Peter Easter* Easter Associates Virginia Ready Mix Concrete Association
Doug Ball Specialized Carriers and Riggers Association	Randy Bush* Virginia Forest Products Association	Greg Edwards Virginia Port Authority
Tony Barati Virginia Department of Transportation	Troy Busser Daily Express, Inc.	Art Ellermann Virginia Intermodal Management
Ruth Barnard Transportation, Inc.	James D. Campbell Virginia Association of Counties	Mike Estes Virginia Department of Transportation
Hobey Bauhan Virginia Poultry Federation	Michael Canny Hampton Police Department	Todd Eure County of Henrico
Drew Beckerdite CBT Integrated Logistics	Chris Chiodo* Waste Management, Inc.	Mark Flynn Virginia Municipal League
Matt Benka MDB Strategies	Whit Clement Virginia Transportation Construction Alliance	Dean Godwin Virginia Beach Police Department Drive Safe Hampton Roads
P. Dale Bennett* Virginia Trucking Association	Dan Coffey W. O. Grubb Crane Rental	Debbie Green City of Norfolk
Diggs Bishop VRMCA - Vulcan Materials	Chris Columbus* CBT Integrated Logistics	Susan Griffin City of Suffolk
Leo Blades City of Hampton	Tyler Craddock Virginia Manufactured and Modular Housing Association	Chris Griffith Superior Paving Corporation
Frank Borum D. D. Jones Transportation Services, Inc.	Andrew D'Amato Department of Motor Vehicles	Randy Guerra Wal-Mart Stores, Inc.
Ken Brittle Virginia Department of Transportation	Jennifer DeBruhl Virginia Department of Transportation	

Cary Hagen Virginia International Terminals, Inc.	W. Neil Kennedy* W. O. Grubb Crane Rental	Richard Metz Thompson Trucking
Dean Harbour W.E.L. Incorporated Environmental Services	Stephanie Kitchen Virginia Farm Bureau Federation	Travis Miller* Carter Machinery Co., Inc.
Rick Harrell R.O. Harrell, Inc.	Sean Knick* Superior Paving Corporation	Sgt. Larry Montgomery, Jr. Virginia State Police
Janice Healy City of Newport News	Larry Land Virginia Association of Counties	Roger Moody Virginia Movers and Warehousemen Association
Emmett Heltzel Virginia Department of Transportation	Daniel LeGrande Virginia International Terminals, Inc.	Jim Mooney* Virginia Loggers Association
Sgt. Darryl Holley Virginia State Police	Joe Lerch* Virginia Municipal League	Chris Morgan Keen Transport
Sam Hollins Virginia Transportation Construction Alliance	Steve Lescallett Fairfax County	Prasad Nallapaneni Virginia Department of Transportation
Clyde Hostutler* Clyde's Transfer	Sgt. Melvin Lewis Virginia State Police	Claude Napier Virginia Department of Transportation
June Hostutler Clyde's Transfer	Jodie Love Virginia Port Authority	Morgan Nelson S.B. Cox Ready Mix
Paul Howe Virginia Forestry Association	Dean Lynch Virginia Association of Counties	Thornton Newlon* The Virginia Coal Association, Inc.
Donna Pugh Johnson Virginia Agribusiness Council	Jonathan Mallard Virginia Department of Transportation	Mike O'Connor Virginia Petroleum, Convenience & Grocery Association
First Sgt. Ted Jones Virginia State Police	Keith Martin Virginia Department of Transportation	Liz Povar Virginia Economic Development Partnership
John Jones Virginia Sheriffs' Association	Kara Matzko Virginia Intermodal Management	Brenda Powers Cranemasters, Inc.
Antonio Jordan City of Suffolk	Jo Anne Maxwell Office of the Attorney General	Jim Price W. O. Grubb Crane Rental
Lisa Kardell Waste Management, Inc.	Melissa McCauley Whitey's Flag Car Service	Donnie Ratliff* Alpha Natural Resources Services, LLC
James Keen Jewell Resources Corporation	Martha Mitchell Meade AAA Mid-Atlantic	

Camelia Ravanbakht
Hampton Roads Transportation
Planning Organization

Paul Ross*
Keen Transport

Kathy Rountree
City of Virginia Beach

Barry Rudiger
East Coast Truck & Trailer
Sales, Inc.

Mike Schnurman
County of Henrico

Dana Schrad
Virginia Association of
Chiefs of Police

Richard Schreck
Virginia Asphalt Association, Inc.

Lt. Patrick M. Sedillo
Virginia State Police

Richard Settle
Alpha Natural Resources
Services, LLC

Brent Sheffler
Virginia Economic Development
Partnership

Mark Singer*
Virginia Utility & Heavy
Contractors Council

Andrew Smith*
Virginia Farm Bureau Federation

Kristen Smolenski
Drive Smart Virginia

Jeffrey Southard
Virginia Transportation
Construction Alliance

Jerry Spivey
City of Norfolk

Lee Springer
City of Chesapeake

Jim Stepahin
Hampton Roads Utility and
Heavy Contractors Assoc.

Mark Stewart
City of Virginia Beach

Ken Taylor*
W & L Construction

Bill Turner
City of Virginia Beach

Windy VanCuren
AAA Mid-Atlantic

Steven Vermillion
Associated General Contractors
of Virginia, Inc.

Jim Wade
Virginia International
Terminals, Inc.

Joan Wagner
City of Alexandria

Kendal Walus
Virginia Department of
Transportation

Jeff Westrick
Newport News Police
Department

Mark Wilder
Virginia International
Terminals, Inc.

Joe Williams
Virginia Department of
Transportation

Tom Witt*
Virginia Transportation
Construction Alliance

Heather Wood
Virginia Port Authority

Skip Yeakel
Volvo Trucks NA

John Yorks
City of Hampton

* Member of Stakeholder Leadership Team

G. Written Responses from Stakeholders Regarding the Study Report and Draft Legislation



P.O. Box 6293, Virginia Beach, VA 23456
(757) 498-2562

**Drive Safe Hampton Roads
Specialized Transportation Safety Committee
October 19, 2011**

COMMENTS ON PERMIT EQUITY STUDY LEGISLATION DRAFT LEGISLATION:

46.2-1149. Unladen, oversize and overweight, rubber-tired, self-propelled haulers and loaders; permits; engineering analysis; costs.

The Commissioner ~~and local authorities of cities and towns in their respective jurisdictions~~, upon written application by the owner or operator of any empty, oversize and overweight, rubber-tired, self-propelled hauler or loader **used in the construction** and **coal mining industries**, may issue to such owner or operator a permit authorizing operation upon the highways of such equipment with gross empty weights in excess of those established in §§ 46.2-1122 through 46.2-1127 and sizes in excess of those established in §§ 46.2-1105 through 46.2-470 1108.

The permits shall be issued only after an engineering analysis of a proposed routing has been conducted by the Virginia Department of Transportation or local authorities of counties, cities, and towns in their respective jurisdictions to assess the ability of the roadway and bridges to be traversed to sustain the vehicles' size and weight. Costs shall be assessed against the applicant to over engineering analysis. No permit issued under this section shall be valid for the operation of the equipment for a distance of more than 35 miles.

COMMENT:

In Hampton Roads, this is the State Code that gives the localities the authority to issue hauling permits to contractors in order to move their construction equipment short distances. They would have to either repeatedly load up equipment to move a short distance or reduce the equipment size / weight to move it legally. In Hampton Roads, the only roads that a State Permit is good on is the Interstate System. Neither DMV nor VDOT would allow these slow moving vehicles on the Interstate, so DMV would not issue a permit in this case. The localities request that this state code continue to allow them the authority to issue these types of construction permits.

Example of this code: In Virginia Beach, C.W. Wright has a contract to replace high tension towers in Virginia Beach for Dominion Power over the next year. They have several pieces of equipment that are over-size and/or over-weight that frequently need to be moved short distances on public roads. Virginia Beach has issued a blanket permit accommodating this frequent move request. We have other examples to offer up if needed.

§ 46.2-1149.5. Overweight permits for underground pipe cleaning, hydroexcavating, and water blasting equipment.

The Commissioner ~~and local authorities of cities and towns, in their respective jurisdictions~~, upon written application made by the owner or operator, shall issue an overweight permit for the operation of underground pipe cleaning, hydroexcavating, and water blasting equipment. Any vehicle operating under a permit issued pursuant to this section shall have a gross weight of no more than 64,000 pounds, a single axle weight of no more than 20,000 pounds, and a tandem axle weight of no more than 44,000 pounds. Such permit shall not designate the route to be traversed nor contain restrictions or conditions not applicable to other vehicles in their general use of the highways. The fee for such permit shall be as provided in § 518 46.2-1140.1.

For purposes of this section, "underground pipe cleaning equipment" means a self-propelled motor vehicle manufactured for the specific purpose of vacuuming and cleaning underground sanitary and storm pipe. "Hydroexcavating equipment" means a self-propelled motor vehicle manufactured for the specific purpose of digging with water and vacuuming of debris. "Water blasting equipment" means a self-propelled motor vehicle manufactured for the specific purpose of waterblasting flat concrete surfaces and vacuuming spent water for reuse.

COMMENT:

When this code was first enacted, the localities were able to issue permits. These vehicles were able to operate under the state code with city issued permits within the localities because the state permits stated "Not good on Federal Highway Systems". Research into the frequency of this permit shows that there are infrequently issued by localities or the State at this time.

An Equitable Approach to Setting Permit Fees for Overweight Motor Vehicles

Page 41

2.6. Permits Issued by Localities

Pursuant to various provisions in Titles 15.2, 33.1, and 46.2 of the Code of Virginia, all cities and towns, as well as the counties of Arlington and Henrico, have the authority to issue permits that limit the movement of overweight vehicles on highways and streets within their jurisdictions. Of the 81 localities authorized to establish an overweight permitting program, currently only 12 have such a program in place: the counties of Arlington and Henrico, and the cities of Alexandria, Chesapeake, Fairfax, Hampton, Newport News, Norfolk, Portsmouth, Richmond, Suffolk, and Virginia Beach. Since state-issued permits may not be valid on highways and streets within these localities (except for interstate highways), carriers who wish to move overweight vehicles in these jurisdictions sometimes must obtain separate, locally issued permits.

Local permit issuance processes and fees vary from one jurisdiction to the next.

Although reducing disparities in the fees was never considered to be within the scope of the present study, members of the Locality Permits Subcommittee understood that the development of a uniform process for permit issuance was an essential objective. Industry representatives who commented on local permitting processes described long delays in permit issuance, and huge volumes of permit paperwork for multijurisdictional travel that often confused both drivers and law enforcement. Localities, meanwhile, acknowledged that measures to simplify and expedite permit issuance would encourage more carriers to obtain the required permits, which would in turn generate additional permit fee revenue and help to protect infrastructure. The consensus that emerged from these discussions was that the best approach to procedural uniformity—one that provided industry with most of the benefits it sought, while preserving the authority of localities to develop their own rules for their own roads—was to authorize DMV to issue local permits, on behalf of the localities, as well as permits for state-maintained roads. DMV would thus provide carriers with “one-stop shopping” for all state and local permits needed to travel in Virginia.

Since it would take time to establish the systems and processes for state issuance of local permits, it was agreed that the legislation proposing the new fee schedule would delay by six months the enactment of provisions regarding local permits.

COMMENT:

Hampton Roads localities would like to see “One Stop Shopping” for Blanket Permits and Designated Route Permits. Each locality would need to be able to continue to issue Single-Trip / Super-Loads Permits.

An Equitable Approach to Setting Permit Fees for Overweight Motor Vehicles

Page 44

Second, it was agreed that every locality's permitting program would be required to meet certain minimum standards for safety, quality assurance, and customer service. These standards were expressed in ten criteria:

1. The locality must have applications available for each permit type, and they must be available online.
2. The locality must have designated telephone and fax lines to address hauling permit requests and inquiries.
3. The locality must have at least one staff member whose primary function is to issue hauling permits.
4. The locality must have one or more engineers on staff or contracted to perform bridge inspections and provide analysis for overweight vehicles.
5. The locality must maintain up-to-date maps indicating vertical and horizontal clearance locations and limitations.
6. The locality must provide DMV an emergency contact phone number and assign a staff person who is authorized to issue and/or authorized to make a decision regarding permit issuance at all times (24/7).
7. The locality must **issue "standard permits"** within one business day of receiving permit requests. Each locality shall define and provide the Commonwealth with its definition of a standard vehicle and standard permit. All other requests for permits must be processed within 10 business days.
8. The locality must retain for at least 36 months all hauling permit data it collects.
9. The locality must maintain an up-to-date list of all maintenance and construction projects within its jurisdiction. The list must provide starting and ending locations and dates for each project, and must be updated as those dates change.

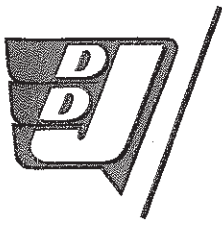
COMMENT:

Under # 7, it should read "respond" instead of "issue standard permits" within one business day of receiving permit requests.

##

Drive Safe Hampton Roads' Specialized Transportation Safety Committee (STSC) respectfully submits these comments for consideration and thanks you for the opportunity to give input into this legislation. If you have any questions on these comments, please direct them to MPO Dean Godwin, Co-Chair STSC, dgodwin@vb.gov / Cell: 757-567-1342. Thank you.

In response to the preceding letter, the draft legislation was amended to retain the authority of localities to issue permits for unladen equipment. In the construction industry, the movement of such equipment from job site to job site frequently occurs over local roads.



D.D. JONES
Transportation Services, Inc.

630 22nd Street • Chesapeake, Virginia 23324

October 20, 2011

TO: Janet Smoot
Legal and Government Affairs
Virginia Department of Motor Vehicles
2300 West Broad Street
Richmond, Virginia 23220-0999

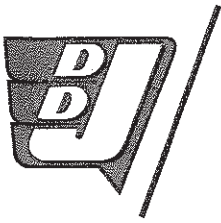
Subject: Permit EQUITY Study

Dear Janet,

As member of the PES and a drayage service provider to the Ports of Virginia, I would like to provide a concerned point-of-view to the committee's draft and proposal that is to be presented to the Secretary of Transportation and for further presentation to the Virginia Legislature that includes a new assessment to a single industry, the containerized movement of international freight in and through the state via highway transport.

I am opposed to the PES's proposed action and new assessment onto a service providing industry for the following reasons:

1. Payload weights are placed into containers that we have no control over, and in fact excessive weights are encouraged and advertised by state and port representatives in order to maintain a "competitive posture".
2. The fees not only create a new operating cost **PER** tractor, but they also create additional administrative tasks for our staffs to have to monitor. I note in the legislative draft that the permits although annualized, would run concurrent with registration renewals. Even in a fleet not all tractors have the same registration dates.
3. The permit transfer fees are higher than those the committee first discussed and considered and they are limited to just two transfers a year; although with the cost of the transfer fee presented, it would be against good business practices to do more than two transfers in a year.
4. It is felt that "Blanket permits for fleets" will be eliminated, so that additional fees for transferring could be generated.
5. Finally, one of my biggest concerns is that the current administration is promoting other modes of intermodal transportation (rail and barge) by offering incentives via tax reductions to move commerce through **and out** of the state, where our industry is penalized with a new "tax" disguised as a permit cost.



-2-

Janet, in 1973 the following legislation was enacted, and please note, it was enacted to encourage commerce IN our state; however, recent usage of state transportation funds to enhance the movement of commerce out of the state via private industry (aka, railroads) and the funding of other alternative modes of transportation with tax dollars (i.e, state funding of millions of dollars to pay for the container transport by barges) while promoting legislation that will place another 'tax' on a service industry is certainly adverse to the thinking of past visionaries.

§ 46.2-1141. Overweight permits for containerized freight.

Permits to operate on the highways a vehicle exceeding the maximum weight specified in this title shall be granted without costs if the vehicle is hauling containerized cargo in a sealed, seagoing container bound to or from a seaport and has been or will be transported by marine shipment. In order to qualify for such a permit the contents of such seagoing container shall not be changed from the time it is loaded by the consignor or his agents to the time it is delivered to the consignee or his agents. Cargo moving in vehicles conforming to specifications shown in this section shall be considered irreducible and eligible for permits under regulations of the Commissioner.

In conclusion, I would ask that consideration be given to my concerns and rationale, and that the PES should be redrafted with a proposal that the blanket exempt permits and no cost fees remain in place for the transport of "**containerized cargo in a sealed seagoing container bound to or from a seaport**" facility.

Sincerely,

Frank W. Borum, President

DD Jones Transportation Services

Chesapeake, VA 23324

In response to the preceding letter, the transfer fee for permits was reduced from \$50 to \$10.

THE VIRGINIA COAL ASSOCIATION, INC.

W. THOMAS HUDSON
PRESIDENT

JOHN T. HEARD
LEGISLATIVE COUNSEL

THORNTON L. NEWLON
LEGISLATIVE COUNSEL

1001 EAST BROAD ST.
SUITE 425
OLD CITY HALL

RICHMOND, VIRGINIA 23219
(804) 643-6697

October 21, 2001

Janet Smoot
Legal and Government Affairs
Virginia Department of Motor Vehicles
2300 West Broad Street
Richmond, Virginia 23220-0999

In re: Overweight Motor Vehicle Permit Equity Study and Legislation

Dear Ms. Smoot:

The Virginia Coal Association (VCA) submits the following comments on the draft study report entitled An Equitable Approach to Setting Permit Fees for Overweight Motor Vehicles and the Permit Equity Study Draft Legislation of October 11, 2011.

VCA is a state trade association whose members include the producers of approximately 90 percent of the coal mined in Virginia, manufacturers of mining equipment, and other firms serving the coal mining industry. These operations produce affordable coal-based electricity. Additionally, the high quality, metallurgical coals of Virginia have been in national and international demand for steelmaking for well over a century. These coal mining operations provide thousands of high paying jobs. Therefore, VCA has a strong interest in any legislation that has the potential to impose additional costs on its members. As pointed out during the study, VCA members also pay millions of dollars per year in coal road severance taxes which provide important funding for road and bridge maintenance and improvement in the Virginia coalfields.

VCA appreciates the professional and open-minded manner in which this study has been conducted as well as this opportunity to provide comments. VCA has only one comment and proposed change to the study report and proposed legislation. This concern relates to the proposed change in the method of measurement of the bed of coal trucks in Virginia Code §46.2-1143 D. That subsection of the Virginia Code currently provides that "Bed size shall be measured by its interior dimensions with volume expressed in cubic feet." The study and proposed legislation suggests that the word interior be replaced with exterior.

It is important to remember how this subject came up in the committee discussions. The study committee was informed that the Division of Motor Vehicles has construed the existing language to mean that its employees must climb into the beds of trucks to make the interior measurements. The Division said that this causes a safety concern for its employees.

VCA believes that this proposed change is both unnecessary and inappropriate to accomplish the desired result of keeping DMV employees from having to climb into truck beds.

The existing statutory language does not require that the measurements be taken from inside of the truck bed. It only requires that interior dimensions of the bed used in calibrating the allowable volume of the bed. During discussion of this subsection in committee meetings, VCA pointed out that the interior width of the bed can be measured from the ground and the length of the interior could be derived by measuring the length of the exterior and deducting the width of the corner posts. VCA had understood that this was the resolution of the safety problem which would be adopted in the study report. It would seem that the change could be accomplished by a simple change in DMV procedures. If a statutory change is deemed necessary, language allowing the procedure outlined in this paragraph could be proposed, and VCA would be happy to assist with this.

Adoption of the proposed change would reduce the volume of coal that could be carried in a truck bed. This would be in conflict with subsection C of §46.2-1143. It would also mean that new licensees would be able to carry less coal than existing licensees with the same size truck bed. It may also mean that the height of the slot cut in the side of the truck beds of existing permittees would be thrown into non-compliance when their permits come up for renewal.

This may seem to be a matter of small moment to observers outside of the coal industry. To people inside of the industry, matters of this type can become quite serious. This proposal would reduce the volume of coal each truck can haul. When spread over thousands of truck loads per year this can become a serious cost item. In the not too distant past, differences of pennies per ton of cost made the difference between survival and bankruptcy of coal companies. It is not at all unlikely that those times may be coming again.

Once again, VCA appreciates the opportunity to participate in the Permit Equity Study and to comment on the draft report and legislation.

Very truly yours

A handwritten signature in black ink, appearing to read 'Thornton L. Newlon', written in a cursive style.

Thornton L. Newlon
Legislative Counsel
Virginia Coal Association

In response to the preceding letter, language was added to the draft legislation clarifying the method DMV uses to determine truck bed volume.



October 21, 2011

Honorable Richard Holcomb
Commissioner
Department of Motor Vehicles
Richmond, VA

Dear Commissioner Holcomb:

Thank you for inviting Virginia Petroleum Convenience and Grocery Association to be a part of the stakeholder working group reviewing overweight permits.

We appreciate this opportunity to offer an amendment to the legislation drafted by your staff. This focuses specifically to the tank wagon section of the law which impacts petroleum delivery vehicles. The amendment on the following page will allow existing vehicles to operate more efficiently, will apply to an extremely limited number of vehicles, and provides weight limits which are substantially below those of the other permits contained in the draft legislation.

We look forward to working with you on this and other issues during the upcoming General Assembly session. Should you have any questions, please call me at 804-282-7534, or via email mike@vpcga.com

Sincerely,

Michael J. O'Connor

Virginia Petroleum Convenience and Grocery Association
7275 Glen Forest Drive
Suite 204
Richmond, VA 23226
804-282-7534
www.vpcga.com

VPCGA Amendment to Draft Legislation

Deletes lines 396 to 401 and insert:

No permit issued under this section shall authorize a single axle weight of more than 24,000 pounds or a tandem axle weight, for tandem axles having more than 40 inches but not more than 96 inches spacing between axles centers, of more than 44,000 pounds, and gross weights of no more than 40,000 pounds for any single unit having two axles and 61,500 pounds for any single unit having three axles.

No permit issued under this section shall authorize violation of any weight limitation, promulgated and posted in accordance with § 399 46.2-1130, applicable to bridges or culverts. This permit shall not be combined with any other overweight permit or extension of weight limits.



COMMONWEALTH of VIRGINIA

Department of Motor Vehicles

2300 West Broad Street

Richard D. Holcomb
Commissioner

Post Office Box 27412
Richmond, VA 23269-0001

November 1, 2011

Mr. Michael J. O'Connor
Virginia Petroleum, Convenience and Grocery Association
7275 Glen Forest Drive, Suite 204
Richmond, Virginia 23226

Dear Mike:

Thank you for your letter responding to the draft report and legislation for DMV's Permit Equity Study. In your letter you have asked DMV to amend the draft legislation to authorize issuance of overweight permits to three-axle tank wagon vehicles. Currently, Virginia law authorizes permits only for two-axle tank wagon vehicles.

Without addressing the merits of your proposed amendment, I would note simply that it does not lie within the scope of our study. As emphasized in the first meeting of the Hauling Permits Subcommittee, the scope of our study does not include changes to any of Virginia's current size and weight restrictions. Accordingly, the legislation drafted as a result of the study cannot be a vehicle for extending the statutory range of permitted weights for tank wagons.

Please feel free to contact me at (804) 367-6606 if you would like to speak about this matter further.

Sincerely,

A handwritten signature in black ink, appearing to be "RDH", written over a large, stylized outline of the letter "R".

Richard D. Holcomb

RDH/ph



VIRGINIA TRUCKING ASSOCIATION
1707 Summit Avenue, Suite 110 ★ Richmond, VA 23230
Phone: (804) 355-5371 ★ Fax: (804) 358-1374
E-mail: dbennett@vatrucking.org
www.vatrucking.org

P. Dale Bennett
President & CEO

November 3, 2011

Janet Smoot
Legal and Government Affairs
Virginia Department of Motor Vehicles
2300 West Broad Street
Richmond, Virginia 23220-0999

RE: An Equitable Approach to Setting Permit Fees for Overweight Vehicles (HB 2022)

Dear Ms. Smoot

I had previously submitted comments about the initial draft report on behalf of the Virginia Trucking Association on October 24. That document included some general comments as well as comments about specific sections of the report. Although we do not know if or how our comments about specific sections will be addressed in the final report, we would like to submit the following general comments to be included as part of the final report.

General Comments

1. Illegal Overweight Trucks vs. Legal Overweight Trucks

The use of the term “overweight trucks” can give the impression to policy makers and legislators not well-versed about the trucking industry and truck weight laws that this study examines illegal, overweight trucks. To ensure that conclusions drawn from review of this report are not tainted by the negative perceptions surrounding the issue of **illegal, overweight** trucks, the final report needs to be very clear that this study examines legal operations. This study is directed at vehicles and loads that are **operating legally** above the statutory weight limits under authority of permits that have authorized by the General Assembly for various operational and economic competitiveness reasons. The issue of road damage by **illegal, overweight** trucks has been addressed by legislation enacted over the past 10 years that imposed significant increases of up to 600% in the fines and penalties for illegal, overweight operations. It should be clear that the fee increases being recommended in this report are being proposed for **legal** trucking operations.

2. Measurement of “Pavement Damage” is Not an Exact Science

Studies purporting to conclude the amount of pavement damage attributable to vehicle weights is not an exact science. While it is not disputed that heavier loads cause more stress on pavements and bridges, measuring this so-called “damage” is difficult to achieve with 100% certainty. As explained in the attached document, the method used by VDOT and other federal and state departments of transportation as part of their “highway cost allocation” and “pavement damage” studies depend heavily

on an indefensible use of the AASHO Road Test results, which are based on tests conducted nearly 50 years ago.

Simply put, most of these studies are based on the assumption that the AASHO Road Test provided a valid, direct, and uniform measure of pavement “consumption,” despite the previous position of the Federal Highway Administration that the Road Test equations should not be used in this manner in highway cost allocation. These studies further assume that calculations from these formulas, the so-called “equivalent single axle loads (ESALs),” are therefore proper measures of direct cost responsibility. These interpretations of the AASHO Road Test are simply incorrect.

In addition, VDOT's study and findings with regard to pavement damage do not account for a myriad of factors that impact the effect of vehicle weight on the pavements, including tire footprints, suspension systems, steering capabilities, wheelbase, friction coefficients between different surfaces, temperatures and weather.

Therefore, we do not believe that it is appropriate or fair to use VDOT's “pavement damage” formula as a benchmark to determine whether the fee increases recommended in this report are “reasonable” and should be acceptable to industry.

3. Recent Administrative Fee Increases

It should be noted that the fee increases recommended in this report are in addition to the recent **66% to 150% increases** in the administrative portion of the fees charged for a number of these permits. These increases became effective on September 30, 2009 and have generated an estimated \$1 million per year for DMV to use for administrative and enforcement improvements in the permit program. Together with the fee increases recommended in this report, the result is a significant increase in the cost of doing business in Virginia in a fairly short time period. Such significant cost increases are difficult for the industry to absorb or pass on in a short time period and in the economic conditions we have experienced over the past 2 years.

4. Are Significant Fee Increases in Bad Economic Conditions a Good Idea?

While the recommended fee increases may be viewed by some stakeholders as reasonable, current economic conditions make this a very bad time to enact proposals that would increase the cost of doing business in Virginia. These permits have been authorized by the General Assembly to enhance and foster the flow of commerce in and through the Commonwealth and/or to allow Virginia-based industries and businesses to better compete with those located in other states or countries. While there is never a good time to increase the cost of doing business in Virginia, now is the worst time as truck-dependent businesses in the Commonwealth struggle to recover from the ongoing economic recession.

Should the General Assembly decide that these significant fee increases are necessary, it should require that the increases be phased in to minimize the impact on affected stakeholders, especially those who have existing contracts based on lower cost or free permits. This approach was suggested, but not considered for inclusion in the final recommendations.

5. “Quid Quo Pro” of Administrative Process Improvements for Fee Increases

We do not recall there being agreement among stakeholders that implementation of administrative process improvements would be contingent upon stakeholders agreeing to the recommended fee increases. Our understanding was that the evaluation of potential administrative improvements was undertaken as a way to try to offset the additional cost burden of increased permit fees, should they be enacted.

We believe that state agencies should strive to implement any and all improvements in its administrative processes that would be of benefit to its customers (and the agency). While it may be understandable that some improvements cannot or will not be implemented without revenue from the fee increases, we do not believe that implementation of all the identified improvements should be made contingent upon enactment of fee increases. In addition, DMV has been receiving revenue from the 2009 administrative fee increases for administrative and enforcement improvements in the permitting process. We believe that DMV should develop a plan to implement as many of the administrative process improvements as possible, even if the General Assembly decides that current economic conditions are not favorable to enacting the recommended fee increases.

6. Hauling Permits for Containerized Cargo

Contrary to statements by port community representatives at one of the early meetings, many in the intermodal trucking community do not support the new fee recommended for overweight, containerized cargo. They oppose being required to pay this new fee because:

- They have no control over the weight of the containers or how they are loaded.
- The Port, not the truckers, advertise and encourage the movement of overweight containers into and through Virginia.
- The new fee will significantly increase costs for owner-operator fleets. Recent implementation of vehicle-specific restrictions requires fleets to obtain a new permit for every owner-operator they utilize. As owner-operators turn over in fleet, the company is required to obtain a new permit. Although an additional administrative burden, this has not been a significant issue because the permits have been free of charge. A new fee for these permits will require fleets to purchase multiple permits to deal with the turnover in their owner-operator fleets, which will significantly increase their operating costs. The proposed allowance of two “free” transfers per year do not provide meaningful relief for this issue.
- Intermodal trucking companies are also upset that the General Assembly can pass legislation to authorize \$1.5 million for tax credits directly aimed at shifting business away from their companies to the rail and barge companies and then consider a fee increase for their businesses.

7. Hauling Permits for Superload Vehicles

The significant increases in the fees for these permits may have the following adverse impacts:

- It may be cheaper for carriers to avoid travel in Virginia and the increased permit fees. While some may contend that would be a positive impact, there would be a loss of the permit fees as well as IRP fees and IFTA fuel tax revenue that would otherwise be paid by these vehicles.
- Some carriers may be forced to stop buying blanket permits and only use single trip permits on an as needed basis. One carrier tells us they have been paying \$20,000 - \$25,000 per year in annual blanket permit fees to Virginia and that the recommended fee schedule would force them to only buy single trip permits from Virginia.

8. Overload Permits

An increase in the annual Overload Permit fee is recommended, however operations that utilize this permit don't really receive any meaningful administrative process improvement that would help offset this increased cost. The stakeholders that operate intrastate vehicles are offered the improved efficiency and convenience of obtaining overload permits for these vehicles online. This administrative process

improvement is already provided for interstate fleets so we do not understand why it is proposed that intrastate fleets pay an increased fee in order to receive the same benefit.

8. New Revenue From Fee Increases Should Be Required to Be Used for Highway Purposes

Should the recommended fee increases be enacted, it is imperative that statutory provisions be adopted to require that all new revenue generated from the fee increases be allocated and used for highway maintenance and/or construction. While a number of our members oppose the recommended fee increases and many others do not like the prospect of a cost increase, there would be a massive outcry from the industry if the revenue is used for non-highway purposes.

Conclusion

In conclusion, we have several concerns about the recommended fee increases, including:

- The need to be very clear that this study is recommending fee increases for legal vehicles operating under permits authorized by the General Assembly.
- Using VDOT's pavement damage formula, which is an indefensible use of the AASHO Road Test results, as benchmark for the "reasonableness" of the recommended fee increases;
- The "quid pro quo" proposed for implementation of administrative process improvements and efficiencies in exchange for stakeholder agreement on fee increases.
- The negative impact of the proposed fee increases on businesses struggling to recover from the ongoing economic recession.

Thank for your consideration of these comments.

Sincerely yours,



P. Dale Bennett
President & CEO

In response to the preceding letter, the report was revised to clarify that not all stakeholders agreed with all the recommendations. In addition, fiscal impact estimates were added to the final draft of the report, which help to explain why implementation of the process improvements is contingent upon adoption of the recommended fees. The cost to DMV of implementing the enhancements (\$235,500) is equal to nearly two years of the additional revenue the agency would receive under the proposed fee schedule (\$136,870 per year). Without this additional revenue, implementation of the process improvements could not be given priority over other claims to DMV resources .

From: Philip F. Abraham [<mailto:pabraham@vectrecorp.com>]
Sent: Wednesday, October 19, 2011 11:51 AM
To: Smoot, Janet (DMV)
Cc: 'vuhcc'; 'Jeff Southard'; 'Peter Easter'
Subject: RE: Permit Equity Study - review of report and legislation

Janet: I have run the recommendations by the Old Dominion Highway Contractors Association and they have no objections to the proposed fee increases as long as they do not increase beyond those contained in the draft report. I do note that the report on page 26 correctly states that:

“industry representatives were insistent that the revenue generated by the damage fees proposed in this study be dedicated to the maintenance and repair of pavements and bridges. **[The best way to achieve this result is still being analyzed.]**”

However, I note the bill draft only states these fees would go into the HMOF. This is a concern to me because the HMOF is used for many things other than pavement or bridge repair. We strongly urge language be added to the bill that these funds be dedicated to pavement and bridge repair and that they supplement, not supplant, funds available from other sources for this purpose. Thanks. Phil

Philip F. Abraham
Director and General Counsel
The Vectre Corporation
707 East Main St., Suite 1800 (**Note: New Address Effective 8/5/11**)
Richmond, VA 23219
804-644-6600 (phone)
804-644-6628 (fax)
email: pabraham@vectrecorp.com

From: Mark Singer [<mailto:mark.singer@vuhcc.org>]
Sent: Wednesday, October 19, 2011 2:01 PM
To: Smoot, Janet (DMV)
Cc: 'Jeff Southard'; 'Peter Easter'; Philip F. Abraham
Subject: Re: Permit Equity Study - review of report and legislation

Hi Janet:

I believe the majority of the members of the VUHCC can live with the proposed fee increases and the other changes contained in the report. There are, however, some firms that are still not agreeable to any fee increases and particularly (in some cases) substantial fee increases being proposed, given the very difficult economy. And clearly there is no support from our members for any legislation that would add to the fee increases already being proposed.

I also want to add two caveats to our support for the recommendations of the study.

First, we would like some stronger assurance that the new funds generated would be used exclusively for construction "maintenance" projects.

Second, we would like some assurance that the administration and the key leadership of the General Assembly are either supportive of the recommendations or neutral on them.

Thanks for all of your hard work in support of this effort.

Mark Singer
Legislative Representative
Virginia Utility & Heavy Contractors Council
1108 E. Main St., Suite 1200
Richmond, VA 23219
ph - 804.346.1020
fx - 804.346.8287
email: mark.singer@vuhcc.org
www.vuhcc.org

In response to the preceding two e-mail messages, and following further discussion between these stakeholders and staff at VDOT, the draft legislation was amended to provide that funds deposited to the Highway Maintenance Operating Fund pursuant to the legislation would be used to support highway pavement maintenance and rehabilitation and bridge repair.

From: Taylor, Ken (W&L Construction) [<mailto:ktaylor@w-lconstruction.com>]
Sent: Thursday, October 20, 2011 8:26 AM
To: Smoot, Janet (DMV)
Subject: RE: Permit Equity Study - review of report and legislation

Janet: Our Company has reviewed the proposal that has been put together with DMV, VDOT, Industry and others involved and nothing is perfect but I personally have enjoyed my little part of involvement. I think to overhaul all areas that were undertaken and have all groups to partnership and agree on a conclusion suitable for the majority this is a victory in itself. I feel that if this proposal can be approved it will be suitable for the industries of all fields in Virginia and should allow all states that do business in Virginia to continue with great success. Again, thanks for the groups of DMV personnel that were involved in this mission. Need anything, please feel free to call anytime. Kenneth Taylor

From: KEEN, JAMES L [<mailto:JLKEEN@suncoke.com>]
Sent: Thursday, October 20, 2011 11:47 AM
To: Smoot, Janet (DMV)
Subject: RE: Permit Equity Study - review of report and legislation

Janet:

I am satisfied with the Permit Study Results.

James Lee Keen, PHR
Jewell Resources Corporation
Manager Human Resources
Office 276 935-3648
Fax 276 935-3698
Note new email: jlkeen@suncoke.com

From: VaLoggersAssoc@aol.com [<mailto:VaLoggersAssoc@aol.com>]
Sent: Thursday, October 20, 2011 1:40 PM
To: Smoot, Janet (DMV)
Cc: Davis, Wayne (DMV); Jennings, Ken (DMV)
Subject: Re: Permit Equity Study - review of report and legislation

Janet

The Virginia Loggers Association is ok with the report presented. We appreciate under the administrative changes, that the wording about carrying an oversize permit is allowed with an overweight permit. This has been a concern of our membership. I would ask that it also be clarified on the permit itself, I have seen in the past, that language on an oversize permit itself. Maybe this has already been clarified by Ken or Wayne, I have not seen an actual permit recently.

Overall I believe this new system will be beneficial to all involved. The Virginia Loggers Association appreciates being included in this process.

Jim Mooney

From: Paul Howe [<mailto:PHowe@vaforestry.org>]
Sent: Friday, October 21, 2011 10:13 AM
To: Smoot, Janet (DMV)
Cc: Carolyn Moon ; Zimmer, Edward H. (DOF); Glen Worrell; Greg Gambrel; Greg Scheerer; Mike Hinch; GParrish@vaforestry.org; Rob Wait; Scott Barrett; Tom Newbill
Subject: Permit Equity Study - review of report and legislation

Janet,

VFA has no additional feedback and we concur with the proposed legislation and draft report.

Paul R. Howe
Executive Director
Virginia Forestry Association
3808 Augusta Ave.

Richmond, VA 23230
804/278-8733 office
804/399-1264 cell
Fax: 804/278-8774
phowe@vaforestry.org
www.vaforestry.org

From: Thompstrk@verizon.net [<mailto:Thompstrk@verizon.net>]
Sent: Friday, October 21, 2011 11:28 AM
To: Smoot, Janet (DMV)
Subject: Re: Permit Equity Study - draft report and legislation

Janet, Thanks for your draft, I know it was a lot work putting it together. My comments are pretty much that same as I had during the sessions, and only relate to the "overload permits", as they are the only permits our company uses. I do not think it is a good idea for people to comment on permits that they do not use.

I have no problem with eliminating the 1% thru 4%, however I do not believe this is the time to be raising rates on the overloads by 25%. That is too much of a one time increase in the current economy, several of us suggested a phased in approach and it was ignored.

Your draft under the executive summary heading on page 3 under "The Study" heading states, "More than 100 stakeholders from the state and local government and from the private sector were brought together in a series of meetings, where they worked collaboratively with project staff to develop a permit fee schedule that would be acceptable to all parties". This is not correct as at least two of us objected to the increase on the overload permits, and in fact there were only three trucking companies that were "stakeholders" all others were government employees and or represented some group which in both cases do not have ownership in a company. The purposed increase will cost our company over \$12,000 a year if we continue to purchase the overload permits. I understand there has not been an increase in many years, however now is not the time to play catch up with a 25% increase.

Thanks
Richard Metz
Thompson Trucking

In response to the preceding e-mail, the report was amended to clarify that not everyone agreed to all the proposed permit fees.

From: Sedillo, Patrick M., Lt. [<mailto:pat.sedillo@vsp.virginia.gov>]
Sent: Friday, October 21, 2011 1:54 PM
To: Smoot, Janet (DMV)
Subject: RE: Permit Equity Study - draft report and legislation

Janet:

I have spoken to all VSP staff that sat on subcommittee's I have reviewed the draft legislation and we have no comment at this time. However, further discussion is needed as it pertains to the following:

Support from law enforcement for overweight vehicles crossing bridges. Project staff heard from industry that it is often difficult to obtain the necessary police escort when an overweight vehicle is required to make a "slow roll" over a bridge. This lack of support presents a serious safety hazard, particularly on interstate highways and other roads where motorists are traveling at high speeds. It is recommended that DMV, VDOT, law enforcement, and industry representatives meet to discuss steps that can be taken to improve responsiveness

From: Heather L. Wood [<mailto:hwood@PortofVirginia.com>]
Sent: Friday, October 21, 2011 3:44 PM
To: Smoot, Janet (DMV)
Cc: Jeff Keever; Greg Edwards; Jodie Love
Subject: RE: Permit Equity Study - review of report and legislation

Janet,

Good afternoon! The VPA representatives on the Permit Equity Study team have reviewed the draft report and legislation and have no comments at this time. Thank you very much for including us on the study team. We agree with the conclusion of this report that this was a good experience and appreciate the collaboration with DMV, VDOT and others. Please contact Greg Edwards, Jodie Love or me with any questions. Thank you!

Best regards,

Heather

Heather L. Wood
Director, Environmental Affairs
Virginia Port Authority
PH: (757) 683-2152
FAX: (757) 683-2151

From: Patricia Bush [<mailto:Pbush@arlingtonva.us>]
Sent: Monday, October 24, 2011 5:15 PM
To: Smoot, Janet (DMV)
Subject: RE: Permit Equity Study - review of report and legislation

Comments from Arlington are as follows:

1. Page 7, starting at line 128

Arlington has not been provided with a copy of a draft MOU, if a draft has been developed. Draft standards have been provided, and meeting some of those standards may require changes in budget and personnel allocation. Jurisdictions already issuing permits should have a grace period of at least two calendar years from adoption in which to implement the new requirements as part of the regular budget cycles.

Are the permits in this section annual permits or single trip permits? That is not clear and our concerns for each type differ.

2. Page 9, starting at line 158

Are the permits in this section annual permits or single trip permits? Single trip permits should not be transferrable to different vehicles since they are day specific.

3. Page 10, starting at line 171

Provision should be made for the local authority to recoup the cost of the engineering analysis from the permit applicant.

I apologize for the delay in getting them to you. If you have any questions about them, please let me know.

Sincerely,

Trisha

Patricia Bush
Arlington County Department of Environmental Services
Division of Transportation
Transportation Engineering & Operations Bureau
2100 Clarendon Boulevard, Suite 900
Arlington, Virginia 22201

p: 703-228-3724

f: 703-228-3719

e: pbush@arlingtonva.us

From: Emily Baker [<mailto:Emily.Baker@alexandriava.gov>]
Sent: Tuesday, October 25, 2011 2:03 PM
To: Smoot, Janet (DMV)
Cc: Bernard Caton; jlerch@VML.ORG
Subject: RE: Permit Equity Study - draft report and legislation

Janet,

Sorry for the delay. These are the compiled comments from the City of Alexandria. The City insists that another meeting is necessary before the study is finalized. From what is included now, it does not appear that our comments and concerns that were raised in the last meeting have been addressed.

Draft Permit Equity Study:

- On page 44 of the Study, Standard 7. States that the locality must "issue" standard permits within one business day. I recall from the last meeting that the word was "respond to". The City is concerned about and does not support this change.
- The report must include language, as discussed at the last meeting, that certain localities (this was discussed in particular for Alexandria and Arlington) may limit the roadways for which the DMV can

issue permits to a certain list of roads, as opposed to maintaining a list of restricted roadways. This is critical to urban localities such as Alexandria. Due to the urban nature and age of our roadways, many of our roads have narrow widths, tight turning radii and on-street parking that will restrict wide loads. As we discussed at the meeting, it is more appropriate for us to identify the streets that will not require the temporary restriction of parking to allow certain oversize and overweight permits to be issued. In Alexandria, this list will be somewhat limited. It is important to us that this be identified in the report.

- Because of the urban nature of our roadways and our location, the City issues a limited number of oversize and overweight vehicles. Due to our location, these permits are limited to trucks with a destination in Alexandria. We are concerned that there will not be a "one size fits all" MOU for all localities. The MOU must be drafted before the legislation is enacted to ensure that the City's unique needs can be accommodated.

Draft Legislation:

- In several paragraphs of the proposed legislation, the phrase, "and local authorities of cities and towns, in their respective jurisdictions" has been struck. My understanding from the last meeting is that under this agreement, permits can be issued for local roads EITHER by the DMV, or the locality. In other words, the localities can continue to issue their own permits, and haulers can obtain the permits from either the DMV or the locality. In that case, this phrase should not be struck from the language. This occurs on lines 207, 262, 343, 434, 443, 465, 497, and 511.

Please let me know if you have questions or would like to discuss further.

Thanks,

Emily

Emily A. Baker, P.E.
City Engineer
Transportation & Environmental Services
703.746.4045

From: Paul Ross [<mailto:paul.ross@keentransport.com>]

Sent: Wednesday, October 26, 2011 12:05 PM

To: Smoot, Janet (DMV)

Cc: Davis, Wayne (DMV)

Subject: Permit equity study

Janet ,sorry for being late . Wayne was kind enough to send us a brief summary and Keen Transport supports and agrees with the findings and conclusions as presented therein .

Thank you very much for the opportunity to participate ,hopefully at some time in the future we can discuss some of the ' parking lot ' issues that were not a direct outcome of the study ,such as weight off the Interstates .

Wayne ,thank you also for all the time and effort you and your staff put into all this .

H. Overweight and Oversized Hauling Permit Practices, a Report Prepared by the Office of Intermodal Planning and Investment and the Department of Motor Vehicles, August 2011



Overweight and Oversized Hauling Permit Practices

August, 2011

Prepared by:
The Office of Intermodal Planning and
Investment and The Department of
Motor Vehicles

Review of Overweight/Oversized Hauling Permit Practices from Peer States

Legislative changes passed in 2011 require DMV to pursue the development of a uniform system of permitting and a tiered schedule of fees for overweight and oversized (OW/OS) vehicles. In order to develop recommendations for these permits and fees, the Office of Intermodal Planning and Investment (OIPI) would like to assist the Department of Motor Vehicles (DMV) to assess the practices of other states, particularly in the southeast, to understand common practices, as well as trucking industry expectations, with regard to Permit Equity practices.

As part of a task order with the Office of Intermodal Planning and Investment, Michael Baker Jr., Inc (Baker) was hired to assist DMV in researching the fees and permitting practices of other States. After consultation with OIPI and DMV staff, a survey was developed and sent to 20 other states to gauge the cost structure, administration practices and permitting practices of peer states with respect to OW/OS vehicles. The survey was emailed on July 5th to 20 State Agencies with 15 agencies responding to the survey. The full survey responses received from each State are available in Appendix A..

Due to the adverse effects the trucking industry can have on roadways, states throughout the United States have implemented hauling permit programs to regulate tractor-trailer commercial motor vehicles. The majority of states surveyed offer single trip and annual blanket hauling permits to track trucking industry activity within their respective state and also add additional fees for OW/OS vehicles. While the permitting programs for OW/OS vehicles and processes for administering the hauling permits vary from state to state, peer states surrounding Virginia collect revenues generating between \$6-\$12 million annually. The survey responses received from peer states highlight the varying hauling permit programs and practices, as well as the revenues generated by these programs. A summary of the survey responses follows.

A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)?

All states indicated that they do have different types of permits, but each state varies and no two state permit programs are alike. For instance, some states like Pennsylvania have an extremely detailed permitting system that offers multiple types of permits for over 30 different load types, while other states like North Carolina take a simpler approach by only issuing three types of permits (annual, single trip & superload) for divisible loads, along with permits for the movement of mobile homes, houses and non-divisible general commodities.

While no two state hauling permit programs are alike, states do appear to offer two main types of permits: Single Trip and Annual Blanket permits. All states indicated that they provide single trip permits and all but Arkansas and Oklahoma offer annual blanket permits. New Jersey however, only offers blanket permits for vehicles transporting ocean borne containers.

a. Are there different classifications/types of hauling permits for oversized and overweight vehicles?

States seem to be split on issuing a different classification of permit to overweight and oversized vehicles. While all states, except Kentucky, charge overweight and oversized vehicles, some states simply increase the cost of a base permit proportionately to the amount that vehicles exceed the standard load limits. Others states require superload permits for exceeding the minimum weight limits. States seem to be split evenly on how they handle OS/OW permits, as seven states simply charge increased fees proportional to the amount exceeding standard weight limits, while eight states do have superload or special hauling permits for overweight and oversized vehicles. Although half of the states do issue superload permits, the exceeded weight limit for what is considered superload varies between states. Superload permit weight limits range from 120 thousand pounds in Delaware to 180 thousand in Arkansas.

B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure.

a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor?

The majority of states offer two basic types of permits: single trip permits and annual blanket permits. Single trip permit costs range from \$1 in Delaware to \$60 in Kentucky, while the majority of states offer annual blanket permits ranging from \$100 in North Carolina and Mississippi to \$500 in Maryland and Tennessee.

Tennessee does not have a base cost for single trip permits, as single trip permits are calculated based on the size and weight of vehicles. As discussed in survey question "A", Arkansas and Oklahoma do not offer blanket permits and New Jersey only offers them for vehicles transporting ocean borne containers.

It should be noted that the means of determining the base cost for a permit varies greatly between states. For example, Georgia and Kentucky determine the cost for a blanket permit based on the width of the vehicle, while the cost for annual permits in Tennessee is based on weight. Furthermore, Missouri bases the blanket permit fee according to the number of commodities being transported and adds a bridge analysis fee based on the number of miles travelled within the State. Figure 1 shows the fee that states charge for a single trip permit, while Figure 2 shows the base cost for an annual blanket permit.

Table 1 shows the base cost for both single trip and blanket permits as well as the fee structure for OS/OW vehicles in each state.

Table 1: Base Cost for Permit Fees and OS/OW Fee Structure by State

State	Single Trip	Blanket or Annual	Overweight/Oversized
AR	Single trip: \$17 plus \$5 transmittal fee		Tiered schedule based on mileage per ton over legal weight (80k lbs.); Superload fee of \$250 if over 180K lbs.
DE	Single trip: \$1	\$150 for 150 trips in 1 year period	\$10 plus weight fee of \$5 for each 8k lbs. over legal GVW; Superload: \$30 plus weight fee of \$5 for each 8k lbs. over legal GVW
GA	Single trip: \$30 up to 150k lbs.	\$150 for 12' wide/ \$500 for 14' wide	Superload (150k-180k lbs.) \$125; Superload Plus (180k lbs. +) \$500
KY	\$60 flat rate for temporary permits	\$250 for non-divisible loads less than 14' wide; \$500 for non-divisible loads 14' -16' wide	N/A
MD	\$300 for book of 10 single trip permits	Blanket Permits: \$50 for 30 day or \$500 Annually.	Special permit fees are \$30 for 1 st 45 tons and \$5 for each additional ton or part of ton in excess of 45 tons.
MS	Single trip: \$10	\$100 annually	An additional charge of .05 (nickel) per thousand lbs that exceeds 80K lbs; times the number of miles traveled
MO	Single trip: \$15	\$128 for single commodity and \$400 for multiple commodity permit	Superload: \$20 for each 10k lbs. over 160k lbs. plus bridge & roadway analysis of \$425 0-50 miles, \$625 51-200 miles and \$925 over 200 miles.
NC	Single trip permits range \$12-\$48.	\$100/vehicle or \$200/mobile home;	Superload: \$100 application, \$12 per over dimension of width, length, height and weight (\$12 - \$48) plus \$3.00 per 1,000 lbs. in excess of 132K lbs. gross weight
NJ	\$10 + \$12 transaction fee + 5% service charge	Only for Ocean Borne Container Permits; \$100 +\$12 transaction fee + 5% service charge (\$117.60)	\$5.00 per ton over 80,000 pounds GVW. \$5.00 per ton (or fraction thereof) over the following legal axle weights: 22,400 lbs. on single axle & 34,000 lbs. on a tandem axle; Oversize: \$1.00 per foot (or fraction thereof) in excess of 14 feet in width
NY	Single Trip:\$40	Annual: \$360 and up	Vehicle weight fee based on weight per axle
OK	Single Trip:\$40		Overweight and/or Oversized: \$10 for each 1,000 lbs when load exceeds legal road limit.
PA	Single trip: \$26	\$400	Wide loads: \$51; overweight loads charged \$0.03 per ton per mile.
SC	Single trip:\$30; Over 16' \$35 Over 18' \$40 Over 20' \$45 Over 22' \$40	\$100	Superload (over 130k lbs.) \$100 + \$3 per 1,000 lbs; Engineering Analysis based on weight: \$100 for over 130k lbs; \$200 if over 200K lbs & \$350 if over 300k lbs.
TN	No base fee; Fees entirely dependent on size and weight	Annual Permits \$500/yr if under 120k lbs. and \$1,000/yr if over 120klbs.	Tiered schedule of fees based on weight and size of vehicles. \$100 Bridge Analysis fee for loads over 200k lbs & \$200 for over 300k lbs.
WV	Single Trip: \$20 +\$.04 per ton mile.	Oversize \$200 Overweight/Oversize \$500	Super load: \$20 +\$.04 per ton mile + Bridge crossing fee: \$150 for the first bridge, \$100 for the second bridge, and \$50 for each additional bridge up to a maximum of \$750

Figure 1: Base Cost for a Single Trip Hauling Permit by State

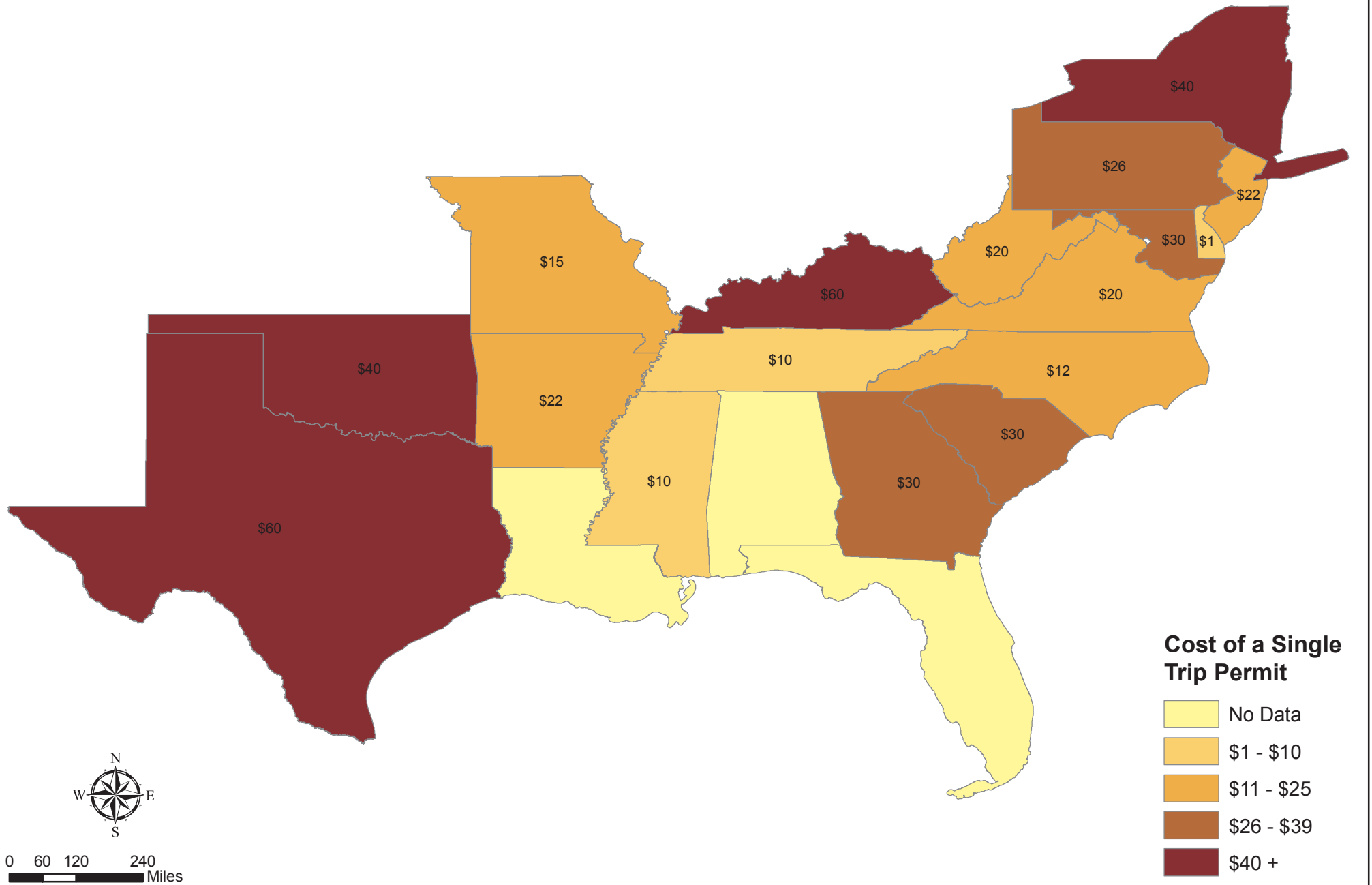
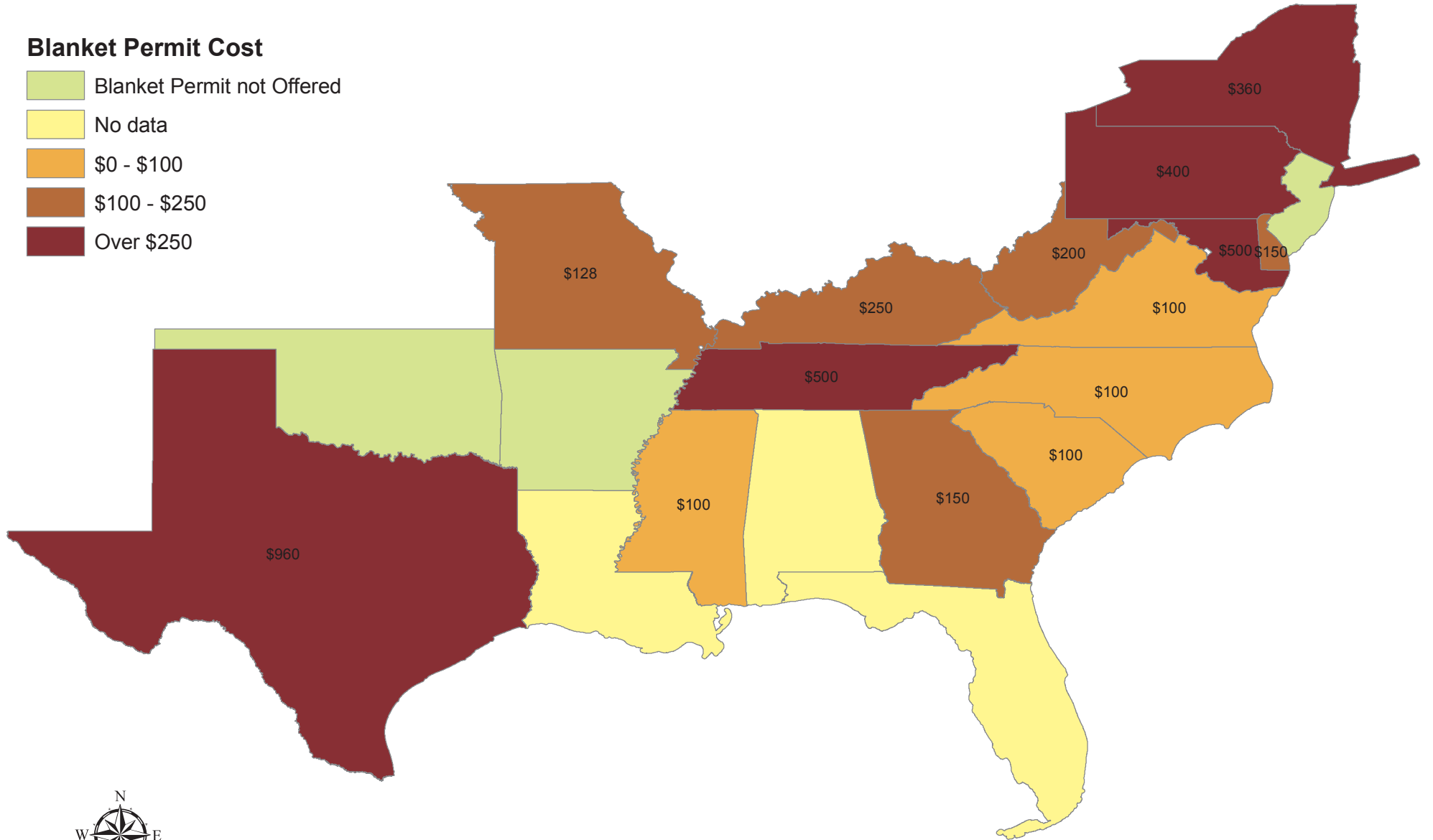


Figure 2: Base Cost for an Annual Blanket Hauling Permit by State

Blanket Permit Cost

- Blanket Permit not Offered
- No data
- \$0 - \$100
- \$100 - \$250
- Over \$250



0 60 120 240 Miles

C. Are there any additional permitting costs for overweight and/or oversized vehicles?

With the exception of Kentucky, all states indicated that they charge additional fees for OS/OW vehicles. While most states charge increased fees for overweight vehicles, the manner in which they exact these fees varies greatly. Seven states simply charge an increase per additional ton over the maximum permissible weight limit, while eight states impose additional superload permit fees. For example, Mississippi simply charges an additional \$.05 (nickel) per thousand lbs that exceeds 80,000 pounds; times the number of miles traveled, while South Carolina charges a \$100 superload non-refundable application fee and then charges an additional \$3 for every half ton exceeding 132,000 pounds.

Due to the strain freight vehicles have on structures, numerous states also add structural or bridge fees to the base cost of a permit. South Carolina and Tennessee charge an engineering analysis fee based on weight, while the WV DOT charges fees for bridge crossings including \$150 for the first bridge, \$100 for the second bridge, and \$50 for each additional bridge up to a maximum of \$750. In Kentucky, coal trucks are charged a decal fee of \$360, which permits coal trucks weighing up to 120,000 pounds to travel on designated coal haul routes under a program outside the overweight/over-dimensional permit system. Lastly, while not typically included in the fee, haulers are required to cover the cost to hire the required numbers of escorts and use of police escorts as dictated by each State.

D. Does your state agency provide any permits free of charge? If yes, please describe.

a. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples.

All states indicated that they provide free permits to any government and/or military vehicles. Additionally, states such as Tennessee and West Virginia, also waive the permitting fee for construction equipment being transported to State and Federal construction projects. Some states also specifically mentioned that farming and husbandry equipment is also exempt from hauling permit fees as long as the vehicles are being used for agricultural purposes.

In addition to government vehicles, Arkansas, Delaware, Maryland, Missouri, and South Carolina provide free permits to specialized or localized agriculture and/or forestry products. For example, Maryland provides Exceptional Hauling Permits for milk tank vehicles and vehicles transporting forestry products, allowing these vehicles to operate without permitting fees.

All states allow Emergency Management vehicles to operate/travel without permits in order to aid FEMA efforts and local emergencies. In addition, the northern states indicated that they allow snow removal vehicles to operate without permits during snow removal operations. Other than emergency operation vehicles, North Carolina allows weight exemptions, and for divisible loads only. All non-divisible loads that are oversize and/or overweight in North Carolina are required to obtain a permit as well. Arkansas allows vehicles hauling unfinished/unprocessed farm products and/or forest products to travel weighing up to 85,000 pounds on state highways only without a permit.

E. Briefly describe the administrative process for handling hauling permit applications.
a. How are hauling permitting fees collected and what are the internal costs associated with processing permits?

There is no uniform way hauling permits are administrated or the permit fees collected. Some states issue and collect the fees in-house while others outsource this task to third party agencies. Some states, such as North Carolina, find a middle ground where they handle permit applications in-house, while also allowing 3rd party permitting agencies to process permits for an added transaction fee.

The process or means of paying fees also varies. Seven states noted that they have an on-line process where permits can be applied and paid for on-line, while other states require that a permit fee be paid in person, mailed or handled over the phone with the central permitting office.

None of the survey respondents was able to specifically identify a dollar amount in terms of internal costs, but some states noted that they do have external costs they must pay to their software or transaction providers if transactions are handled by an on-line 3rd party. Arkansas and West Virginia both noted that they utilize an automated system developed by Bentley Systems to process applications for the hauling permit program.

F. Annually, approximately how much revenue is generated from hauling permit fees?
a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund?
b. Approximately how much of the funding is dedicated for administration and road damage purposes?

States were asked the amount of money generated through permit fees. Each state provided at least an estimate or range of generated revenues, but the year reported varied from state to state. Revenue generated from hauling permits generally ranged between \$6 and \$13 million dollars. Oklahoma generated much more than any other State as Oklahoma collected \$39 million in fiscal year 2010-2011, while Delaware collected the least amount of revenue, generating only \$903,000 in hauling permit fees. For those states neighboring Virginia, Maryland collected \$10 million, North Carolina \$7 million, West Virginia \$6 million, Tennessee between \$11-13 million and Kentucky \$6 million.

Twelve of fifteen States have funds collected from permits deposited directly back into either the State Department of Transportation general fund or the overall State Assembly General Fund. North Carolina, Arkansas & Georgia fund the operations or enforcement agency responsible for administrating the hauling permit program first and then any remaining funds are deposited into the general fund (AR), State Police budget (GA) and the highway bridge maintenance fund (NC). Oklahoma takes the reverse approach. In Oklahoma, the first \$20 million in fees are directed towards the general fund and any remaining revenue, exceeding \$20 million is directed towards the "Weight Station Improvement Revolving Fund".

Only Georgia and New Jersey were able to provide an estimated amount for the amount of hauling permit revenues dedicated towards administrative costs. In Georgia, 15% or approximately \$108,000 of monthly revenues are dedicated to administration purposes, while New Jersey indicated that \$500,000 is spent annually for administrative purposes. Figure 3 and Table 2 show the amount of revenue each state generated via hauling permits, while Table G also shows the destination of funds generated and the administration costs associated with hauling permits.

Figure 3: Permit Revenue by State

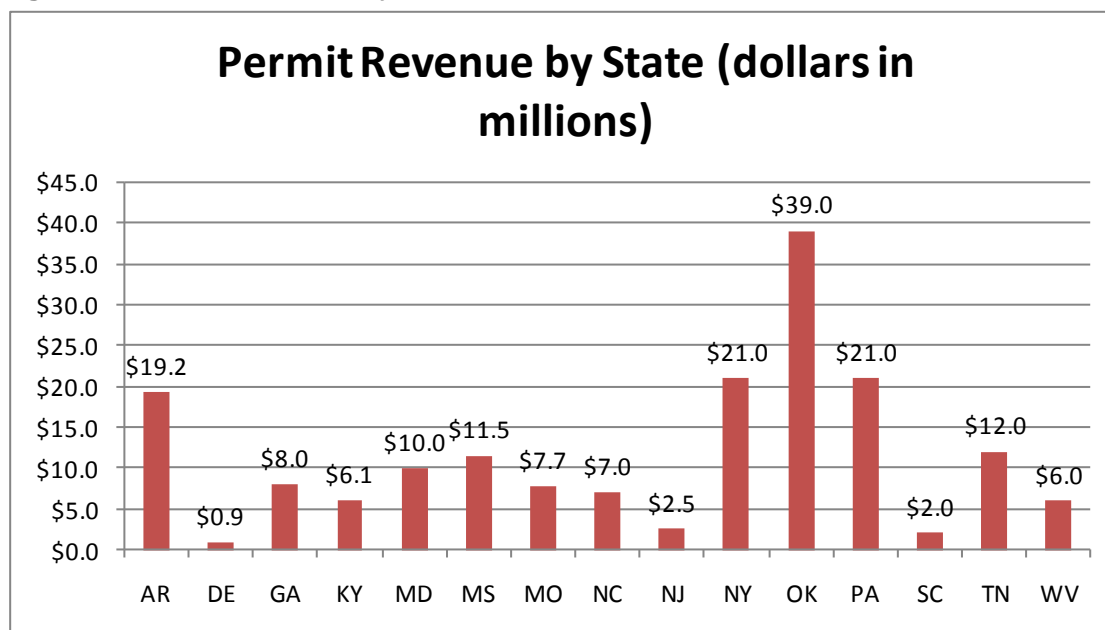


Table 2: Revenue Received from Hauling Permits and Destination of Funds

State	Revenue	Revenue Destination	Admin Costs
AR	\$19.2 million	Arkansas Highway Police; any additional revenue goes back into general fund	
DE	\$903k	Transportation Trust Fund	
GA	\$8 million	Permit Unit operations with remainder going to GA State Police for enforcement/ weigh stations	\$108,000 or 15% of monthly revenues
KY	\$6.07 million	Kentucky Road Fund	
MD	\$10 million	General Fund	
MS	\$10-13 million	MDOT General Fund	100% to road damage and construction
MO	\$7.72 million	General Road Fund	
NC	\$ 7 million	Operating budget for Permit Dept. Once costs are covered all money goes to highway & bridge maintenance fund	
NJ	\$2.5 million	General Fund	\$500k annually
NY	\$6 mil in special hauling permits & \$15 mil from divisible load OW permits	Highway and Bridge Trust Fund	
OK	\$39 Million for FY 10-11	1 st \$20million into General Fund; Then portion to "Weight Station Improvement Revolving Fund"	
PA	\$21 million	General transportation fund	
TN	\$11-13 million	General Fund	
SC	\$2 million	SCDOT General Fund	
WV	\$ 6 million	General Fund	

G. Are localities responsible for issuing any permits? If so, what do they charge and how long does it take them to process applications?

a. Does your state issue any hauling permits for localities and then send the money back to the locality?

All states, with the exception of Maryland, indicated that localities are not responsible for issuing permits. However, five states (AR, NY, NJ, PA & MO) indicated that they do allow localities to issue permits, but that the State does not track or get involved in the local permitting process. New York also indicated that they limit fees localities can charge; specifically, localities are not allowed to exceed \$20 per permit. New York also requires that a copy of any superload permit issued by the localities must be sent to the New York Permitting Office.

Maryland was the only state that indicated a locality was responsible for issuing permits. In Maryland, the City of Baltimore does issue its own permits, at a \$60 minimum cost with an additional sliding scale per ton charged based on weight. The Maryland DOT also issues a joint City/State permit for non-superload moves associated with the Port of Baltimore. Lastly, while not associated with a locality, the West Virginia DOT does issue permits on behalf of the West Virginia Turnpike.

Although Maryland does issue a joint City/State permit with the City of Baltimore, no state indicated that they issued any hauling permits on behalf of localities.

H. Does your State have a hauling permit manual?

a. If so, where can a copy be obtained?

A copy of each State's hauling permit manual was requested in order to obtain full details regarding the permitting practices of each state. An electronic copy of the manual has been collected for each State that has an existing hauling permit manual and for those that do not have manual, a web-link to each states permitting web-site has been obtained. The manuals and web-links have been provided to DMV staff along with the survey responses received from each state.

Appendix A:

State Survey Responses

Overweight Truck Permit Survey - Arkansas

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)? **Yes**
- Are there different classifications/types of hauling permits for oversized and overweight vehicles? **Single trip, 6-day County, Vehicle of Special Design, we have annual permits for front overhang on aviation auger vehicles but no others.**
- B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure.
- Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor?
I will send our fee structure. Basic fee is \$17.00
- C. Are there any additional permitting costs for overweight and/or oversized vehicles? **See fee structure**
- D. Does your state agency provide any permits free of charge? If yes, please describe.
Yes, only to city, county, state & federal agencies.
- E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples. **No, other than vehicles hauling unfinished/unprocessed farm products and/or forest products (85,000 lbs is allowed on state highways only)**
- F. Briefly describe the administrative process for handling hauling permit applications.
- How are hauling permitting fees collected and what are the internal costs associated with processing permits?
Applications are made via phone, in person, or electronically. We have an automated routing system purchased and developed by Bentley Systems which conducts an analysis on all applications. Some are submitted to bridge division for additional analysis. Our projected budget for fiscal year 2012 is \$905,000. This does not include the costs of purchasing our automated system or bridge engineers salaries.
- G. Annually, approximately how much revenue is generated from hauling permit fees?
- Does the money collected from hauling permits fund specific programs or is it deposited into the general fund? **Funds the operation of the Highway Police and any revenue above and beyond that budget (AHP) goes into the general fund of (AHTD)**
 - Approximately how much of the funding is dedicated for administration and road damage purposes? **????**
Fiscal year 2011 \$19,220,625.18 in revenue was collected for all permits.

- H. Are localities responsible for issuing any permits? If so, what do they charge and how long does it take them to process applications? **Our permits are only valid for roads under our jurisdiction (highways and interstates. Some Cities and Counties do issue permits for their respective roads but at the moment not many. We are seeing an interest in these type permits by various counties and cities. Our law does allow them to issue permits/**
- a. Does your state issue any hauling permits for localities and then send the money back to the locality? **No**
- I. Does your State have a hauling permit manual? **yes**
- a. If so, where can a copy be obtained? **At the current time our manual is being revised. Within the year a copy will be available on our website at www.arkansashighways.com**

Overweight Truck Permit Survey - Delaware

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)? **See below (Hazmat permits issued by DE Dept of Natural Resources (DNREC))**
 - a. Are there different classifications/types of hauling permits for oversized and overweight vehicles? **See below**
- B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure. **See below**
 - a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor? **See below**
- C. Are there any additional permitting costs for overweight and/or oversized vehicles? **See below**

LOAD CODES

Load Codes (LC) are used to identify types of loads. See paragraph 7.2. **Enter Load Code** in the User Guide (DeLDOT OSOW Permit System web site www.osow.deldot.gov) for Load Code numbers and definitions.

Permit Load Code Duration (Business days available for movement)

Note: Normal movement is sunrise to sunset Monday – Friday. When Effective Date is a Thursday or Friday the online system will adjust for the weekend and set new Expiration Date of Monday or Tuesday as applicable. When a restricted state holiday falls within the original Effective and Expiration Dates the system will calculate a new Expiration Date. No weekend movement authorized unless requested and approved (see paragraph 7.10.d. **Setting the After Hour Move box**)

- LC 1 (Oversize) 3 days
- LC 2 (Overweight) 3 days
- LC 3 (Superload) 3 days
- LC 4 (Manufactured Housing) 3 days
- LC 5 (Sealed Container) 3 days
- LC 6 (Ship) 5 days
- LC 7 (Pole & Piling) 30 days
- LC 8 (Weight Registration) Annual
- LC 9 (Single Trip Interstate) 1 trip in a 10 day period
- LC 10 (Multi-Trip Interstate) 150 trip in a 1 year period (Which ever comes first)
- LC 11 (Blanket Crane) Annual
- LC 12 (Twin Trailer) 30 days

Current cost associated with a DeIDOT Hauling Permit.

- LC 1 \$10
- LC 2 \$10 plus weight fee of \$5 for each 8000 pounds or portion thereof over legal GVW
- LC 3 \$30 plus weight fee of \$5 for each 8000 pounds or portion thereof over legal GVW
- LC 4 \$10
- LC 5 \$10 plus weight fee of \$5 for each 8000 pounds or portion thereof over legal GVW
- LC 6 \$900
- LC 7 \$30
- LC 8 \$100
- LC 9 \$1
- LC 10 \$150
- LC 11 Varies – See paragraph 13 of the DeIDOT Policy and Procedures Manual
- LC 12 \$300

D. Does your state agency provide any permits free of charge? If yes, please describe.

Government No Charge Permits - The Department may issue no charge hauling permits to government agencies (Federal, State, County & Local) for the movement of their over dimensional and/or overweight equipment.

E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples.

Farm tractors and other implements of husbandry, which are being temporarily operated, moved or transported upon State maintained highways except Interstate and U.S. Routes are not required to obtain a hauling permit. A permit is not required on the Interstate and U.S. Routes when the equipment is being used by farmers engaged in their agricultural related practices. A permit is required at all other times.

F. Briefly describe the administrative process for handling hauling permit applications.

Customer is provided with a login to the online OSOW Permit System. Customer enters permit application. DeIDOT Permit Agent, Bridge Engineer (SUPERLOADS 120K lbs or > or any individual axle at or > than 24K lbs.), Signal Supervisor (Loads at or > Than 15') and/or Traffic Engineer (Permits requesting after hour moves or extreme dimensions) review and approve permits. Customer reviews approved permits and if agrees with any changes may purchase and print final permit copy for use in movement.

- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits? Permit fees are calculated and display on the permit application. Customer has option to purchase using Fund Account (established escrow), Credit Card or Electronic Check)

G. Annually, approximately how much revenue is generated from hauling permit fees?

Year	Number of Permits	Minimum Fee	Weight Fee	Amendment Fee	Total
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2010	44,514	\$613,279	\$289,535	\$ 88	\$ 902,902
2009	42,794	\$616,803	\$277,205	\$ 72	\$ 894,080
2008	51,687	\$791,230	\$354,840	\$114	\$1,146,184
2007	57,998	\$911,256	\$384,505	\$ 86	\$1,295,847
2006	61,945	\$926,884	\$404,300	\$196	\$1,331,380
2005	52,266	\$736,491	\$317,700	\$130	\$1,054,321

- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund? [Money collected is deposited to Delaware's Transportation Trust Fund](#)
 - b. Approximately how much of the funding is dedicated for administration and road damage purposes? [N/A – once deposited, funds are used at the discretion of DeIDOT](#)
- H. Are localities responsible for issuing any permits? [No](#) If so, what do they charge and how long does it take them to process applications? [N/A](#)
- I.
- a. Does your state issue any hauling permits for localities and then send the money back to the locality? [No](#)
- J. Does your State have a hauling permit manual? [Yes](#)
- a. If so, where can a copy be obtained?

OSOW Permit System web site: www.osow.deldot.gov

[DeIDOT Policy & Procedures Manual](#)

[User Guide for the Online Customer \(Step by Step Instructions for entering, purchasing and printing permits\)](#)

Overweight Truck Permit Survey - Georgia

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)? **Yes**
- a. Are there different classifications/types of hauling permits for oversized and overweight vehicles?
Single Trip, Annual, Superload, Superload Plus, Multitrip, Housemove, Seasonal
- B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure.
Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor? **Price varies by permit type (dimensions within each type): Single Trip (\$30 up to 150,000lbs.), Annual (\$150 12' wide/\$500 14' wide), Superload (\$125 150,001-180,000 lbs.), Superload Plus (\$500 +180,000lbs), Multitrip (\$100 unlimited travel for 10-days with same vehicle configuration), Housemove (\$125), Seasonal (\$25 agricultural only)**
- C. Are there any additional permitting costs for overweight and/or oversized vehicles?
\$1 transmittal fee, \$7 credit card convenience processing fee
- D. Does your state agency provide any permits free of charge? If yes, please describe.
Exempt permits for all governmental agencies (local, state, federal)
- E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples.
No
- F. Briefly describe the administrative process for handling hauling permit applications.
- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits?
Automated by permitting software, credit card processor takes the \$7 fee for processing credit cards for the state
- G. Annually, approximately how much revenue is generated from hauling permit fees?
Avg. 8M
- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund? **Permit Unit operations with the remainder going to GSP (DPS) for enforcement activities/weigh stations**
- b. Approximately how much of the funding is dedicated for administration and road damage purposes?
\$108,000.00 or 15% of monthly revenues
- H. Are localities responsible for issuing any permits? If so, what do they charge and how long does it take them to process applications?
No, the State of Georgia issues permits for travel state-wide

- a. Does your state issue any hauling permits for localities and then send the money back to the locality? **No**

- I. Does your State have a hauling permit manual? **No**
 - a. If so, where can a copy be obtained?

Overweight Truck Permit Survey - Kentucky

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)? **yes**
- a. Are there different classifications/types of hauling permits for oversized and overweight vehicles? **Yes. Kentucky has 7 annual permits available as well as trip permits (good for 10 days to allow one move and is vehicle specific)**
- B. What is the base cost for a hauling permit? **\$60.00 flat rate for all temporary permits**
Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure. **A fee variation is in place for annual permits, based on what they are hauling as well as the dimension, see below:**
- A01 - Nondivisible—less than 14-ft. wide
 - A02 - Nondivisible—14-ft. to 16-ft. wide
 - A03 – Farm—less than 14-ft. wide
 - A04 – Farm—14-ft. to 16-ft. wide
 - A05 – Steel—35 mile limit
 - A06 - Steel Statewide
- a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor? **No**
- C. Are there any additional permitting costs for overweight and/or oversized vehicles? **No**
- D. Does your state agency provide any permits free of charge? **No, all originally issued permits are charged the \$60 fee. If an administrative error occurs, Kentucky will redo the permit at no cost to the customer. Kentucky also has the ability to amend a permit for a \$10 fee if the request is reasonable and not habitual.** If yes, please describe.
- E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? **Yes.** If so, please provide examples. **Kentucky exempts farm plated vehicles from permits if they operate within the parameter of limitations based on Kentucky law. Additionally, Kentucky coal trucks are allowed to operate up to 120,000 lbs on designated coal haul routes for an additional fee under a program outside the overweight/over-dimensional permit system.**
- F. Briefly describe the administrative process for handling hauling permit applications.
- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits? **Permits are issued via web and fax applications. The fees are collected via ach accounts and credit cards.**

- G. Annually, approximately how much revenue is generated from hauling permit fees? Fees collected for FY 2011 were \$6,072,400.00
- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund? Fees are deposited into the Kentucky Road Fund
 - b. Approximately how much of the funding is dedicated for administration and road damage purposes?
- H. Are localities responsible for issuing any permits? No
If so, what do they charge and how long does it take them to process applications?
- a. Does your state issue any hauling permits for localities and then send the money back to the locality? No
- I. Does your State have a hauling permit manual? No. Information relating to the operations of overweight/overdimensional loads are posted on our webpage: <http://transportation.ky.gov/Motor-Carriers/Pages/Overweight-Overdimensional.aspx>
- a. If so, where can a copy are obtained?

From: [Sharon Brundick](#)
To: [Kempf, Phillip S](#)
Subject: FW: Maryland Hauling Permit Info
Date: Wednesday, July 27, 2011 3:20:59 PM

FYI

From: Sharon Brundick
Sent: Wednesday, July 27, 2011 2:41 PM
To: Dave Czorapinski
Subject: FW: Maryland Hauling Permit Info

From: Kempf, Phillip S [mailto:PKempf@mbakercorp.com]
Sent: Wednesday, July 27, 2011 2:19 PM
To: Sharon Brundick
Subject: RE: Maryland Hauling Permit Info

Thanks Sharon, I'm still looking for info on the following questions:

- I) Annually, approximately how much revenue is generated from hauling permit fees? **Approx. \$10M**
 - a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund? **General Fund**
 - b. Approximately how much of the funding is dedicated for administration and road damage purposes? **None of the revenue is dedicated to administration or road damage**

- II) Are localities responsible for issuing any permits? If so, what do they charge and how long does it take them to process applications? **Baltimore City - \$60 minimum with sliding scale per ton**
 - a. Does your state issue any hauling permits for localities and then send the money back to the locality? **We issue a joint City/State permit for non-superloads moves associated with the Port of Baltimore**

--

Phil

From: Sharon Brundick [mailto:SBrundick@sha.state.md.us]
Sent: Wednesday, July 27, 2011 2:15 PM
To: Kempf, Phillip S
Subject: RE: Maryland Hauling Permit Info

Phillip

The companies are billed monthly. The government agencies are given permits at no charge.

From: Kempf, Phillip S [mailto:PKempf@mbakercorp.com]
Sent: Wednesday, July 27, 2011 1:52 PM
To: Sharon Brundick
Subject: FW: Maryland Hauling Permit Info

Sharon,

I was wondering if you have had a chance to complete the survey as requested in my email below. The Virginia DMV specifically singled out Maryland to complete this survey as MD and VA are neighboring states. Thank you for your cooperation in advance and if you have any questions or issues please let me know.

Sincerely,

Philip S. Kempf, AICP
Planning Associate
Michael Baker Jr. Inc
1801 Bayberry Ct.
Suite 101
Richmond, VA 23226
804-287-3164

From: Kempf, Phillip S
Sent: Thursday, July 14, 2011 2:49 PM
To: 'sbrundick@sha.state.md.us'
Subject: Maryland Hauling Permit Info

Sharon,

Thanks for mailing me a copy of the MD Hauling Permit Manual, it's among the better ones out there! I was wondering if you could take another look at our survey and answer some of the administrative questions that can't be answered by the manual? The administrative questions are letter F G&H on the attached survey. Thank you for your cooperation in advance.

Sincerely,

Philip S. Kempf, AICP
Planning Associate
Michael Baker Jr. Inc
1801 Bayberry Ct.
Suite 101
Richmond, VA 23226
804-287-3164



Please consider the environment before printing this email

LEGAL DISCLAIMER - The information contained in this communication (including any attachments) may be confidential and legally privileged. This email may not serve as a contractual agreement unless explicit written agreement for this purpose has been made. If

Overweight Truck Permit Survey - Mississippi

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)? **Yes, check out our web site GOMDOT.COM**
- a. Are there different classifications/types of hauling permits for oversized and overweight vehicles? **Yes, we have annual blanket permits for size and weight information also on our web site.**
- B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure.
The base cost of an oversize only permit is \$10.00. If you are oversize and overweight an additional charge of .05 (nickel) per thousand lbs that you exceed 80,000 lbs times the number of miles traveled will be added.
- a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor?
Not for size but for weight and yes the cost does vary.
- C. Are there any additional permitting costs for overweight and/or oversized vehicles? **No**
- D. Does your state agency provide any permits free of charge? If yes, please describe.
Yes, government moves - example would be US Army , Navy etc
- E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples. **No, all loads require a permit if exceeding legal dimensions**
- F. Briefly describe the administrative process for handling hauling permit applications.
- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits? **The permit fees are collected by Checks, Credit cards, Cash, and comcheks. No internal cost.**
- G. Annually, approximately how much revenue is generated from hauling permit fees?
Between 10 and 13 million annually
- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund? **Mdot general fund**
- b. Approximately how much of the funding is dedicated for administration and road damage purposes? **100% used for road damages and construction
0% for administration**
- H. Are localities responsible for issuing any permits? If so, what do they charge and how long does it take them to process applications? **No**
- a. Does your state issue any hauling permits for localities and then send the money back to the locality? **No**
- I. Does your State have a hauling permit manual? **No, only rules and regulations**
- a. If so, where can a copy be obtained? **The rules and regulations are on our web site GOMDOT.COM or we can mail you a packet.**

Overweight Truck Permit Survey- Missouri

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)? **Yes**
- a. Are there different classifications/types of hauling permits for oversized and overweight vehicles?
Blankets, single trip, blankets, legal weight, overweight, 30 day blankets, project permits
- B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure. **\$15.00 for single trip, legal weight**
- a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor? **Yes, Single trip overweight permits in excess of 160,000 lbs gross weight are \$15 plus \$20 per each 10,000 lbs in excess of legal gross weight plus bridge and roadway analysis fee of \$425 for each permit for moves from 0-50 miles in length; \$625 for 51-200; \$925 for over 200 miles.**
- C. Are there any additional permitting costs for overweight and/or oversized vehicles?
\$750,000 insurance for single trips and \$2,000,000 for superloads
- D. Does your state agency provide any permits free of charge? If yes, please describe.
For other state agencies or federal government entities, or if responding to natural disasters and the company has volunteered their services

Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples.

**Tow trucks when moving from accident to place of repair
Farmers are exempt if not on the interstate when moving from farm to farm
Fire trucks**

- E. Briefly describe the administrative process for handling hauling permit applications.
- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits? **On-line application process, companies establish escrow accounts, or pay by credit card, debit card, e-check or personal check.**
- F. Annually, approximately how much revenue is generated from hauling permit fees?
\$7,716,000.00
- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund? **General Road Fund**
- b. Approximately how much of the funding is dedicated for administration and road damage purposes? **None – Additional insurance is required, with Missouri Department of Transportation as payee.**

- G. Are localities responsible for issuing any permits? If so, what do they charge and how long does it take them to process applications? [We issue only for state maintained roadways. City or county entities process their own applications, if required.](#)
- a. Does your state issue any hauling permits for localities and then send the money back to the locality? [No](#)

- H. Does your State have a hauling permit manual? [Yes](#)
- a. If so, where can a copy be obtained? Copy and paste the link below for our reg book.

<http://www.modot.org/mcs/OSOW/documents/2009OSOWRegBook.pdf>

Overweight Truck Permit Survey – New Jersey

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)?
- Are there different classifications/types of hauling permits for oversized and overweight vehicles?
 - Single trip OS/OW permit -- 5 days validity,
 - CODE 23 Single Trip OS/OW permit (Constr. Equipment- 30 days validity)
 - Annual Ocean Borne Container Permits (365 days validity).
- B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure.
- Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor?

Single Trip Overweight permit:

\$10 Base Fee + any excess weight fees + \$12 Transaction Fee + 5% Service charge

Single Trip Over-dimensional permit:

\$10 Base Fee + any excess dimensional fees + \$12 Transaction Fee + 5% Service charge

Single Trip Over-dimensional & Overweight permit:

\$20 Base Fee + any excess weight and dimensional fees + \$12 Transaction Fee + 5% Service charge

Single Trip Permit Excess weight fees (as defined in Title 39:3-84):

\$5.00 per ton (or fraction thereof) over 80,000 pounds GVW.

\$5.00 per ton (or fraction thereof) over the following legal axle weights:

22,400 lbs. on a single axle

34,000 lbs. on a tandem axle

NOTE: 5% leeway is given on axle weights.

Single Trip Permit Excess dimensional fees (as defined in Title 39:3-84):

\$1.00 per foot (or fraction thereof) in excess of 14 feet in width

\$1.00 per foot (or fraction thereof) in excess of various lengths:

Trips with a House related load -- Overall Length - 70 feet

Trips with a Non-House related load -- Overall Length - 63 feet

Code 23 permits:

Registration fee paid annually to MVC. No base fees or excess weight/dimensional fees applied.

Only a transaction fee of \$12 plus the service charge of 5% of total permit fee = \$12.60/permit

Annual Ocean Borne Container Permits

\$100 base fee + \$12 Transaction Fee + 5% Service charge = \$117.60/permit

For movement of containers statewide with a max GVW of 90,000 lbs. and within the following legal axle weight limits:

- Max 38,000 lbs. on any one tandem axle trailer (34,000 lbs. on second tandem)**
- Max 56,400 lbs. on a tri-axle trailer**

- C. Are there any additional permitting costs for overweight and/or oversized vehicles?

Transaction/Service Charges: All permits will be assessed a transaction fee of \$12.00 plus a credit card service charge of 5% of the total permit fee for each permit.

- D. Does your state agency provide any permits free of charge? If yes, please describe.
Only to State and Federal agencies or county/local governments and those involved in emergency moves.

- E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples.

All oversized or overweight trucks are required to have permit or a waiver from the permit office.

- F. Briefly describe the administrative process for handling hauling permit applications.

- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits?

Go online at nj.gotpermits.com to apply for permit. 80% of the applications are system issued permits. Fees are collected by the vendor who operates the website and those fees are then transferred back to the state on a monthly basis. The vendor deducts their service charges and transaction fees from the money collected.

20% of the applications are reviewed by NJDOT Staff. Once reviewed decision is being made whether to issue a permit or not. Parameters that need review are gross weight, height, width, length provided by the trucker. Costs associated to it are DOT staffing and Software maintenance man hours.

- G. Annually, approximately how much revenue is generated from hauling permit fees?

- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund?

Approximately \$2.5 million in fees are collected annually. Out of this, approximately 25-30% is collected as transaction fees collected by Bentley and rest are permit fees that go back to the state. This Revenue is currently directed into the General Fund.

- b. Approximately how much of the funding is dedicated for administration and road damage purposes?

\$500,000 per year is dedicated for administration of the Superload OS/OW permitting system and staff salaries associated with administration of the system and bridge analysis.

No money is currently dedicated to road damage.

- H. Are localities responsible for issuing any permits? If so, what do they charge and how long does it take them to process applications?

Currently, the state is only issuing permits for the state highway system. In the near future, county roads will be added to our permitting network. In the meantime, haulers are expected to contact county/local authorities to determine whether or not a permit is required for their jurisdiction.

- a. Does your state issue any hauling permits for localities and then send the money back to the locality?
No, at this time, there is no mechanism to issue permits on local or county roads.

- I. Does your State have a hauling permit manual?
 - a. If so, where can a copy be obtained?
No; we currently do not have a manual, but will be developing one in the future. Attached is a copy of the old brochure that was published by the NJ MVC. We will be updating this brochure in the future. In the meantime, you can visit the permitting web site at nj.gotpermits.com and look for rules and regulations.

Overweight Truck Permit Survey [New York State DOT]

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)?

Please use the following link to information on the various types of Special Hauling permits. <https://www.nysdot.gov/nypermits/repository/PERM30.pdf>

- a. Are there different classifications/types of hauling permits for oversized and overweight vehicles?

The State does separate dimensional and superload permits [special hauling] from overweight permits [Divisible load overweight permits] The following links will take you to our divisible load permit information.

<https://www.nysdot.gov/nypermits/repository/perm69.pdf>

Generic weblink - <https://www.nysdot.gov/nypermits/divisible-load-permits>

- B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure.

The links above also include information on permit fees related to the permit types. Two main categories of fees exist – Trip @ \$40 and Annual @ \$360 and up.

- a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor? **The permit fee does not involve mileage or vehicle size. Vehicle weight is included via consideration of the number of axles. The Department is currently evaluating the need to modify its permitting fee structure to include addressing other impacts.**

- C. Are there any additional permitting costs for overweight and/or oversized vehicles?

While not included in the fee, haulers are required to cover the cost to hire required numbers of escorts and use of police escorts.

- D. Does your state agency provide any permits free of charge? If yes, please describe.

YES. Permits to municipalities and the US military are issued without charge.

- E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples.

Municipal snow plows are allowed to operate overweight solely during snow plow operations.

- F. Briefly describe the administrative process for handling hauling permit applications.

- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits?

Haulers can apply for permits on-line. This process requires them to "Pre-fund" their account via a credit card. The Department uses a state-approved vendor that does charge us a fee. The on-line applicant can also use an on-line credit card service via another Department that uses a similar vendor that charges a fee. If an applicant comes to one of our windows, they can pay by check or mail order. Our

on-line permitting system does create an accounting report used by another part of the Department to reconcile monies.

- G. Annually, approximately how much revenue is generated from hauling permit fees?
- Does the money collected from hauling permits fund specific programs or is it deposited into the general fund?

The OS/OW Permit Program generates almost \$6 million from special hauling permits and over \$15 million from divisible load overweight permits. By state law, this money is deposited in the state's Dedicated Highway and Bridge Trust Fund account.

- Approximately how much of the funding is dedicated for administration and road damage purposes?

All monies from this account are used to cover administrative and restoration costs. The Department currently does not keep a distribution by these functions.

- H. Are localities responsible for issuing any permits? If so, what do they charge and how long does it take them to process applications?
- Does your state issue any hauling permits for localities and then send the money back to the locality?

Localities are allowed to issue permits. A number of counties in the state do have permitting systems. A listing can be found at <https://www.nysdot.gov/nypermits/countycontacts>

We are working to expand this list to include other localities. Their fee can not exceed \$20 dollars per permit. However, they do add other administrative charges. As to their processing times, we require copy of any local permit when permitting superloads. Experience during the superload application review process has been mixed.

The State is looking to see if unifying the permitting process can be done in a safe and efficient manner.

- I. Does your State have a hauling permit manual?
- If so, where can a copy be obtained?

In support of staff training and ensuring uniformity in processing applications, we developed manuals for our special hauling and divisible load programs. Currently, they are for internal use only. However, most of our procedures are available on our website. Periodic updates are implemented via the issuance of a Special Hauling or Divisible Load Notice. These notices remain in effect until incorporated into an update of the manual. A number of these notices are available on our website.

Prepared by K. Dodge; July 5, 2011

Overweight Truck Permit Survey – North Carolina

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)?
- a. Are there different classifications/types of hauling permits for oversized and overweight vehicles?
Single trip, annual and super load
- B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure.
- a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor?
Single trip - \$12 per over dimension of width, length, height and weight (\$12 - \$48)
Annual for non-divisible general commodities - \$100
Annual for mobile/modular homes - \$200
Super load - \$100 application, \$12 per over dimension of width, length, height and weight (\$12 - \$48) plus \$3.00 per 1,000 lbs. in excess of 132,000 lbs. gross weight
- C. Are there any additional permitting costs for overweight and/or oversized vehicles?
Non-refundable \$100 application fee for super load permits
- D. Does your state agency provide any permits free of charge? If yes, please describe.
No fee is charged when transporting farm equipment by the farmer and for permits issued to any agency of the United States Government or the State of North Carolina, its agencies, institutions, subdivisions or municipalities if the vehicle is registered in the name of the agency.
- E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples.
North Carolina Motor Vehicle law provides for lots of weight exemptions for divisible loads; however, these commodities would not qualify for a permit as they are divisible. All non-divisible loads that are oversize and/or overweight are required to obtain a permit.
- F. Briefly describe the administrative process for handling hauling permit applications.
- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits?
Permit fees can be paid by cash, company check, certified check, money order, credit card or escrow account. Customers may also go through a 3rd party permitting agency. A transmittal fee is charged for all permits other than walk-in customers.
- G. Annually, approximately how much revenue is generated from hauling permit fees?
- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund?
 - b. Approximately how much of the funding is dedicated for administration and road damage purposes? Approximately 7 million dollars is collected in permit fees.

The money is placed in an operating budget for the Permit Unit. All funds generated by permit fees in excess of the cost of administering the program shall be used for highway and bridge maintenance required as a result of damages caused from overweight or oversize loads.

- H. Are localities responsible for issuing any permits? If so, what do they charge and how long does it take them to process applications?
- a. Does your state issue any hauling permits for localities and then send the money back to the locality?

The Central Permit Unit is responsible for the issuance of all permits on state maintain roads, which includes interstate, US, NC and secondary routes. We are not authorized to issue permits on city streets that are not state maintained.

- I. Does your State have a hauling permit manual?
- a. If so, where can a copy be obtained?

Attached is a current copy of the manual. We are currently making some updates due to recent legislative changes.

Overweight Truck Permit Survey Oklahoma

A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)?

Yes

- a. Are there different classifications/types of hauling permits for oversized and overweight vehicles? Yes Approximately 16 DIFFERENT TYPE OF PERMITS

B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure.

- a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor?
- Oklahoma Does not base fees off of Millage
 - Our fees are based off permit type, size and weight (Fee Structure attached – Item 1)

C. Are there any additional permitting costs for overweight and/or oversized vehicles?

- Yes . – According to Title 47 O.S. 14-120

Manufactured items, with the exception of manufactured homes as defined in Section 1102 of this title and industrialized housing as defined in subsection B of Section 14-103A of this title, exceeding sixteen (16) feet but not exceeding twenty-three (23) feet in width traveling:

1. From a point of manufacture in the State of Oklahoma to a point of delivery in the State of Oklahoma or to a point of delivery in another state; or

2. From a point of manufacture outside the State of Oklahoma to a point of delivery in the State of Oklahoma or to a point of delivery in another state shall be permitted, upon receipt of a special movement permit issued under the provisions of subsection B of this section, to travel on any state or U.S. highway in Oklahoma. Provided, however, the Commissioner of Public Safety is authorized to allow such items in excess of twenty-three (23) feet in width to travel on such highway if it is in the best interest of the state and a special moving permit has been issued. Provided, further, that no such load in excess of the limitations set forth in the applicable United States Code shall be permitted to travel upon any portion of the National System of Interstate and Defense Highways.

B. Every person desiring to transport manufactured items pursuant to the provisions of this section shall apply to the Department of Public Safety for a special movement permit on an application form prescribed by the Department. Upon approval of the application by the Department, a special movement permit shall be issued for a fee Five Hundred Dollars (\$500.00). Except as provided in Section 4 of this act, monies received from such special movement permit fees shall be deposited in the State Treasury to the credit of the General Revenue Fund. A permit issued pursuant to the provisions of this subsection shall expire upon the completion of one trip specified in subsection A of this section. The special movement permit, and fee related thereto, shall be in addition to the permit and fees required by Section 14-116 of this title.

C. Highway escorts shall be required for transportation of items pursuant to the provisions of this section according to rules and regulations prescribed by the Department of Public Safety.

D. Does your state agency provide any permits free of charge? If yes, please describe.

Yes to Local, State and Federal Government.

47 O S 14-101 B

. B. The Commissioner of Public Safety is directed to issue annual overweight permits to:

1. Municipalities and rural fire districts for the transportation of firefighting apparatus at no cost to the municipalities or rural fire districts;
2. Owners of implements of husbandry, which includes tractors that are temporarily moved upon a highway at no cost to the owner;
3. Retail implement dealers while hauling implements of husbandry at no cost to the dealer; and
4. Owners of certain vehicles as provided for in Section 2 of this act.

E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples. Not to my knowledge

F. Briefly describe the administrative process for handling hauling permit applications.

- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits? (See item 1 B+C)

G. Annually, approximately how much revenue is generated from hauling permit fees?

Approximately 39 million dollars for FY 10-11

- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund? See Item # 2 & # 3
- b. Approximately how much of the funding is dedicated for administration and road damage purposes? Unsure – maybe Norman Hill will be able to answer this.

H. Are localities responsible for issuing any permits? No If so, what do they charge and how long does it take them to process applications?

- a. Does your state issue any hauling permits for localities and then send the money back to the locality? No

I. **Does your State have a hauling permit manual?** No - you can obtain copies of rules of the Office of Administrative rules and copies law that are Title 47 Chapter 14 at Oklahoma State Courts Network.

a. **If so, where can a copy be obtained?**

Rules may be obtained thru the Secretary of State Website
Office of Administrative rules
www.oar.state.ok.us

595:30 Size & Weight rules
730:30 9 ODOT Rules pertaining to Size & Weight.

Laws – may be obtained from Oklahoma State Courts Network
www.oscn.net

Go to Legal Research > then to Oklahoma Statutes Citationized
Title 47 Chapter 14



OKLAHOMA DEPARTMENT OF PUBLIC SAFETY

Size & Weight Permit Division ♦ 2401 NW 23rd St, Suite 45. ♦ Oklahoma City, OK 73107-2431

NOTICE OF FEE SCHEDULE

Pursuant to Section 24A.1, et. seq. of Title 51, Oklahoma Statutes, the following fees are established.

Fee changes due to SB1574 Effective 1 July 2010

PERMIT FEES

- (a) Single Trip Permit Fees are as follows:
 - (1) Oversize \$ 40.00
 - (2) Overweight 40.00
(Plus \$10.00 for each 1,000 pounds when the load exceeds legal load limit.)
 - (3) Oversize & Overweight 80.00
(Plus \$10.00 for each 1,000 pounds when the load exceeds legal load limit.)
 - (4) Multi-Trip 40.00
 - (5) Special Purpose Drive Away 15.00
 - (6) Special Movement 500.00
(Manufactured items exceeding 16 feet but not exceeding 23 feet in width.
Must have supervisor's authorization.)
 - (7) Manufactured Home 40.00
(Manufactured homes that are repossessed. Used or Trade-In's must have
supporting documentation presented to the Department of Public Safety
by either fax or in person before a permit can be issued.)

- (b) Annual Permit
 - (1) Round-Baled Hay 25.00
 - (2) Tree Length Logs 25.00
 - (3) Soil Conservation 25.00
 - (4) Overweight Special Mobilized Machinery (Interstate only) 60.00
 - (5) Oversize Special Mobilized Machinery 10.00

- (c) The following permits may be obtained at the Oklahoma City permit office only:
 - (1) Special Combination Annual Operating 2400.00
(Truck/Tractor semi-trailer combination towing two complete trailers or
semi-trailers.)
 - (2) LCV (Longer Combination Vehicle) - Annual 20.00

1B

595:30-3-3. Requesting, obtaining, and paying for a permit

(a) **Requesting and obtaining a permit.** A permit shall be applied for and obtained from the Size and Weight Permit Division of the Department of Public Safety, by contacting a permit office either in person, by telephone, or from the Department website. A permit for movement of a manufactured home shall be applied for and obtained in accordance with 68 O.S. §2813 and 47 O.S. §14-103D. The permit office shall make a determination as to whether the permit can be issued based upon the size of load, the route to be traveled, the clearance of overhead structures, weather conditions, and traffic conditions.

(b) **In-person permit application.** All permit offices are open Monday through Friday, except on state holidays. Location and office hours of permit offices are.

- (1) Oklahoma City (main office), 2401 Northwest 23rd Street, Suite 45, Oklahoma City, OK 73107. Office hours: 7:00 a.m. to 6:30 p.m.
- (2) Offices at Oklahoma Highway Patrol district headquarters:
 - (A) Enid, 5725 West Garriott Road. Office hours: 7:30 a.m. to 12:00 p.m. (noon), and 1:00 p.m. to 3:45 p.m.
 - (B) Tulsa, 9191 East Skelly Drive. Office hours: 8:00 a.m. to 12:00 p.m. (noon), and 1:00 p.m. to 4:15 p.m.
- (3) Field Offices:
 - (A) Elk City, Merritt Road at the west junction of U.S. Highway 66 and State Highway 6. Office hours: 8:00 a.m. to 12:00 p.m. (noon), and 1:00 p.m. to 4:15 p.m.
 - (B) Ada, 615 West 33rd Street (Ada Technology Center). Office hours: 8:00 a.m. to 12:00 p.m. (noon), and 1:00 p.m. to 4:15 p.m.
 - (C) Woodward, 102 Temple Houston Drive. Office hours: 7:00 a.m. to 11:00 a.m., and 12:00 p.m. (noon) to 3:15 p.m.

(c) **Telephone permit application.** Telephone applications may be made by calling, toll free, (877) 425-2390, Monday through Friday, except on state holidays, between 7:00 a.m. and 6:00 p.m.

(d) **Website permit application.** Website applications may be made through the Department's website between 7:00 a.m. and 6:00 p.m.: <http://www.dps.state.ok.us/swp/agreement.htm>

(e) **Payment for a permit.** Payment for a permit is to be made by one of the following methods:

- (1) Cash (exact change is required). Please do not mail cash.
- (2) Certified cashier's check. Make checks payable to "Oklahoma Department of Public Safety."
- (3) Money order. Make money orders payable to "Oklahoma Department of Public Safety."
- (4) Personal or company check. Make checks payable to "Oklahoma Department of Public Safety." If a personal or company check is not honored by the bank upon which it is drawn, the Department of Public Safety reserves the right to refuse all further checks from the person or company who issued the check.
- (5) Credit card. Discover, MasterCard, or Visa will be accepted for payment.
- (6) Monthly billing account. [See 595:30-3-7 regarding monthly billing accounts.]

[Source: Amended at 11 Ok Reg 229, eff 10-10-93 (emergency); Amended at 11 Ok Reg 2391, eff 5-26-94; Amended at 12 Ok Reg 3261, eff 7-28-95; Amended at 14 Ok Reg 3508, eff 8-12-97; Amended at 16 Ok Reg 3159, eff 7-12-99; Amended at 17 Ok Reg 3040, eff 7-15-00; Amended at 18 Ok Reg 3125, eff 7-14-01; Amended at 21 Ok Reg 3025, eff 7-25-04; Amended at 26 Ok Reg 2780, eff 7-25-09]

1C**595:30-3-7. Establishing a monthly billing account**

The Size and Weight Permit Division may authorize monthly billing accounts for individuals, companies, and corporations to defer payment of special permits issued for oversize and overweight vehicles. A monthly billing account will be established in accordance with the following provisions:

(1) Posting of bond.

(A) A bond must be posted in an amount sufficient to cover the monthly billing. The minimum amount of such bond shall be Five Thousand Dollars (\$5,000.00).

(B) The bonding company must be approved by the Oklahoma Insurance Commissioner to do business in Oklahoma and maintain such approval during the term of the bond.

(C) The bond must be on a form prepared by the Department of Public Safety. The completed original form must be submitted to the Department for final approval. The form may be obtained by contacting the Size and Weight Permit Division of the Department of Public Safety.

(D) The surety company must notify the Department by written notice a minimum of thirty (30) days prior to cancellation or reduction of the amount of coverage and state the effective date of the change in coverage. The surety company shall send the notice by certified mail to the Size and Weight Permit Division.

(E) It is the responsibility of the company holding the bond to give the monthly billing account number only to persons qualified to use the account. Establishing an account implies full agreement to the terms of the account and any related activities thereof. Once the bond has been approved by the Department of Public Safety, notification of the monthly billing account number will be given. Information concerning accounts may be obtained by calling (405) 522-9004 or (405) 522-9005.

(2) Payment of account. Each monthly billing account will be invoiced at the first of each month. Payment must be received by the Department of Public Safety at 2401 Northwest 23rd Street, Suite 45, Oklahoma City, OK 73107 by the fifteenth (15th) day of the invoice month. Accounts which are not paid will not be used to issue permits until the account is paid. Accounts not paid by the twentieth (20th) day of the invoice month will be sent to the bonding company for collection. The Department may close any account for which the deferred payment is habitually delinquent.

[Source: Amended at 9 Ok Reg 2577, eff 6-26-92; Amended at 11 Ok Reg 229, eff 10-10-93 (emergency); Amended at 11 Ok Reg 2391, eff 5-26-94; Amended at 14 Ok Reg 3508, eff 8-12-97; Amended at 15 Ok Reg 3314, eff 7-13-98; Amended at 16 Ok Reg 3159, eff 7-12-99; Amended at 26 Ok Reg 2780, eff 7-25-09]

#2



Home	Courts	Court Dockets	Legal Research	Calendar	Help
Previous Section	Top Of Index	This Point in Index	Citationize	Next Section	Print Only

Title 47. Motor Vehicles

Oklahoma Statutes Citationized

Title 47. Motor Vehicles

Chapter 14 - Size, Weight, and Load

Section 14-116 - Permit Fees - Escrow Account System - Applications - Emergencies - Provisional Permits - Violations - Disposition and Allocation of Proceeds

Cite as: 47 O.S. § 14-116 (OSCN 2011)

A. The Commissioner of Public Safety shall charge a minimum permit fee of Forty Dollars (\$40.00) for any permit issued pursuant to the provisions of Section 14-101 et seq. of this title. In addition to the permit fee, the Commissioner shall charge a fee of Ten Dollars (\$10.00) for each thousand pounds in excess of the legal load limit. The Commissioner of Public Safety shall establish any necessary rules for collecting the fees.

B. The Department of Public Safety is authorized to establish an escrow account system for the payment of permit fees. Authorized motor carriers meeting established credit requirements may participate in the escrow account system for permits purchased from all size and weight permit offices in this state. Carriers not choosing to participate in the escrow account system shall be required to make payment of the required fee or fees upon purchase of each permit as required by law. All monies collected through the escrow account system shall be deposited to a special account of the Department of Public Safety and placed in the custody of the State Treasurer. Proceeds from permits purchased using the escrow account system shall be distributed as provided for in subsection G of this section. However, fees collected through such accounts for the electronic transmission, transfer or delivery of permits, as provided for in Section 14-118 of this title, shall be credited to the Department of Public Safety Revolving Fund.

C. 1. Application for permits shall be made a reasonable time in advance of the expected time of movement of such vehicles. For emergencies affecting the health or safety of persons or a community, permits may be issued for immediate movement.

2. Size and weight permit offices in all districts where applicable shall issue permits to authorize carriers by telephone during weekdays.

3. The Commissioner of Public Safety shall develop a system for provisional permits for authorized carriers which may be used in lieu of a regular permit for the movement of oversize and overweight loads when issued an authorization number by the Department of Public Safety. Such provisional permits shall include date of movement, general load description, estimated weight, oversize notation, route of travel, truck or truck-tractor license number, and permit authorization number.

D. No overweight permit shall be valid until all license taxes due the State of Oklahoma have

been paid.

E. No permit violation shall be deemed to have occurred when an oversize or overweight movement is made pursuant to a permit whose stated weight or size exceeds the actual load.

F. The first deliverer of motor vehicles designated truck carriers or well service carriers manufactured in Oklahoma shall not be required to purchase an overweight permit when being delivered to the first purchaser.

G. Except as provided in Section 4 of this act, the first One Million Two Hundred Sixteen Thousand Dollars (\$1,216,000.00) of proceeds from both the permit fees and the overweight permit fees imposed pursuant to subsection A of this section collected monthly shall be apportioned as provided in Section 1104 of this title. All proceeds collected from both the permit fees and the overweight permit fees imposed pursuant to subsection A of this section in excess of One Million Two Hundred Sixteen Thousand Dollars (\$1,216,000.00) shall be deposited in the Weigh Station Improvement Revolving Fund as provided in Section 1167 of this title for the purpose set forth in that section and may be used for motor carrier permitting systems and motor carrier safety and enforcement.

Historical Data

Added by Laws 1961, HB 1100, p. 418, § 14-116, eff. September 1, 1961; Amended by Laws 1965, HB 553, c. 364, § 5, emerg. eff. July 1, 1965; Amended by Laws 1967, HB 775, c. 369, § 2, emerg. eff. May 22, 1967; Amended by Laws 1969, SB 96, c. 171, § 1, emerg. eff. April 17, 1969; Amended by Laws 1970, SB 565, c. 315, § 1, emerg. eff. April 27, 1970; Amended by Laws 1971, HB 1372, c. 75, § 1, emerg. eff. April 13, 1971; Amended by Laws 1972, HB 1586, c. 230, § 1, emerg. eff. April 7, 1972; Amended by Laws 1974, HB 1555, c. 292, § 1, emerg. eff. May 29, 1974; Amended by Laws 1975, HB 1517, c. 308, § 1, emerg. eff. June 7, 1975; Amended by Laws 1976, HB 1752, c. 241, § 10, emerg. eff. June 15, 1976; Amended by Laws 1977, SB 100, c. 248, § 13, emerg. eff. June 15, 1977; Amended by Laws 1978, HB 1560, c. 270, § 9, emerg. eff. May 10, 1978; Amended by Laws 1979, SB 108, c. 243, § 12, emerg. eff. June 1, 1979; Amended by Laws 1980, HB 1635, c. 343, § 10, emerg. eff. June 25, 1980; Amended by Laws 1981, SB 50, c. 264, § 11, emerg. eff. June 25, 1981; Amended by Laws 1982, HB 1571, c. 352, § 15, emerg. eff. July 1, 1982; Amended by Laws 1983, SB 54, c. 286, § 26, emerg. eff. July 1, 1983; Amended by Laws 1984, SB 540, c. 160, § 1, eff. November 1, 1984; Amended by Laws 1985, HB 1219, c. 179, § 63, eff. July 1, 1985; Amended by Laws 1985, SB 57, c. 305, § 11, emerg. eff. July 24, 1985; Amended by Laws 1986, HB 1633, c. 279, § 23, emerg. eff. July 1, 1986; Amended by Laws 1987, HB 1196, c. 5, § 159, emerg. eff. March 11, 1987; Amended by Laws 1993, HB 1832, c. 243, § 54, eff. September 1, 1993; Amended by Laws 1994, SB 1098, c. 391, § 1, eff. January 1, 1995; Amended by Laws 1995, HB 1923, c. 308, § 1, eff. July 1, 1996; Amended by Laws 2002, HB 2302, c. 397, § 25, eff. November 1, 2002 (superseded document available); Amended by Laws 2007, SB 410, c. 144, § 1, eff. July 1, 2008 (superseded document available); Amended by Laws 2010, SB 1574, c. 428, § 1, emerg. eff. July 1, 2010 (superseded document available).

Citationizer[®] Summary of Documents Citing This Document

Cite Name

Level

3



- Home | Courts | Court Dockets | Legal Research | Calendar | Help
- Previous Section | Top Of Index | This Point in Index | Citationize | Next Section | Print Only

Title 47. Motor Vehicles

Oklahoma Statutes Citationized

Title 47. Motor Vehicles

Chapter 14 - Size, Weight, and Load

Section 14-122 - Apportionment of Fees

Cite as: 47 O.S. § 14-122 (OSCN 2011)

A. Notwithstanding the provisions of Section 1104 of Title 47 of the Oklahoma Statutes, the first Twenty Million Dollars (\$20,000,000.00) of the following fees shall be deposited in the General Revenue Fund to be apportioned as follows:

1. Twenty Dollars (\$20.00) of any fee collected for a minimum permit fee pursuant to Section 14-116 of Title 47 of the Oklahoma Statutes;
2. Five Dollars (\$5.00) of any fee collected for excess weight pursuant to Section 14-116 of Title 47 of the Oklahoma Statutes;
3. Two Hundred Fifty Dollars (\$250.00) of any fee collected pursuant to Section 14-120 of Title 47 of the Oklahoma Statutes; and
4. One Hundred Twenty Dollars (\$120.00) of any fee collected pursuant to Section 14-121 of Title 47 of the Oklahoma Statutes.

B. Any fees collected pursuant to Sections 14-116, 14-120 and 14-121 of Title 47 of the Oklahoma Statutes that are in excess of Twenty Million Dollars (\$20,000,000.00) shall be apportioned as otherwise provided for in the sections specified in this subsection.

Historical Data

Added by Laws 2010, SB 1574, c. 428, § 4, emerg. eff. July 1, 2010.

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Cite Name Level
None Found.

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Cite Name Level
None Found.

Overweight Truck Permit Survey - Pennsylvania

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)? **Yes,**
- a. Are there different classifications/types of hauling permits for oversized and overweight vehicles? **Yes**
- B. What is the base cost for a hauling permit? **\$26 single trip \$400 Annual** Is a fee structure or tiered schedule of fees in place for the different types of permits? **No** If so, please provide the fee structure.
- a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor? **Yes, Wide loads are \$51 and overweight loads are charged \$0.03 per ton per mile. Annual permits have fees directed by legislation.**
- C. Are there any additional permitting costs for overweight and/or oversized vehicles? **PA State Police escorts if applicable.**
- D. Does your state agency provide any permits free of charge? **Government type permits** If yes, please describe. **Certain types of government loads are authorized to travel at no cost. For example line painting trucks**
- E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? **No** If so, please provide examples.
- F. Briefly describe the administrative process for handling hauling permit applications.
- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits?
We have an online automated permit application process. Applications are accepted online in person or through our fax vendor service.
Fees are collected via:
 - 1) Special hauling permit account
 - 2) Check
- G. Annually, approximately how much revenue is generated from hauling permit fees? **\$21 million**
- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund? **General transportation fund**
 - b. Approximately how much of the funding is dedicated for administration and road damage purposes? **None is dedicated to specific projects.**

- H. Are localities responsible for issuing any permits? **Yes** If so, what do they charge and how long does it take them to process applications? **Unknown, There are several municipalities that have a os/ow permit program fro their local roads but we do not get involved or track their process.**
- a. Does your state issue any hauling permits for localities and then send the money back to the locality?
No
- I. Does your State have a hauling permit manual?
- a. If so, where can a copy be obtained? **Yes, It was sent earlier.**

Overweight Truck Permit Survey – South Carolina

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)? **Yes, single, single superload, multiple, permission & permission superload**
- a. Are there different classifications/types of hauling permits for oversized and overweight vehicles? **Mobile Homes, Containerized Cargo, Sheet Tobacco, Lead Cask, House**
- B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure.
- a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor? **Yes; see permit fee schedule**
- C. Are there any additional permitting costs for overweight and/or oversized vehicles? **yes**
- D. Does your state agency provide any permits free of charge? If yes, please describe. **Yes, Road Machinery is a free permit but a \$10.00 administrative fee is charged to process the permit**
- E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples. **Yes, Unprocessed forestry is allowed to have weight over what is legal; but not enough to be a permitted weight**
- F. Briefly describe the administrative process for handling hauling permit applications.
- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits? **cash, check, escrow accounts & credit card**
Don't know what the internal costs are
- G. Annually, approximately how much revenue is generated from hauling permit fees?
2 million
- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund? **Into the SCDOT General Fund**
- b. Approximately how much of the funding is dedicated for administration and road damage purposes? **Don't know**
- H. Are localities responsible for issuing any permits? If so, what do they charge and how long does it take them to process applications? **NO**
- a. Does your state issue any hauling permits for localities and then send the money back to the locality? **NO**

- I. Does your State have a hauling permit manual? [Guidelines](#)
 - a. If so, where can a copy be obtained? [On our website www.scdot.org under OSOW permits, PDF at bottom of web page; see attached copy.](#)

Overweight Truck Permit Survey - Tennessee

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)? We have a single trip permit and an annual permit. [Page 28](#)
- a. Are there different classifications/types of hauling permits for oversized and overweight vehicles? [See Attachment](#)
- B. What is the base cost for a hauling permit? We do not have a “base fee” for a hauling permit – it is solely dependent on the size and weight of the load and vehicle combined. Is a fee structure or tiered schedule of fees in place for the different types of permits? The fee structure for width is the only prices that change based on size. If so, please provide the fee structure. A complete list of fees is on page 27.
- a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor? The cost for weight is 5 cents per ton mile plus a \$15.00 flat fee for having weight and overwidth loads are dependent on size and prices are on page 27 in the rules and regulations book.
- C. Are there any additional permitting costs for overweight and/or oversized vehicles? Any loads over 200,000 pounds are charged a “Bridge Analysis Fee” for the evaluation of bridges at the cost of \$100.00. That fee increases when movements are over 300,000 pounds to \$200.00 and so forth. This also can be found on page 27.
- D. Does your state agency provide any permits free of charge? If yes, please describe. We do provide permits (annuals or single trip permits) free of charge to any other government agency, military, public utility, contractors for public utilities.
- E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples. FEMA units (mobile homes) are allowed to travel without a permit in Tennessee as long as they have the proper paperwork from the Federal Government or when an Executive Order has been issued by the Governor, we allow movement of the transporting of emergency equipment, services or supplies that are on the behalf of the Tennessee Emergency Management Agency, Federal Emergency Management Agency or the Management of any State that carry loads in excess of otherwise lawful maximum weight, height, length and width limits.
- F. Briefly describe the administrative process for handling hauling permit applications.
- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits? Single trip permits are either ordered thru a permit service (third party), mail a request in to this office or they may come to Nashville and pick up the permit in person. Annual permits are ordered direct with the permit office either over the phone with a credit card, mailing in a request or coming to the office here in Nashville to pick up the permit. When single trip permits are ordered thru a permit service, we charge an extra \$1.00 for an administrative fee to the permit service. Each permit service has an escrow

account and the monies from each permit plus the administrative fee are deducted on a weekly basis. Escrow is replenished by way of cashier check that is either mailed in or via FedEx or UPS to the permit office. The walk in single trip permits and annual permits are reconciled daily and turned in to our Finance Division here in TDOT as well as the cashier checks collected for escrow.

- G. Annually, approximately how much revenue is generated from hauling permit fees? It generates between 11 and 13 million dollars a year from around 124,000 to 127,000 permits.
- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund? All money collected goes into the general fund for the State of Tennessee.
 - b. Approximately how much of the funding is dedicated for administration and road damage purposes? Zero
- H. Are localities responsible for issuing any permits? No
- I. If so, what do they charge and how long does it take them to process applications? N/A
- a. Does your state issue any hauling permits for localities and then send the money back to the locality? N/A
- J. Does your State have a hauling permit manual? Yes
- a. If so, where can a copy be obtained? You can obtain a copy by mail, or come to Nashville and pick one up or you can print it off from the Tennessee Department of Transportation website: <http://www.state.tn.us/sos/rules/1680/1680-07/1680-07-01.pdf>

Overweight Truck Permit Survey – West Virginia

- A. Does your agency have different types of hauling permits (i.e. Hazmat, Single Trip, Superload, etc...)?
- a. Are there different classifications/types of hauling permits for oversized and overweight vehicles?
Single Trip, Superload, Single Trip Mobile Home, Oversize/Overweight Blanket (annual), Oversize Blanket (annual), Seagoing Containerized Cargo Blanket (annual), Mobile Home Blanket (annual).
- B. What is the base cost for a hauling permit? Is a fee structure or tiered schedule of fees in place for the different types of permits? If so, please provide the fee structure.
- a. Does the cost vary based on mileage, vehicle size, vehicle weight or any other factor?
 1. Single Trip: \$20 + \$0.04 per ton-mile.
 2. Superload: \$20 + \$0.04 per ton-mile.
 3. Single Trip Mobile Home: \$20
 4. Oversize/Overweight Blanket: \$500
 5. Oversize Blanket: \$200
 6. Seagoing Containerized Cargo Blanket: \$150 for up to and including 15 permits, \$15 for each additional permit.
 7. Mobile Home Blanket: \$200
- C. Are there any additional permitting costs for overweight and/or oversized vehicles? When a permit is approved at low-impact, we charge \$150 for the first bridge, \$100 for the second bridge, and \$50 for each additional bridge up to a maximum of \$750.
- D. Does your state agency provide any permits free of charge? If yes, please describe. Free permits for the military, all government agencies, construction equipment (not supplies or materials) going to or from a WV state road project.
- E. Are certain trucks allowed to be overweight/oversized but not required to have a permit? If so, please provide examples.
No, unless it would be a fire engine or some other kind of emergency vehicle going to an emergency.
- F. Briefly describe the administrative process for handling hauling permit applications.
- a. How are hauling permitting fees collected and what are the internal costs associated with processing permits?
Customers with a state charge account are billed. We also accept checks with an application. We have a staff of eight employees (including myself) and we must pay our software provider, Bentley Systems, each year.
- G. Annually, approximately how much revenue is generated from hauling permit fees?
Around \$6,000,000.
- a. Does the money collected from hauling permits fund specific programs or is it deposited into the general fund?

1. General fund.
 - b. Approximately how much of the funding is dedicated for administration and road damage purposes?
 1. Don't know.

- H. Are localities responsible for issuing any permits? If so, what do they charge and how long does it take them to process applications?
 1. Legally, they may issue permits but may not charge for them (not aware of any that actually do issue permits).
 - b. Does your state issue any hauling permits for localities and then send the money back to the locality?
 1. Not for *localities* as such, but we do for the West Virginia Turnpike.

- I. Does your State have a hauling permit manual?
 - a. If so, where can a copy be obtained?
 1. We have a Permit Information document, available at www.transportation.wv.gov (click on Permits, then Hauling Permits, then Permit Information).

