

ITD's Permitted Truck Negotiated Rulemaking Comments

Below is a listing of the comments submitted. To review the comments, please go to the listed page numbers. Thank you!

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May 25, 2016

P.O. BOX 1623
BOISE, ID 83701
208.345.9126

Idaho Transportation Department
Attention: Stephen Bywater
PO Box 7129
3311 W. State St.
Boise, ID 83707

RE: Negotiated Rulemaking 129,000 Trucks

Dear Mr. Bywater:

The Idaho Association of Counties ("IAC") appreciates the opportunity to be involved in the negotiated rulemaking process, regarding Senate Bill 1229, which allows Idaho to permit vehicles up to 129,000 pounds. IAC intends to participate fully in the conversation and process.

With that said, the counties respectfully request the following four main areas be thoughtfully considered and addressed:

- ☐ **Safety:** Some county roads have not been built to the same standards as the state roads, thus raising the question of the reliability and safety of the roads. Furthermore, the counties are concerned about braking distances for these heavier vehicles, as well as driver compliance with already existing rules and regulations.
- ☐ **Permitting:** The current practice provides for ITD to issue permits for state highways and for counties and highway districts to issue permits for the local roads. As a result, the process of obtaining all proper and necessary permits is very burdensome, and may deter drivers from obtaining the necessary local permits. This may very well result in non-compliance with local jurisdictions with the consequence of denying locals essential revenue to maintain their roads. Without a solution to this problem, this process and the resulting shortfall in revenues will be exacerbated by the use of heavier vehicles. The counties suggest that the stakeholders in this issue explore a streamlined and centralized permit issuance process.
- ☐ **Funding:** Counties currently receive funds from issuing permits and maintain roads with those funds. The counties will require revenue from these heavier vehicles in order to ensure proper maintenance of the roads.
- ☐ **Local Authority:** The counties are tasked with funding and maintaining many of these roads, and wish to ensure that they retain their local authority over those roads, including the grant of permits.

Primarily focusing on these areas of concern, IAC intends to be fully engaged and plans to provide more specific comments when the proposed rules drafts have been presented. You likely will hear from other local jurisdictions regarding this issue including the Association of Idaho Cities, Local Highway Technical Assistance Council and the Idaho Association of Highway Districts.

Thank you again for the opportunity. We look forward to collaborating with you throughout this process.

Sincerely,

Daniel G. Chadwick
Executive Director
dchadwick@idcounties.org
208-345-9126 office

IAC promotes county interests, advocates good public policy on behalf of Idaho counties and provides education and training to assist Idaho county officials in performance of public service.

Local Highway Technical Assistance Council

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Mac Pooler
Chairman

Terry Werner
Vice Chairman

Mark Rekow
Secretary/Treasurer

Jeff R. Miles, PE
Administrator

May 24, 2016

Idaho Transportation Department
C/O Ramon S Hobdey-Sanchez
3311 W. State St.
P.O. Box 7129
Boise, ID 83707-1129

Re: Local Highway Technical Assistance Council (LHTAC) Comments on “Negotiated Rulemaking for all load/vehicles that operated using an overlegal permit” (IDAPA 39.03 Chapters 01-25)

LHTAC has had numerous discussions with Local Highway Jurisdictions throughout the State of Idaho. They have expressed that the rules are difficult to follow, and quite cumbersome to read through. An overall streamlining and condensing of the rules would be much appreciated. Further comments have been combined with staffs. The below list of comments/questions is submitted on behalf of LHTAC in compliance with the negotiated rule making process:

General:

- In discussions with Local Highway Jurisdictions, representatives from the trucking industry have made statements indicating that the 129,000 pound truck is generally “better” than that of the truck currently in operation at 105,500 pounds. There is a decrease in the Equivalent Single Axle Load with these trucks however there are other items to consider when determining a suitable and adequate route for 129,000 pound truck travel.
 - All truck presented have had a 10 axle configuration while there are legal versions of 129,000 pound truck that use 8 or 9 axles. To be consistent with industry proposals a rule of 10 axles or more for 129,000 pound vehicles should be implemented.
 - Braking on all axles has been cited as a reason why this vehicle is safer. This rule should remain.
 - ABS braking has been described as a reason why this vehicle is safer, should they be required?

Council Members

Association of Idaho Cities
Mayor Mac Pooler
City of Kellogg

Mayor Paul Loomis
City of Blackfoot

Mayor Diana Thomas
City of Weiser

Idaho Association of Highway Districts
Commissioner Dan Schaeffer
Hillsdale Highway District

Commissioner Terry Werner
Post Falls Highway District

Commissioner Gilbert Hofmeister
Power County Highway District

Idaho Association of Counties
Commissioner Don Ebert
Clearwater County

Commissioner Mark Rekow
Gem County

Commissioner Lee Staker
Bonneville County

Ex-Officio Members
Stuart Davis, Executive Director
Idaho Association of Highway Districts

Caitlin Rusche, Government Affairs Associate
Idaho Association of Counties

Seth Grigg, Executive Director
Association of Idaho Cities

- Local Highway Jurisdictions expressed concern over the lack of driver experience/certifications required to operate an up to 129,000 pound load. In an uncontrolled situation, experience handling a 129,000 pound load would be critical.
 - Suggest implementation of certification or additional license requirements to operate a 129,000 pound load.
- Consideration of impacts to local roadways should be made when designating routes for 129,000 pound vehicles on State Highways. Addition of some state routes may force/funnel 129,000 pound vehicles onto Local routes that are not permitted or allowed.
 - What rules or process are being considered to better coordinate with Local Highway Jurisdictions?
- 129,000 pound trucks were considered in Idaho, in part, as part of an effort to have more uniform trucking limits with the neighboring States. What effort is being made to coordinate rules, routes, and permit processes with these States?
 - How closely does the permit requirements and process mirror that implemented by other States.
- The reviewed IDAPA rules contain numerous references to other statutes and rules and duplicate language that is not concurrent. Few comments were received from Local Highway Jurisdictions due to the amount of unclear/confusing language used in these rules.
 - Can rules be combined or reduced for clarity?
 - Can duplicate information be eliminated or referenced?
 - Can basic definitions be added as statutes to improve compliance and establish a common basis for local jurisdiction over legal permitting?
- Maps with color coded routes are referenced in several chapters of the rules reviewed.
 - Links to the location of these maps is required to better convey the intended route limitations.
 - The same color designation is indicated with different meaning.
- Road safety systems, guardrail, road weather information systems were discussed with the legislature this last spring as able to accommodate 129,000 pound vehicles on the state highway system. It should be noted that few if any of the advanced safety systems are available on the local system. Few of the safety features such as guardrail and crash attenuators on the local road system are designed for the heavier 129,000 pound vehicle.
- Titles of IDAPA Chapters reviewed do not all match the titles indicated in the Table of Contents.

Comments by rule.

IDAPA 39.03.09:

- Section 100.02. How is the determination of “necessity and feasibility” made?
 - How is the information gathered and who makes the determination?
- Section 300. Include address for all of the locations.

IDAPA 39.03.13:

- Section 400. What level of effort is required for a simple analysis? Who determines this? How is a “vehicle towing overweight loads” different than a tractor trailer?

IDAPA 39.03.16:

- Section 100.01. Include a link or information on the location of the requirement information.

IDAPA 39.03.19

- Section 100.02.f. The 800 pounds per inch width of tire does not match the limits indicated in Section 39.03.01.

IDAPA 39.03.22:

- Section 200.01. Consider adding brakes as a requirement of 105,500 pound truck permits.

Local jurisdictions support trucking throughout the state as a vital part of our economy. The local jurisdiction roads are maintained on a fraction of the budget of the state system. In general local roadways may not be constructed with a robust ballast section which gives them a much shorter pavement life. Therefore there is a concern when allowing heavier, longer vehicles onto the local system. Our opportunity to comment on these rules is appreciated as they often set the stage for the use of the local system.



Jeff R. Miles, PE

Administrator

Local Highway Technical Assistance Council

Additional LHTAC Negotiated Rule Making Comments 05-31-16

From: Jeff Miles [mailto:JMiles@lhtac.org]

Sent: Tuesday, May 31, 2016 4:50 PM

To: Ramon Hobdey-Sanchez; Stephen Bywater

Subject: Additional LHTAC Negotiated Rule Making Comments 05-31-16

Ramon S Hobdey-Sanchez,

Please accept the comment below in addition to the LHTAC comments submitted 05-25-16.

IDAPA 39.03.22:

- Section 300.02. Indicates “the power unit of all vehicle combinations shall have adequate power and traction to maintain a minimum of twenty (20) miles per hour under normal operating conditions on any up-grade over which the combination is operated”
 - What consideration, if any, is there to account for how quickly and easily the vehicle can accelerate to an operating speed or navigate an intersection?
 - Has there been consideration for how a truck off-tracks through an intersection?
- Add a section that requires all power units to have a minimum number of powered axles (2) to reduce the impacts to pavement while the vehicle is accelerating to operation speed or while it is pulling up a steep upgrade.

Jeff R. Miles, P.E.

Administrator

LHTAC



Idaho Grain Producers Association

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May 25, 2016

Mr. Ramon Hobdey-Sanchez
ramon.hobdey-sanchez@itd.idaho.gov
Idaho Transportation Department
3311 W. State Street
P.O. Box 7129
Boise, ID 83707

RE: Potential Negotiated Rulemaking for Permitting and Safety Requirements for Over-legal Vehicles on Idaho Highways

Dear Mr. Hobdey-Sanchez:

As President of the Idaho Grain Producers Association and on behalf of Idaho's wheat and barley growers, I am submitting the following comments on ITD's proposed negotiated rulemaking for safety issues and permitting of "over-legal" vehicles.

Wheat and/or barley is grown in 42 of Idaho's 44 counties so the safe and efficient transportation of these commodities is critically important to our industry. Consequently, we are very interested in any proposed changes to existing regulations or the development of any new regulations that may impact the distribution of our products.

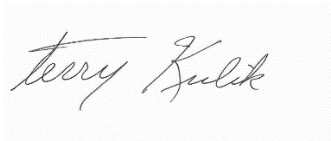
Authorization for 129,000 pound trucks on Idaho highways has been a priority for our growers and we were pleased that the 2016 legislature cleared the way for allowing more efficient vehicles on our interstate highway system. We believe that the pilot projects and all related evidence suggests that these increased weights do not present additional safety concerns and will not create additional harm to our roadways.

IGPA strongly believes that:

- **Current rules regulating trucks over 80,000 pounds are sufficient and should also apply to trucks weighing up to 129,000 pounds.**
- **The phrase "over-legal" should be removed from the regulations since 129,000 pound trucks are now legal under both state and federal law.**
- **All current exemptions should stay in place.**
- **Current inspection practices should continue.**

Senate Bill 1229 only addressed 129,000 pound trucks on the federal highway system – accordingly, we do not think this legislative action intended or created the need for additional rulemaking that would impact lighter truck weights. Our members are very concerned about the conditions of our highways and the safety of everyone using them and we believe that it will not be new rules but the efficiencies and reduced number of trucks on our highways will provide the best safety and maintenance benefits.

Sincerely,

A handwritten signature in cursive script, reading "Terry Kulik", is displayed on a light gray rectangular background.

Terry Kulik
President
Idaho Grain Producers Association



Kent Goldthorpe, President
Paul Woods, Vice President
Rebecca W. Arnold, Commissioner
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner

May 25, 2016

Mr. Stephen Bywater
Bywater Law Office
PO Box 170399
Boise, ID 83717

**Subject: ITD Negotiated Rulemaking – Interstate and State Highways
Regarding Overlegal Permitting and Safety Requirements**

Dear Mr. Bywater:

The Ada County Highway District wishes to provide some initial comments for ITD Negotiated Rulemaking, regarding Overlegal Permitting and Safety Requirements. We appreciate this opportunity, and look forward to successful implementation of improved permitting and increased safety for the state highway and Interstate systems in Idaho.

First, ACHD is very concerned that this negotiated rulemaking process for overlegal permitting and safety will be used to erode the statutory reservation of local highway agency's exclusive supervisory authority over those non-state and non-interstate highways within its jurisdiction. This issue was heavily debated during the adoption of SB 1117 in 2013, which resulted in the passage of HB 322. Consequently, Idaho Code 49-1004 and 49-1004A clearly reserves any permit decisions or routes to the discretion of the local highway agency after a public hearing. ACHD respectfully requests that the rules clearly delineate this Idaho law and that any rules for approvals and permits for overweight or oversize loads will only be applicable to the state highway and interstate system. This will provide clarity to the public and trucking community in understanding the special permit requirements and route designations in Idaho.

In addition, we have read the comprehensive letter and documents provided to you on May 18th from Dave Carlson, Director of Public & Government Affairs, AAA Idaho, and we fully support their comments and concerns.

ACHD's shared concerns center on safety and protection of public infrastructure on the state highway and interstate. In addition to the concerns for allowing increasingly larger overlegal loads on narrow and alignment-challenged rural routes with little to no shoulders, ACHD is very concerned with introducing those loads in a busy urban environment. There are several state highways that traverse through the middle of heavily urbanized areas in Ada County.

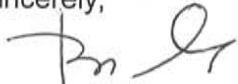
Larger loads take longer to accelerate from frequent stops at signalized intersections, leading to greater congestion on already these busy urban roads. More importantly, larger loads are less responsive and have longer braking/stopping distance, which is of great concern in an urban environment, with significantly frequent interface with pedestrians, bicyclists, school children, and closely spaced driveways for businesses and residences, along with negotiating tight multi-lane intersections.

From the standpoint of the limited structural capacity of the pavement and bridges, larger overlegal loads can significantly decrease the service life of roads and bridges, and we see no proposal from the trucking industry to pass along their realized savings to mitigate the additional damage to public infrastructure. The *129,000 Pound Pilot Project Report, ITD, January 2013* documents significant savings to private industry in utilizing larger overlegal loads, and we believe that the rulemaking should address how the trucking industry must partner in both protecting and improving public infrastructure. Clearly, the taxpayers of Ada County shouldn't have to subsidize the new profits realized by these savings to the trucking industry.

Any realized savings from the trucking industry should result in larger special permit fees to offset costs and mitigate damage to the public infrastructure resulting from these overlegal vehicles.

Thank you for this opportunity to provide comments on ITD Negotiated Rulemaking.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Mills', with a stylized flourish at the end.

Bruce G. Mills, PE, Deputy Director
ACHD Engineering Division

May 27, 2016

Dear Mr. Bywater,

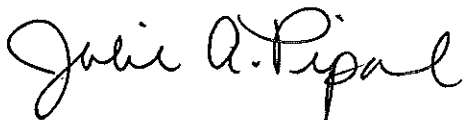
Thank you for this opportunity to submit comments on the negotiated rulemaking process to implement Senate Bill 1229, which codified the federal exemption Idaho was granted for 129,000 lb. vehicles on our Interstate system. I am writing today on behalf of the more than 240 members of the Idaho Trucking Association (ITA) and an industry that employs more than 34,000 Idahoans either directly or indirectly, and that pays more than \$1.4 billion in annual wages.

The current permitting system works. It requires just a simple fix to implement Senate Bill 1229 and allow the Idaho Transportation Department (ITD) to permit vehicles up to 129,000 lbs. on the Interstate system in Idaho. Therefore, we urge ITD to limit the scope of this rulemaking to adopting the federal exemption. The overhaul of the entire system (the permitting process, safety requirements for vehicles, regional harmonization, and customer service) should be handled separately and concurrently or in the future.

We make this request not only because 129,000 lb. vehicles are more efficient, but also because ITD's 10-year Pilot Project concluded that these vehicles have a lighter footprint on infrastructure and that there was also no negative impact on safety. This is especially important to ITA because we agree that safety is paramount in our industry; it is the primary reason the Idaho Trucking Association exists. We promote and honor the highest commitments to safety in our organization through our annual safety awards program. We offer ongoing safety and compliance training throughout the year, including the Idaho Truck Driving Championships. Our goals are millions of accident-free vehicle miles traveled (VMT), and our members and their drivers strive to achieve those goals. Idaho is not alone. At the national level, the large truck fatal crash rate for 2013 was 1.44 fatal crashes per 100 million VMT. This rate has dropped by 39.2 percent over the past decade.

Again, the current system works. Further, ITD's 10-year Pilot Project unequivocally proved that the 129,000 pound vehicle combination worked for Idaho. Therefore, please adopt the federal exemption by rule and implement Senate Bill 1229.

Sincerely,



Julie Pipal
President/CEO
Idaho Trucking Association

CC: ITA Board of Directors
Lobby Idaho
The Right Truck for Idaho Coalition

Mr. Bywater,

Associated Food Stores, a Utah based distributor of groceries serving over 100 independently owned grocery stores in Idaho, contention is that long combination vehicles (LCV) are a win-win-win. They are good for the economy, good for the environment and improve highway safety. They can move goods at a lower cost and with fewer greenhouse gas emissions than single-trailer trucks and, under carefully controlled conditions, more safely. Associated Foods does agree that the “more safely” statement does require advanced driver training and professional driving skills while operating an LCV. Our drivers undergo several days or weeks of training with the majority of that focused on the pulling of double trailers, in particular turnpike doubles or what we generally call a “super-set”. Associated Food Stores ran approximately 15 million miles last year, with nearly 4.5 million of those miles being ran to service Idaho communities, all without incident.

One commonly asked question is:

Q- Aren't LCVs more dangerous than regular single-trailer trucks?

A- No – in fact they are safer. LCVs have been on the road in more than 20 American States, Western Canada and Quebec for a number of decades. They have an excellent safety record, with fewer collisions reported than single-trailer trucks. LCVs also reduce the total number of trucks on the road, since each LCV can carry as much freight as two single trailer trucks. Each LCV tractor becomes far more productive when part of a LCV or (as the American Trucking Association calls it) “high productivity vehicle” (HPV).

The American Transportation Research Institute (ATRI) recently released an update to its study “Energy and Emissions Impacts of Operating Higher Productivity Vehicles.” That study used widely accepted modeling methods—notably Cummins’s Vehicle Mission Simulation Tool—to identify the benefits of changing truck size and weight regulations. The study compared today’s common five-axle tractor-trailers and a double-trailer configuration with various other combinations of length and weight. Taking into account the drop in miles per gallon (mpg) when towing a second trailer, the study

calculated fuel saved per ton-mile of delivered freight. Though the tractor's mpg actually went down, that was offset by the truck's hauling twice as much freight as with a single trailer.

The American Transportation Research Institute (ATRI) found that where 120,000-pound GVWR is permitted, a turnpike double could haul additional freight with 15–39 percent less energy per ton-mile than a standard single. An LCV delivers an estimated 2.4 lower mpg, as expected, than a single trailer. However, the increased delivery of goods more than makes up for this, resulting in an increase in freight efficiency of 2.5x over the baseline vehicle [1].

A common concern with LCVs is vehicle stability and control. However, certain characteristics of a turnpike double actually make it safer and more stable in certain respects than the commonly used A-train doubles. “Rearward amplification factor” and “load transfer ratio” measure a vehicle's susceptibility to rollover during evasive maneuvers; lower values of both are better. The rearward amplification factor is the ratio of the lateral (sideways) acceleration of the rearmost trailer to the lateral acceleration of the tractor when making a sharp turn. Values below 2 are normally considered acceptable. Single-trailer combination vehicles typically have a rearward amplification factor of 1.24, turnpike doubles 1.28, and STAA doubles 2.15. By this measure, the turnpike double configuration is safer than the widely accepted STAA double currently in use nationwide [1].

Many studies have compared crash fatality rates associated with tractor-trailers having one vs. more trailers. Accident reports typically show a tractor trailer's number of trailers but not its configuration, load, or other vital details. One Canadian study that did classify crash rates by configuration found that traditional single tractor-trailers and turnpike doubles have respective crash rates of 128.1 and 27.06 per 100 million miles—a nearly fivefold safety advantage per tractor (even more per trailer) for turnpike doubles under the conditions of that analysis [1].

Higher cargo capacity cuts fuel per ton-mile, raises income per trip, and saves trips. This will in turn affect congestion and total travel. Other valuable benefits would include higher trucker profits, lower hauling costs, less congestion, less pollution, and fewer deaths.

Perhaps the best testimony for the adoption of an LCV program is Associated Foods own safety record. 80% of the total, or approximately 85 loads a day, depart AFS's Farr West facility in a LCV configuration. Our Safe Stat score is 38.65 compared to the national average of 67.03 with anything under 70.00 being acceptable. Our accident per million mile rate is 0.109 compared to the national average of 1.641, nearly a 15 fold increase. The majority of the national averages are made up of carriers strictly pulling single trailer combinations which further show our LCV safety record.

Along with our thoughts on the safety aspects of 129k LCV's in Idaho Associated Food Stores is also eagerly looking forward to the cost savings and benefits associated with pulling more weight on Idaho's interstates. It is our intent to pass these savings directly on to our retailers serving Idaho's communities and allow them the opportunity to pass savings on to individual Idaho consumers. With that being said, Associated Food Stores trusts and hopes that changes to the cost of permits or the process itself, which is one of the smoothest processes we deal with, will remain intact, especially since Idaho's own studies show that loads of 129,000 lbs. add no additional infrastructure costs to maintenance budgets and should not impact the permitting process.

Thank you for your time, and thank you for taking Associated Food Stores, our Retailers, and our Customers into consideration.

Sincerely,

Wayne Kinder

Associated Food Stores

Transportation

o. 801.786.8846

c. 801.898.4200





3916 W. 65 South
Idaho Falls, ID 83402
208-351-4993

May 28, 2016

Mr. Ramon Hobdey-Sanchez
Idaho Transportation Department
3311 West State Street
Boise, Idaho 83707-1129

RE: Negotiated Rulemaking on Over-legal Permitting on the Interstate

Dear Mr. Hobdey-Sanchez:

Thank you for allowing me to comment on the state effort to implement Senate Bill 1229 in a safe and timely manner, which will allow Idaho to permit vehicles up to 129,000 lbs. on the Interstate system. Western Transport Inc. is a 65 truck refrigerated/dry carrier employing 80 people and operating in 48 states. We do not operate any vehicles in excess of 80,000 lbs. and do not contemplate doing so for many years. I am also on the board of directors of the Idaho Trucking Association where a small percentage of our members operate heavier trucks.

Idaho conducted a 10-year pilot project that showed no damage to roads and no impact on safety. The pilot project included legislation that required certain safety and equipment requirements, which should be retained. In addition, other states have been running the higher limits for much longer without any increase in incidents.

The existing permitting system works and all that is needed is to extend the Idaho Transportation Department's (ITD) current ability to permit approved state routes to the Interstate system. However, the ability to auto permit in the future would be nice.

It is hard enough for a company to look into the future when ordering equipment. We have to take into account manufacture lead times, environmental and mechanical changes, reliability, and changing customer demands. It is further frustrating to also have a legislation effective date that looks like a moving target.

Again, thank you for the opportunity to comment on ITD's negotiated rulemaking on over legal permits on the interstate.

Alan Ginkel



May 27, 2016

Ramón S. Hobdey-Sánchez
Governmental Affairs Program Specialist
Idaho Transportation Department
3311 W. State Street
P.O. Box 7129
Boise ID 83707-1129

RE: Negotiated Rulemaking on Over-legal Permitting on the Interstate

Dear Mr. Hobdey-Sánchez:

Thank you for the opportunity to comment on the state's efforts to implement Senate Bill 1229, which allows Idaho Transportation Department (ITD) to permit vehicles up to 129,000 pounds on the Interstate system.

The Northwest Grocery Association (NWGA) is a business trade association representing grocery store operations throughout Idaho, Washington and Oregon. NWGA has 898 members across the northwest and 70 in Idaho. Collectively our members employ 99,250 northwest residents and 8,050 in Idaho. Most importantly, our members collectively own and operate large trucking fleets, including refrigerated, dry van, and others. Many of these trucks operate across state lines transporting food and other grocery and retail related goods and commodities. For this regional interstate reason alone, harmonization of Idaho weights with surrounding western states is important for consistency in regulation and business operations for our members.

NWGA believes that the existing system for permitting vehicles up to 105,500 pounds on the Interstate highways works well and should be used for the now authorized 129,000 pound trucks. All that is needed to implement Senate Bill 1229 is a simple rule that extends ITD's current ability to permit approved state routes to include the Interstate system in Idaho.

NWGA is pleased Congress authorized Idaho to permit our larger trucks to operate on the Interstate system within the state. Increasing the current Idaho weight limit from 105,500 to 129,000 pounds will allow heavier loads that are spread across additional tires and axles reducing the infrastructure impact and reducing the number of required trucks down a road to deliver the groceries, goods and commodities we transport from warehouse and manufacture to retail outlets for Idaho customers. This change in legal weight limits will also reduce our overall fuel consumption saving us operating costs that can be passed along.

Importantly fewer per trip costs and harmonization of regulations will reduce our members' indirect costs associated with differing multi-state driver training courses and vehicle inspection requirements to be in compliance with multiple states laws. In our view more efficient trucks and standardized training for all weight-based driver standards means fewer trucks requiring fewer "hard-to-find" qualified drivers to haul the same amount of freight. State agencies, policymakers, the education system and private businesses all know of Idaho's struggles to provide an adequate workforce in the fields of career/professional technical education and truck driving training is one of these fields. Fewer-trucks requiring fewer drivers mean less strain on a workforce shortage.

Noteworthy is some of our NWGA members have been running heavier truck weights for decades in other states without a safety incident.

NWGA recognizes our members varying topography creates opportunities and challenges for transporting our grocery related cargo, so we recognize 129,000 pound trucks is not a one-size-fits-all solution. It will work only for certain vehicles and certain commodities in certain places, but NWGA members welcome this opportunity to be flexible and meet our customers' needs while being safe and efficient.

Again, thank you for the opportunity to comment on the Idaho Transportation Department's negotiated rulemaking on over-legal permits on the Interstate.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Gilliam".

Joe Gilliam, President
Northwest Grocery Association

NOTUS PARMA HIGHWAY DISTRICT # 2

P.O. Box 719

PARMA, ID 83660

nphd@frontiernet.net • Ph: (208) 722-5343 • Fax: (208) 722-5896

May 26, 2016.

To whom it may concern,

As Director of Notus-Parma Highway I have concerns on the 129 thousand pound over legal loads on safety issues. Our Intersections and corners are not adequate for the 129 thousand pound load or even for the 105 thousand pound load. My concerns are not with the overloads on our highways but the safety issue on the highway.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary Hickman".

Gary Hickman
Director of Highways
Notus-Parma Highway District

C/O Ramon S Hobdey-Sanchez
Idaho Transportation Department

As the Engineer for numerous Local Highway Jurisdictions, I am presenting the following comments for consideration for the referenced rulemaking process.

My comments include:

1. All safety issues identified by the stakeholders that met with Senators Brackett and Keough during the 2016 Idaho Legislative Session should be addressed. These issues include the following as a minimum:
 - a. Automatic slack adjusters
 - b. 2. ABS system
 - c. 3. Disc brakes on steering axles
 - d. 4. Minimum power requirements
 - e. 5. Minimal experience training for drivers
 - f. 6. Passing lanes for designated routes
 - g. 7. Chain up and chain down areas where necessary
 - h. 8. Escape ramps were needed
 - i. 9. Reader board signs of the bottom of all major hills
 - j. 10. Slight line minimum distances
 - k. 11. Minimum width designated for shoulders
 - l. 12. Safe route approval when municipal routes are considered
2. The rulemaking should also identify how ITD intends to address 129K route safety, since NSCRP 350 does not have any approved and tested crash barriers for trucks grossing over 80,000#.
3. Approval of overweight routes (especially 129K routes) by ITD, on the ITD system, needs to be more comprehensive when considering impacts to the local transportation network. I am aware of several instances where ITD approved 129K routes end at intersections with local roads which had no capability for reducing the loads and therefore the 129K loads are continuing onto the local system without route approval or individual vehicle permits from the local jurisdiction(s). Basically, ITD should not be approving 129K routes that they know will impact local jurisdictions without verifying that the impacted local routes have been approved for the over legal weight or have verified that adequate facilities are available for load reduction.
4. ITD needs to identify a specific, measurable, and attainable, method of verification and enforcement to ensure that overweight permitted trucks are complying with the permit terms and routes utilized by overweight permitted vehicles, especially 129K vehicles.
5. ITD needs to develop a simplified system for route verification with local highway jurisdictions. Several of our jurisdictions have expressed the concern that they are observing a significant number of over legal trucks that have not received a permit for operation on the local jurisdictions system. It is my understanding that ITD has

committed to IAHD that they would develop a “one-stop shop” system wherein when a routes for an over legal permit is requested through ITD, ITD will then automatically request route approval verification of all local highway jurisdictions along the proposed route prior to issuing the over legal permit. This issue should be included in this round of rulemaking as it is my understanding that ITD has backed away from this commitment.

6. ITD needs to ensure that all 129K routes are shown on the website route map before issuing permit, in accordance with that stated criteria present in the first round of rulemaking after the legislature approved SB1117 in 2013.
7. ITD should not be championing 129K routes on the local system on behalf of the trucking industry.
8. ITD need to address how they intend to evaluate the increased pavement rutting potential of 129K vehicles as part of their route approval process.
9. Finally, over legal route approval on the local system should remain with the local jurisdictions. However there needs to be a methodology on streamlining the permitting process as discussed in item 5 above.

Thank you for your consideration of these comments and I look forward to reviewing the draft rules that result from this process.

Sincerely,

Fo

Stephen F. Freiburger, PE

May 31, 2016

Ramon Hobdey-Sanchez, (ramon.hobdey-sanchez@itd.idaho.gov)
Idaho Transportation Department
3311 W. State St., P.O. Box 7129
Boise, ID 83707

Re: Idaho Transportation Department Overlegal Rulemaking

Dear Mr. Hobdey-Sanchez;

I am writing regarding the rulemaking posted on the Idaho Transportation Department's (ITD) website regarding "Overlegal" trucks.

Established in 1914, Northwest Food Processors Association (NWFPFA) supports the needs of the Pacific Northwest food processing industry in Washington, Oregon and Idaho. Membership includes some of the foremost brand names in the food industry in the United States, key producers of private label and institutional products, and locally run family businesses. Our members are very concerned about transportation and safety and appreciate this opportunity to comment.

Transportation is an integral part of the food business. Without it, our member's goods simply wouldn't get to customers. As such, we take all aspects of transportation rules and regulations very seriously at NWFPFA. Our members have extensive policies and procedures in place to ensure operational safety. We also have a strong interest in maintaining an efficient and safe distribution system within Idaho and in neighboring states where our members operate and transport goods. Therefore, we are very interested in any proposed changes to existing transportation regulations in Idaho.

If changes are proposed, we believe there should be compelling reasons. At this time, we are unaware of concerns or problems with Idaho's current rules and regulations. Therefore, we were surprised to see the broad nature of the proposed rulemaking. It had been our expectation that we would see a rule announced that would integrate 129K trucks into the interstate highway system as authorized in S.1229 that was passed by the Idaho Legislature and signed into law by Governor Otter earlier this year.

In the absence of compelling concerns or problems with the current system, we would encourage ITD to move forward with a negotiated rule making that would integrate 129K trucks and allow Idaho business and industry to move forward this year with the integration of 129K truck on the interstate highway system.

In Idaho, we have done a significant amount of preparatory work to integrate 129K trucks in a safe and effective manner. We have seen no indications that these trucks create new or additional safety hazards on Idaho highways, as is evidenced in ITD's own ten year safety and impact study. In addition, that study also showed that they caused no additional harm or wear to the roads. Therefore, I would urge your consideration of all the time and effort we have already worked through to have a system that is prepared and ready to allow the use of 129K trucks on our interstates.

We realize and respect the right of ITD to review rules and regulations at any time. However, if a broader review is of interest and there is no compelling short term need for that review, we would encourage the department to at a minimum divide the two efforts. This would allow you to make the rule changes necessary to integrate 129K trucks onto Idaho's portion of the Interstate Highway system without delay. It would also allow time for a thorough and thoughtful overview and assessment of the current system through a negotiated rulemaking. Should ITD determine that changes to current rules are needed beyond the scope of integrating 129K trucks into the current system, then NWFPFA would appreciate your consideration of the following:

- The Federal Motor Carrier Safety Administration rules related to driver safety and equipment appropriately cover all trucks up to 129K.
- Any rules adopted should not exceed federal regulations in scope or strictness
- Permits required for trucks from 80K to 129K should be issued at the state level and not require additional permitting from local jurisdictions on state approved routes
- Current exemptions should remain in place
- The number and type of Idaho State Police inspections currently required are sufficient for the safety of all motorists. Extending the interstate system to 129K trucks should result in fewer trucks which would increase the number of inspections.

In closing, given all the work that has been completed already on safety, we would encourage ITD to also take into consideration the economic implications of delay of the use of 129K trucks on our interstates – a delay that could prove to be a significant economic disadvantage for many of our Idaho based businesses.

Sincerely,



Ian Tolleson
Director, Government Affairs
Northwest Food Processors Association

Individual Comments

Date Submitted	Name	Comment
5/24/2016	Doug Zenner	<p>My name is Doug Zenner, a county commissioner here in Nez Perce County. Our Commissioner Board went through the process for designating two county roads eligible for the 129,000 lbs. designation. We found that the IDAPPA process very thorough and the engineering requirements that LHTAC performed of exceptional quality. I highly recommend that every highway jurisdiction take the necessary steps in meeting the designation for the heavier weights.</p>
5/25/2016	<p>Lee Glaesemann Staff Engineer City of Twin Falls</p>	<p>I have a comment on the “Extra Length Map.pdf”</p> <p>The portion of the map showing designated routes through the City of Twin Falls is too small to identify which roads are designated routes and which ones are not.</p> <p>The section of Shoshone St. North between Blue Lakes Blvd North and 2nd Ave. N. is not part of a designated route.</p> <p>Please provide an enlarged area showing the route detail through the City.</p>
5/30/2016	Twain Hayden Arbon, Idaho	<p>For the vast majority of roads in Idaho, 129,000 trucks are a benefit. They are safer (more brakes per pound), they are easier on road surfaces (less weight per square inch), and they reduce the number of trucks. For these reasons, it seems that the road by road permitting process for 129 is backwards. If I buy a 129 oversize permit in Utah, for example, I am legal on all roads, EXCEPT for those that have been excluded. It is my responsibility to check out these routes beforehand, just as it is my responsibility in</p>

		<p>Idaho to check on off-track restrictions before traveling with a 105 truck.</p> <p><u>Therefore, it would be much easier to allow 129 trucks on all roads, and then identify the few roads with older, longer bridges and restrict them.</u></p> <p>I think there is a miss-conception that these are "bigger trucks". The length and width restrictions have not changes, neither have the off-track requirements.</p> <p>Those who study the science of this are all convinced, but the general public needs to be better educated on what the 129 trucks really are.</p>