

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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Colonel Ralph W. Powell
Director

Idaho State Police

Service Since 1939



C.L. "Butch" Otter
Governor

May 4, 2016

To: Stephen A. Bywater
Bywater Law Office

From: Major Bill Reese

RE: ITD Negotiated Rulemaking Regarding Overlegal Permitting and Safety Requirements

Dear Mr. Bywater:

Captain Tim Horn, Idaho State Police (ISP) Commercial Vehicle Safety (CVS) Commander, and I met with you to discuss the pending ITD Negotiated Rulemaking on Overlegal Permitting. Our conversation primary centered on the safety of 129,000 pound commercial motor vehicles (CMV) that may soon be able to operate on our interstate system as well as the same CMV's operating on our two lane state and U.S. highways. We have two primary safety concerns with overlegal permitted vehicles: driver training and brakes.

ISP is the lead safety agency for commercial vehicle enforcement in Idaho. We are the agency that receives the annual Motor Carrier Safety Assistance Program (MCSAP) grants from the Federal Motor Carrier Safety Administration. Our CVS division troopers focus on commercial vehicle enforcement and are trained to complete all Level's of Commercial Vehicle Safety Alliance (CVSA) inspections. When fully staffed, CVS has 22 full time commissioned troopers who are certified to complete inspections.

By contrast, the Idaho Transportation Department (ITD), Port of Entry (POE) Inspectors complete limited safety inspections. They are trained by the ISP CVS troopers and through a memorandum of agreement are given limited authority to enforce ISP's Motor Carrier Administrative Rules. ITD POE's primary mission is to enforce Idaho's size and weight laws. No ITD POE inspectors are certified to complete any level of CVSA inspection.

Our primary safety concerns, driver training and brakes are supported by inspection and crash data. Most commercial vehicle crashes, ~ 87% nationally are caused by driver error. Whether it's the commercial vehicle driver or the driver of a passenger vehicle involved in the crash. Equipment violations account for ~ 8% of the commercial vehicles crashes with brakes/brake system failure having the potential for the biggest impact.

To support our concerns, ISP submitted the following information:

1. An email dated 2/2/2016 to the Idaho Senate Transportation Committee clarifying my testimony at an ITD 129,000-pound Transportation Board Subcommittee hearing in January. The letter also clarifies some of our safety concerns, specifically with state routes in District Two (2).
2. ISP CVS statewide inspection statistics for calendar year 2015, which includes information on out of service (OOS) vehicles, drivers, violations and rates.

3. ISP CVS statewide inspection statistics for Federal Fiscal Year 2015, which includes information on OOS vehicles, drivers, violations and rates.
4. ISP CVS inspection statistics for Districts 1 (Coeur d'Alene) and 2 (Lewiston) for calendar year 2015, which includes information on OOS vehicles, drivers, violations and rates.
5. PowerPoint presentation on CVSA's draft Heavy Vehicle Data collection efforts. Idaho did not participate in this study because it required overlegal vehicles to be weighed and have a CVSA inspection completed on the same stop. ISP CVS troopers don't carry portable scales, so we could not participate in this study. However, based on the limited data ISP CVS has from the mega-loads leaving the Port of Lewiston, we believe this data is applicable to Idaho.
6. Mega-load inspection statistics for Port of Lewiston.
7. List from the SAFETYNET Federal Violation Table, with overlegal violations highlighted. These violations are referenced in the CVSA PowerPoint but no description is listed.
8. A list of CVSA Levels of Inspection.
9. Western States Transportation Alliance (WSTA) Resolutions 2013 - #1, adopted November 5, 2013. Idaho is a member state of WSTA. The resolution was a proposal for an interstate pilot project on 129,000 pound trucks in specific western states. The resolution was never voted on in the U.S. Congress. However, the resolution included six specific enhanced safety requirements on pages 2 and 3. We recommend these be considered for Idaho's permitting process.
10. A WSTA PowerPoint dated September 12, 2013. The PowerPoint contains information to support the resolution reference in #8.
11. Western States Long Combination Vehicle (LCV) map that outlines weights allowed on overlegal vehicles in each state in 2013.
12. Letter from Governor Otter to Lt. Governor Little on Senate Bill S1117, dated April 1, 2013, which directs ITD to work with ISP to draft rules for 129,000 CMV's in northern Idaho, with safety being the highest priority.
13. A two page summary of the CVSA Heavy Vehicle Data Collection effort. This information is summarized in the PowerPoint referenced in #5.

ISP sees the economic benefit of heavier CMV's, which should in the short-term reduce the overall number of CMV's on our roadways. This economic benefit will be further improved if this project is allowed to cross state lines and become an interstate project. ISP believes safety should be number one and it's imperative that we add additional safety requirements to permitting rules or Idaho Code to address this important effort. Specifically, ISP would like to see enhanced safety requirements for drivers and an emphasis on brake system safety.

Sincerely,



Major Bill Reese
Operations Commander

Reese, William

From: Reese, William
Sent: Tuesday, February 02, 2016 4:52 PM
To: 'stran@senate.idaho.gov'
Cc: Baker, Teresa; Wills, Kedrick; Horn, Tim
Subject: TESTIMONY FROM AAA REPRESENTATIVE ON S1229

Ms. Bennett,

I spoke with Senator Brackett after the hearing today and he asked me to send the information below:

Today at the hearing on Senate Bill 1229, Dave Carlson, who represents AAA, gave testimony and quoted me during the testimony. The testimony he referred to was from a Transportation Board 129,000 Pound Subcommittee Meeting I testified at on January 19, 2016. The topic of the meeting was specifically routes in northern Idaho where ITD has requests to approve 129,000 pound loads. The routes were a section of US12, SH162, and SH13. I started my testimony by referring to the letter Governor Otter wrote to Lt. Governor Brad Little, President of the Senate on April 1, 2013. The letter specifically addressed Senate Bill 1117, from 2013. In the letter, Governor Otter said safety must be the priority and expects the Transportation Board and ISP to work collaboratively to draft rules.

The roads in much of northern Idaho are far different than southern Idaho. Many of the roads are narrower, steeper, have repeated switchbacks, and many have no truck escape ramps. I did quote some preliminary data from a Commercial Vehicle Safety Alliance study, that we are waiting for the final report on and I quoted some average out of service rates for drivers and vehicles. My recommendation was to consider raising the bar on safety, if some of the routes in northern Idaho are approved.

I also testified it would be a good idea to look at increasing safety standards on all 129,000 loads, if we want to see this project transition into a western states interstate project. The Western States Transportation Alliance adopted a resolution on November 5, 2013, that proposed Congress authorize a Western States Pilot Program. In the resolution, there were six added safety requirements the states would have to meet to participate in this project. This resolution never passed Congress but in my opinion it's a starting point if we are going to have a discussion about safety as it relates to 129,000 pound commercial vehicles.

Please let me know if you have any questions.

Regards,

Bill

Major W.L. (Bill) Reese

Operations Commander

Idaho State Police

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C. L. "BUTCH" OTTER
GOVERNOR

April 1, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature
Statehouse Mail
Boise, ID 83720

VIA HAND DELIVERY

Dear Mr. President,

I hereby advise you that I have transmitted to the Office of the Secretary of State, with my approval, the following Senate Bill, to wit:

S 1117

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 7:45 a.m. on March 27, 2013.

I carefully followed the progress and deliberations on this bill and its companion, House Bill 322, and I have discussed them at length with both supporters and opponents. I also have outlined my expectations for a cautious, deliberate and transparent public process for implementation with Idaho Transportation Board Chairman Jerry Whitehead and with Colonel Ralph Powell, director of the Idaho State Police (ISP).

As you know, the Idaho Transportation Board, in collaboration with ISP, must draft rules both for criteria that will be used in assessing the suitability of any nominated stretch of road and for the public participation process in considering any proposed designation.

Safety must be the highest priority, addressing necessary and prudent restrictions on use of designated routes, enforcement processes from jurisdiction to jurisdiction, mechanical requirements for trucks and trailers, driver certification requirements, pavement and roadbed conditions, geographic conditions, weather conditions, traffic conditions and other factors unique to each area in question. The process of considering nominated routes also must include timely, well-noticed public hearings and notification of adjacent property owners.

The Idaho Transportation Department (ITD) devoted significant time and effort to studying the impacts of trucks carrying loads up to 129,000 pounds on dozens of routes throughout southern Idaho.

President Brad Little

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Similarly, the process of identifying, nominating, assessing and designating routes elsewhere in the state must not be rushed toward any predetermined end. Producers, processors, truckers, the motoring public, our communities and Idaho's economy require the public's confidence for this process to succeed.

Simply put, I must be satisfied with the process before any rules are approved.

In an increasing integrated and competitive world, safe and efficient transportation of goods and raw materials along our corridors of commerce is critical to our economic growth and prosperity. I am convinced that Idaho has the will and the wherewithal to put a framework in place that adopts the best available practices, technology and oversight to advancing those goals.

As Always – Idaho, "Esto Perpetua"

A handwritten signature in blue ink, appearing to read "C.L. Butch Otter", with a stylized flourish at the end.

C.L. "Butch" Otter
Governor of Idaho

Cc: Secretary of State



Western States
Transportation Alliance

WSTA Resolution: 2013- #1
Adopted: November 5th 2013
Western States Pilot Program

Western States Transportation Alliance (WSTA) has adopted the following resolution concerning the lifting of the federal freeze on longer combination vehicles on the Interstate Highway System and other federal- aid primary highways in certain western states through a pilot program. WSTA believes that the pilot program in these western states will demonstrate the excellent safety capabilities of longer combinations vehicles and show how these vehicles can produce significant productivity, congestion mitigation and emissions reduction benefits.

The basic requirements for the western pilot program would be as follows:

1. State participation in the pilot program is voluntary.
2. Each state wishing to participate would have to file an application with FHWA either singularly or with adjacent states they have operational agreements with.
3. States would have to issue permits to companies wishing to participate in a state's pilot program.
4. States would have the authority to adopt routes, set restrictions on operations and establish maximum length and weight standards for vehicle configurations.
5. Maximums for length for the pilot program would set at 100' cargo length and maximum weight would be 129,000 pounds, including current federal axle and bridge formula weight limits.
6. Carriers deemed high risk by USDOT would be prohibited from participating.
7. To ensure that only safe drivers participate in the pilot, any driver convicted of serious safety violation would not be allowed to operate pilot program vehicles.
8. Vehicle equipment requirements will enhance safety and regulatory compliance.
9. Establishes a pilot program for a minimum of five years while giving USDOT the option to continue the pilot program for up to five years.

10. Require FHWA to report safety and other impacts of vehicles operating under the pilot program and make recommendations to Congress based on the results of the program.
11. Allows current longer vehicle combination operations to continue in each state listed in this pilot without change.
12. Calls for harmonization of state standards in the pilot program to maximize interstate commerce and program efficiency.

WSTA suggests that the following straw bill language for this pilot program.

Western States Pilot Program:

1) Section 127 of title 23, United States Code, is amended by inserting after subsection (h) the following --

“(i) Operations of certain vehicles with overall gross weight greater than eighty thousand pounds.—

(1) In general.—No State shall allow the operation of a vehicle with an overall gross weight, including all enforcement tolerances that exceeds eighty thousand pounds, unless the State law provides:

- (A) No High-Risk Carriers.**—A motor carrier deemed to be high risk by the Federal Motor Carrier Safety Administration for a period of at least three consecutive months shall be prohibited from operating such vehicles for a period of six months following the last of the consecutive months;
- (B) No High-Risk Drivers.**—A driver shall be prohibited from operating such vehicles for the duration of the pilot program from the date of conviction for any one of the following violations:
 - (i) violating an out-of-service order resulting from a violation of the Federal Motor Carrier Safety Regulations;
 - (ii) violation of Part 383.21 of title 49, Code of Federal Regulations [multiple driver licenses];
 - (iii) violation of Part 392.4 of title 49, Code of Federal Regulations [use, possession of drugs];
 - (iv) violation of Part 392.5 of title 49, Code of Federal Regulations [use of alcohol 4 hours before driving];
 - (v) violation of Part 391.41 of title 49, Code of Federal Regulations [medically unqualified];
 - (vi) violation of Part 383.51 of title 49, Code of Federal Regulations [disqualified CDL]; or
 - (vii) the driver’s license is suspended or revoked or the driver meets the disqualification definition in 49 CFR Part 383.

- (C) Participating drivers shall comply with all longer combination vehicle training requirements in 49 CFR.
- (D) Electronic Logging Device Required – All such vehicles shall be equipped with a device that automatically records a driver’s compliance with the hours of service requirements, consistent with the device standards in 49 CFR part 395.
- (E) Speed Limiters Required.—All such vehicles shall be equipped with a device designed to limit the maximum speed of the vehicle, which device shall be set to limit the speed at a maximum of sixty-five miles per hour or less.
- (F) Stability Control System Required – All such vehicles shall be equipped with a stability control system designed to prevent rollovers.

(2) Applicability.—This subsection shall not apply to the operation of vehicles or combinations thereof which the State determines could be lawfully operated within such state as of the date of enactment of this section.”

2) More productive vehicle pilot program

(a) In general.—Notwithstanding any other provision of law limiting vehicle weight or length to the contrary, and subject to compliance with this section, a State or group of states may apply to the Secretary for authority to grant permits authorizing the operation of the following types of vehicles on the Dwight D. Eisenhower System of Interstate and Defense Highways and those classes of qualifying Federal-aid Primary System highways designated by the Secretary of Transportation under section 31111(e) of title 49, United States Code, if the operation of these types of vehicles was not already lawful within such state prior to the date of enactment of this section.

(1) Longer combination vehicles.—Any combination of a truck tractor and two or more trailers or semitrailers, not exceeding three trailers or semitrailers, with a maximum property-carrying unit length of 100 feet; *Provided*, That the maximum overall gross weight of such combination shall not exceed 129,000 pounds, including enforcement tolerances, and that such combination is subject to the weight limits for single axle, tandem axle, and groups of two or more consecutive axles established in section 127(a)(2) of this title.

(2) States eligible for participation—

- a. Colorado
- b. Idaho
- c. Kansas
- d. Montana
- e. Nebraska
- f. New Mexico
- g. Nevada
- h. North Dakota
- i. Oklahoma
- j. Oregon
- k. South Dakota

- l. Utah
- m. Washington
- n. Wyoming

(b) Application process.—

(1) Information required.--In submitting an application for authority to grant permits under subsection (a), the State or group of states shall submit—

(A) The types of vehicle configurations, including the number of axles and weight limits, the applicant seeks to authorize;

(B) Any proposed vehicle requirements above Federal minimum standards to be imposed by the applicant as part of the permit criteria;

(C) The identification of specific routes which particular vehicles will be authorized to use, including an engineering safety analysis demonstrating that roadway characteristics and traffic conditions, combined with operational requirements, are likely to support the safe operation of each vehicle type;

(D) A certification by the applicant that bridge load and resistance factors have been considered and that vehicles are restricted to bridges which have an appropriate weight rating for the vehicles proposed, or in the absence of the appropriate weight rating, that the applicant has a plan to replace or improve the bridges to allow safe operation of the vehicles on such bridges;

(E) Any proposed driver qualification requirements above Federal minimum standards to be imposed by the applicant as part of the permit criteria;

(F) Any operational requirements above those set forth in subsection (c) of this section, such as but not limited to weather restrictions or speed restrictions, to be imposed by the applicant as part of the permit criteria;

(G) An estimate of any additional infrastructure costs that exceed any infrastructure savings measured by per ton-mile or other volumetric-distance measurement, for each vehicle type as compared to the costs imposed by the type of vehicle likely replaced; and

(H) The proposed permit or other fee to be charged by the applicant necessary to recoup any additional costs as estimated in subparagraph (G).

(c) Operational requirements.—No State or group of states shall issue a permit to operate any vehicle described in subsection (a) of this section unless the requirements set forth in section 127(i) of this title are incorporated as part of the permit.

(d) Review of application.—The Secretary shall approve an application if it is determined that the proposal complies with all requirements under this section and other relevant sections of this Title and Title 49, that the operation of vehicles authorized under this section can be reasonably expected to operate in a safe manner compared with vehicles likely replaced, and that any additional infrastructure costs can reasonably expect to be recovered by a permit fee or another source of revenue.

(e) Period of Pilot Program. — Each pilot program shall expire five years after initiation by the State. Upon the request of the applicant, the Secretary may grant an extension of the pilot program by up to five years.

(f) Reporting.—(1) The Secretary shall collect such information as necessary to determine the fatal, bodily injury and property damage only crash rates for the vehicles authorized by this section by major configuration type and shall publish those rates annually.

(2) For each pilot program, three years after the initiation of the pilot program, the Secretary shall submit a report to Congress to include--

(A) a comparison of fatal crash rates for vehicles authorized by this section and fatal crash rates for five-axle vehicles, by roadway type;

(B) the economic effects of operation of vehicles authorized by this section, including infrastructure costs and the impact on freight transportation costs;

(C) the effects of operation of vehicles authorized by this section on traffic congestion, energy use, and air quality;

(D) based on the results of the pilot program, any recommended statutory changes related to vehicle limits on weight and length that are likely to contribute to improved highway safety, lower overall transportation costs, or improved air quality;

(3) The Secretary shall, on an annual basis, submit to Congress a summary of each application made by States under this section during the preceding year and the agency's determination.

(g) Policy on uniformity.—To facilitate the efficient flow of interstate commerce, the Secretary shall encourage applicants, to the extent permissible, to adopt uniform permit and operating requirements for vehicles authorized under this section.

(h) Minor adjustments.—Any State or group of states authorized by the Secretary to grant permits for vehicles under this section may apply to the Secretary for approval of changes to its original application on an expedited basis, provided such proposed changes do not expand routes of operation, increase a vehicle's maximum overall gross weight, or increase a vehicle's maximum cargo-carrying unit length. The Secretary shall review the requested changes within sixty days and approve any changes that the Secretary determines are unlikely to have a negative impact on safety.

CVSA Heavy Vehicle Data Collection Effort

Purpose: To gather data to help determine what, if any, impact heavier weights have on a vehicle's structural components, motor carrier safety violations, and safety.

Duration: January 15, 2012 – January 15, 2015

Vehicle Selection: a heavy vehicle should be included:

- 1.) When it is weighed and found to be over the allowable:
 - (a) axle weight; and/or
 - (b) axle group weight; and/or
 - (c) gross vehicle weight for the roadway on which it is operating.
- 2.) When operating under a special permit for weight.

Results – 30 months of Data

10,564 Level I Inspections in 30 states

4,466 Vehicle Weight Violations

3,961 Vehicles OOS, 37.50% OOS Rate

Vehicle Maintenance BASIC

Above 80: 1,453 CMVs, 811 OOS, 55.82% OOS Rate

Below 80: 5,596 CMVs, 1,589 OOS, 28.40% OOS Rate

No Score: 3,515 CMVs, 1,551 OOS, 44.41% OOS Rate

Vehicle Type

Combination Unit: 8,276 CMVs, 39.33% OOS Rate

Single Vehicle: 2,366 CMVs, 31.45 % OOS Rate

Permits

Yes: 682 CMVs, 36.36% OOS Rate

No: 9,882 CMVs, 37.57% OOS Rate

Violations

Category	No. CMVs	OOS Rate
Brakes	1433	13.74%
Brake Adjustment	912	8.57%
Tires	407	3.82%
Suspension	71	0.67%
Wheels	41	0.39%
Other	1097	13.39%
Total	3961	37.50%

Violation	No. Violations	No. CMVs
CLAMP/ROTO TYPE BRAKE(S) OUT-OF-ADJUSTMENT	3978	2300
INOPERABLE REQUIRED LAMP	2070	1514
State/Local Laws - Excessive weight - 1-2500 lbs over on an axle/axle groups.	1793	1702
Inspection, repair and maintenance of parts & accessories	1460	1100
CMV MFR > 10/19/94 with automatic AB adjust system fails to compensate for wear	1449	1352
BRAKES OUT OF SERVICE: THE NUMBER OF DEFECTIVE BRAKES IS EQUAL TO OR GREATER THA	1374	1373
State/Local Laws - Excessive weight - 2501-5000 lbs over on an axle/axle groups.	1357	1318
BRAKE HOSE/TUBING CHAFFING AND/OR KINKING	928	717
Brakes (general)	894	717
No/discharged/unsecured fire extinguisher	887	883
Tire-other tread depth less than 2/32 of inch	868	660
Oil and/or grease leak	780	711
Inoperative Turn Signal	770	624
Operating a CMV without proof of a periodic inspection	753	584
Violation of Local Laws	753	553
Inoperative/defective brakes	745	569
State vehicle registration or License Plate violation	651	563
BRAKE CONNECTIONS WITH LEAKS/CONSTRICTIONS	559	497
Stop lamp violations	528	465
State/Local Laws - Excessive weight - 1-2500 lbs over on allowable gross weight.	521	520

Violation	No. CMVs	No. OOS	OOS Rate
392.2-SLLEWA1	1702	616	36.19%
392.2-SLLEWA2	1318	549	41.65%
392.2-SLLEWA3	272	131	48.16%
392.2-SLLEWG1	520	200	38.46%
392.2-SLLEWG2	275	123	44.73%
392.2-SLLEWG3	443	247	55.76%
392.2W	342	147	42.98%
Total	4466	1795	40.19%



Commercial Vehicle Safety Alliance

Size & Weight Committee
Fall 2015 - Jacksonville, FL

CVSA Heavy Vehicle Data Collection Effort


Heavy Vehicle Data Collection Effort

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Duration: January 15th, 2012 – January 15th, 2015


Vehicle Selection: a heavy vehicle should be included:

- 1.) When it is weighed and found to be over the allowable:
 - (a) axle weight; and/or
 - (b) axle group weight; and/or
 - (c) gross vehicle weight for the roadway on which it is operating.
- OR
- 2.) When operating under a special permit for weight.



Data Collection

- Special Study Field 9: measured gross vehicle combination weight
- Special Study Field 10:
 - "HWP", for vehicles possessing a special weight permit
 - "HW" for vehicles without a special weight permit
 - "SHVI" for Special Heavy Vehicle Inspection (WA/NC) (cooperative agreement)



General Inspection Information

Timeframe	No. CMV Inspections	No. CMV OOS	CMV OOS Rate
6 month	2485	922	37.10%
1 year	5109	1830	35.82%
18 month	7602	2696	35.46%
2 year	9541	3494	36.62%
30 months	10564	3961	37.50%
3 year	11352	4281	37.71%

Vehicle Maintenance Basic OOS Rate

Above 80			Below 80			No Rank		
No. CMVs	No. OOS	OOS Rate	No. CMVs	No. OOS	OOS Rate	No. CMVs	No. OOS	OOS Rate
1667	921	55.25%	6051	1741	28.77%	3634	1619	44.55%

Crash Basic Comparison Among States

Above 60			Below 60			No Rank		
No. CMVs	No. OOS	OOS Rate	No. CMVs	No. OOS	OOS Rate	No. CMVs	No. OOS	OOS Rate
1268	376	29.65%	2886	741	25.68%	7198	3164	43.96%

Combination CMV	# CMVs	OOS Rate
3 year		
Yes	8888	39.33%
No	2464	31.86%

	Permitted CMV	No. CMVs	OOS Rate
6 Month			
	Yes	273	32.97%
	No	2212	37.61%
1 Year			
	Yes	435	33.79%
	No	4674	36.01%
18 Month			
	Yes	558	35.30%
	No	7044	35.48%
2 Year			
	Yes	632	35.44%
	No	8909	36.70%
30 Month			
	Yes	682	36.36%
	No	9882	37.57%
3 Year			
	Yes	723	36.65%
	No	10629	37.78%

Top Violations		
Violation	No. Violations	No. CMVs
CLAMP/ROTO TYPE BRAKES OUT-OF-ADJUSTMENT	4185	2403
INOPERATIVE REQUIRED LAMP	2158	1591
State/Local Laws - Excessive weight - 1-2500 lbs over on an axle/axle groups	1984	1863
State/Local Laws - Excessive weight - 2501-5000 lbs over on an axle/axle groups	1839	1581
Inspection, repair and maintenance of parts & accessories	1841	1242
CMV MFR's 10/13/14 with automatic AB adjust system fails to compensate for wear	1501	1394
BRAKES OUT OF SERVICE: THE NUMBER OF DEFECTIVE BRAKES IS EQUAL TO OR GREATER THAN	1439	1439
Brakes (General)	997	764
Brakes (General)	984	760
Tire - other tread depths less than 2/32 of inch	975	729
Not/Discharged/Uninsured fire extinguisher	940	928
Oil and/or grease leak	847	762
Violations of Local Laws	815	562
Inoperative Turn Signal	812	452
Operating a CMV without proof of a periodic inspection	798	610
Inoperative/Defective Brakes	794	563
State vehicle registration or License Plate violation	713	638
BRAKE CONNECTIONS WITH LEAKS/CONSTRICTIONS	584	518
State/Local Laws - Excessive weight - 1-2500 lbs over on inoperative gross weight	580	573
Stop lamp violations	576	482

OOS Violations (All CMVs)

Category	No. CMVs	OOS Rate
Brakes	1558	13.72%
Brake Adjustment	947	8.34%
Tires	444	3.91%
Suspension	78	0.69%
Wheels	44	0.39%
Other	1210	10.66%
Total	4281	37.71%

Weight Violations

Violation	No. CMVs	No. OOS	OOS Rate
392.2-SLLEWA1	1863	676	36.29%
392.2-SLLEWA2	1589	642	40.40%
392.2-SLLEWA3	287	138	48.08%
392.2-SLLEWG1	573	218	38.05%
392.2-SLLEWG2	310	142	45.81%
392.2-SLLEWG3	474	267	56.33%
392.2W	346	149	43.06%
Total	5010	2005	40.02%

Violation Category	Tractor		Trailer	
	No. Violations		No. Violations	
BRAKES, OUT OF ADJUSTMENT	2426		2111	
BRAKES, ALL OTHERS	3589		3066	
COUPLING DEVICES	70		39	
FUEL SYSTEMS	40		3	
FRAMES	86		174	
LIGHTING	1888		1505	
STEERING MECHANISM	289		0	
SUSPENSION	91		183	
TIRES	629		1126	
WHEELS, STUDS, CLAMPS, ETC.	139		194	
LOAD SECUREMENT	36		409	
WINDSHIELD	549		0	
EXHAUST DISCHARGE	154		0	
EMERGENCY EQUIPMENT	610		4	
PERIODIC INSPECTION	233		240	
ALL OTHER VEHICLE DEFECTS	2235		1493	

Vehicle Configuration	Level 1 Inspections	Level 1 Inspection Vehicle OOS Rate	Level 1 Inspection CMVs with Weight Violation	Level 1 Inspection Vehicle OOS Rate CMVs with Weight Violation
SINGLES	2951001	26.30%	82472	41.89%
DOUBLES	59799	26.76%	1813	47.66%
TRIPLES	834	17.03%	48	52.08%
TOTAL	3011634	26.30%	84333	42.02%

Conclusion

- 36 months of data.
- A 3 year Final report is in draft.
- Trucks with weight violations have high OOS rates, over 40%
- High brake OOS violations

Specialized Heavy Vehicle Inspection (SHVI)

(funded by cooperative agreement)

State	No. Inspections	No. OOS	OOS Rate
NC	508	220	43.31%
TN	32	12	37.50%
WA	261	144	55.17%
Total	801	376	46.94%

Concerns previously raised:

- Concerns with selection criteria, i.e., targeting?
 - See email
- Permits but legal
 - (669 legal out of 723, 92.53%)
- Permits w/ weight violation
 - (54 out of 723, 7.47% with weight vio)
- Size of carrier, possibly intrastate/interstate
 - Mostly interstate (vast majority)
- Commodity – LTL vs heavy commodity (wood/gravel/etc.)

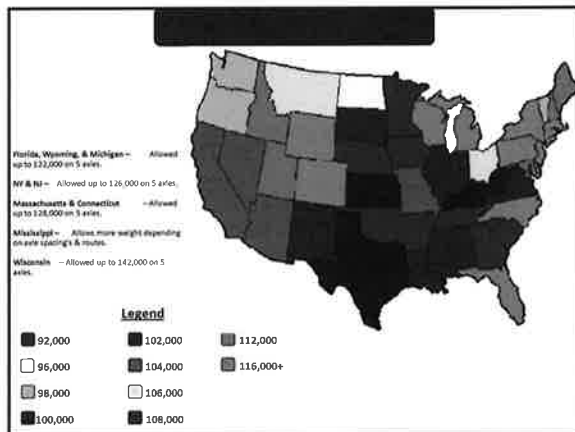
- Estimates (based on shvi) >

Lugs/Wood	287	33.18%
Gravel	11	1.27%
Asphalt	11	1.27%
Corn	22	2.54%
Dirt	18	2.08%
Grain	24	2.77%
Rock	20	2.31%
Total	393	45.43%

Heavy and Overweight Stopping Distance Testing

2012

5 axle tractor semitrailer

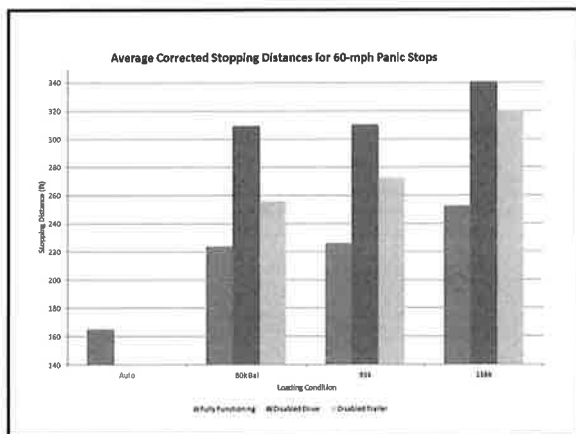


Heavy Overweight Brake Testing

- Impact on brake performance with increasing load
- Impact on brake performance with brake degradation on tractor and trailer (20%)

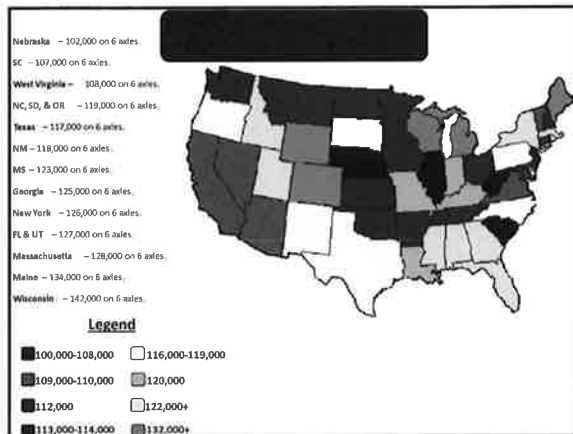
FY 2012 Testing

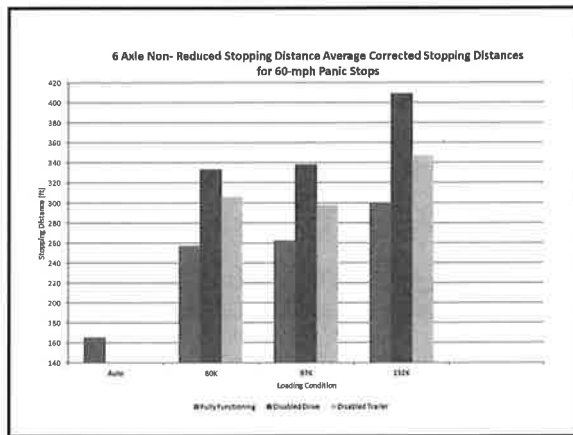
- 5 Axle Tractor/Semitrailer
- Reduced Stopping Distance Tractor
- New brakes/drums/tires
- FMVSS 121 burnish
- 20 mph, 60 mph
- Best Effectiveness
- 20% brakes out trailer
- 20% brakes out tractor.

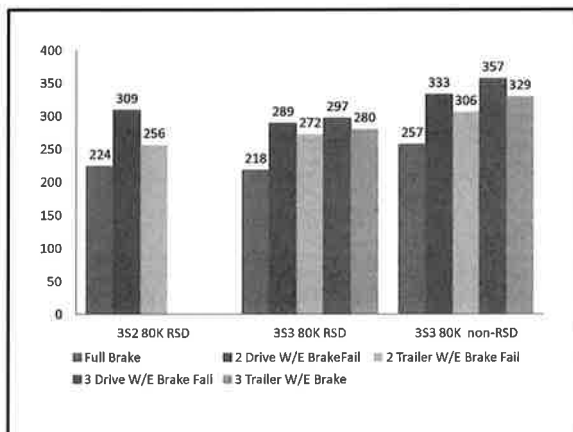


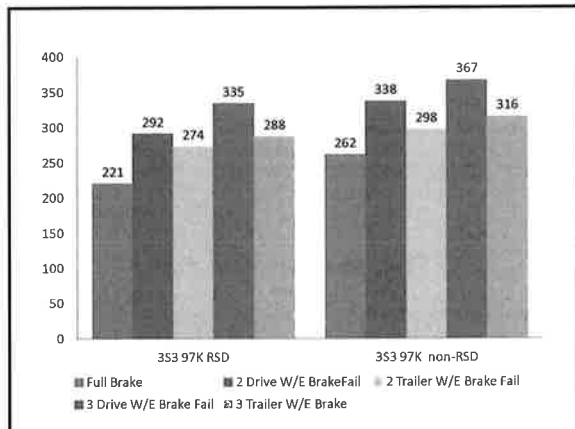
FY 2013/14 Testing

- 6 Axle Tractor/Semitrailer
- Reduced Stopping Distance Tractor Test
- Re-ran with non-RSD Brakes Installed
- New brakes/drums/tires
- FMVSS 121 burnish
- 20 mph, 60 mph
- Best Effectiveness
- 2 brakes out trailer/3 brakes out trailer
- 2 brakes out tractor/3 brakes out tractor
- Steer Axle brakes out









Suggestions:

- State weight violations 392.2* should be included in CSA scoring
- No brake OOS violations on tow vehicle, i.e., Tractor
- Permit vehicles should have no brakes OOS
- Vehicles should not be permitted beyond GVWR

Questions?

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 FMCSA Vehicle and Roadside Operations Div.
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Jan 1, 2016 - December 31, 2015

02/05/2016 14:11
Prepared By: HOLLY

SAFETYNET
Inspection MCSAP Quarterly Report

Page: 1

Tagged Records
Period: (386 MONTH TOTALS)

From: IDAHO STATE POLICE/MCSAP
COMMERCIAL VEHICLE SAFETY
700 S STRATFORD RD
MERIDIAN, ID 83642-6202
Phone #: (208)884-7220 Fax #: (208)884-7192

INSPECTION ACTIVITIES:

	NON-HM VEHICLES			HM VEHICLES			BUSES		
Level 1 Inspections		2,666			294			103	
Vehicles OOS/OOS Violations/OOS Rate	771 /	1,391 /	28.92%	62 /	113 /	21.09%	11 /	11 /	10.68%
Drivers OOS/OOS Violations/OOS Rate	224 /	278 /	8.40%	12 /	18 /	4.08%	8 /	11 /	7.77%
No. Other Violations		7,848			638			114	
Level 2 Inspections		2,587			469			13	
Vehicles OOS/OOS Violations/OOS Rate	663 /	986 /	25.63%	67 /	96 /	14.29%	4 /	5 /	30.77%
Drivers OOS/OOS Violations/OOS Rate	312 /	405 /	12.06%	21 /	27 /	4.48%	0 /	0 /	0.00%
No. Other Violations		6,647			744			18	
Level 3 Inspections		2,284			39			27	
Vehicles OOS/OOS Violations/OOS Rate	1 /	1 /	0.04%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	266 /	363 /	11.65%	2 /	2 /	5.13%	2 /	2 /	7.41%
No. Other Violations		3,605			57			45	
Level 4 Inspections		714			27			1	
Vehicles OOS/OOS Violations/OOS Rate	28 /	30 /	3.92%	3 /	3 /	11.11%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	62 /	83 /	8.68%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		508			11			1	
Level 5 Inspections		96			4			143	
Vehicles OOS/OOS Violations/OOS Rate	4 /	6 /	4.17%	0 /	0 /	0.00%	10 /	11 /	6.99%
No. Other Violations		58			0			58	
Level 6 Inspections		0			0			0	
Vehicles OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		0			0			0	
Total Inspections		8,347			833			287	

SAFETYNET
Inspection MCSAP Quarterly Report

INSPECTION ACTIVITIES:

Total Number of Intrastate Carrier Driver/Vehicle Inspections: 802
Total Number of Interstate Carrier Driver/Vehicle Inspections: 8,665
Total Inspections: 9,467
MCSAP eligible inspections conducted by Local Enf. Jurisdictions: 182

	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Level 4</u>	<u>Level 5</u>	<u>Level 6</u>	<u>Total</u>
Total Inspections	3,063	3,069	2,350	742	243	0	9,467
Off Peak Inspections	831	1,455	1,104	325	33	0	3,748
Percentage Off Peak	27.13%	47.41%	46.98%	43.80%	13.58%	0.00%	39.59%
Inspection w/ CVSA Decal	1,696	0	0	0	169	0	1,865
Number of CVSA Decals	2,333	0	0	0	176	0	2,509

SAFETYNET
Inspection MCSAP Quarterly Report

VIOLATIONS BY TYPE:

Driver	TRUCKS		BUSES	
	Total	OOS Violations	Total	OOS Violations
Medical Certificate	327	11	6	5
False Record of Duty Status	375	303	2	2
No RODS / RODS not current	933	284	14	5
10/11 & 14/15 Hours	454	203	2	0
Alaska HOS	0	0	0	0
60/70/80 Hours	22	18	0	0
All Other Hours-of-Service	1,224	9	13	0
Disqualified Drivers	142	91	1	0
Drugs	27	26	0	0
Alcohol	38	38	0	0
Seat Belt	332	0	0	0
Traffic Enforcement	113	0	1	0
Radar Detectors	16	0	0	0
All Other Driver Violations	1,340	197	27	2
Failure to Obey Traffic Cntrl Devce	291	0	2	0
Following too Close	67	0	1	0
Improper Lane Change	181	0	0	0
Improper Passing	6	0	0	0
Reckless Driving	9	0	0	0
Speeding	1,560	0	12	0
Improper Turns	46	0	0	0
Size and Weight	63	0	0	0
Failure to Yield Right of Way	42	0	0	0
State/Local Hours of Service	0	0	0	0
Total Driver Violations	7,608	1,180	81	14

SAFETYNET
Inspection MCSAP Quarterly Report

Vehicle	TRUCKS		BUSES	
	Total	OOS Violations	Total	OOS Violations
Brakes, Out of Adjustment	936	220	9	2
Brakes, All Others	3,997	736	37	4
Coupling Devices	28	8	0	0
Fuel Systems	55	10	0	0
Frames	108	9	0	0
Lighting	3,933	604	13	0
Steering Mechanism	109	20	3	0
Suspension	161	42	3	1
Tires	748	203	3	1
Wheels, Studs, Clamps, Etc.	143	55	1	0
Load Securement	610	575	0	0
Windshield	584	0	6	0
Exhaust Discharge	85	0	8	5
Emergency Equipment	1,307	0	19	0
Periodic Inspection	672	3	3	0
All Other Vehicle Defects	2,502	68	88	12
Total Vehicle Violations	15,978	2,553	193	25
Hazardous Materials	TRUCKS			
	Total	OOS Violations		
Shipping Paper	78	7		
Improper Placarding	52	16		
Accept. Shipment Improperly Marked	12	2		
Improper Blocking and Bracing	38	36		
No Retest & Inspection (Cargo Tank)	11	0		
No Remote Shutoff Control	0	0		
Use of Non-Specification Container	7	1		
Emergency Response	24	0		
All Other HM Violations	112	8		
Total Hazardous Materials Violations	334	70		
Total Violations	23,920	3,803	274	39

SAFETYNET
Inspection MCSAP Quarterly Report

REVIEW ACTIVITIES:

	<u>Non-HM Carrier</u>	<u>HM Carrier</u>	<u>HM Carrier/Shipper</u>	<u>Number Deleted</u>
Educational Contacts (Intrastate)	0	0	0	0
Educational Contacts (Interstate)	0	0	0	0
Compliance Reviews (Intrastate)	0	0	0	0
Compliance Reviews (Interstate)	0	0	0	0
HM Shipper Only Reviews			0	

OOS VERIFICATION:

No. Repaired at Scene	413
No. Towed/Escorted	2

ACTIVITIES CONDUCTED IN CONJUNCTION WITH AN INSPECTION:

Alcohol/Controlled Substance Check	16
Drug Interdiction Searches	32
Drug Interdiction Arrests	11
Size and Weight Enforcement	0
Traffic Enforcement	2,690

COVERT ACTIVITIES:

No. Vehicles/Drivers First Observed at the Scene	0
No. Vehicles/Drivers Rechecked After Leaving	0
No. Vehicles/Drivers Rechecked Still in Violation	0
No. Citations Issued	0
Total Duration of Covert/Verification Activity	0

10/19/2015 12:29
Prepared By: HOLLY

Tagged Records
Period: (382 MONTH TOTALS)

SAFETYNET
Inspection MCSAP Quarterly Report

FFY 2015 - Oct 1, 2014 - Sept 30, 2015

Page: 1

From: IDAHO STATE POLICE/MCSAP
COMMERCIAL VEHICLE SAFETY
700 S STRATFORD RD
MERIDIAN, ID 83642-6202
Phone #: (208)884-7220 Fax #: (208)884-7192

INSPECTION ACTIVITIES:

	NON-HM VEHICLES			HM VEHICLES			BUSES		
Level 1 Inspections		2,471			284			103	
Vehicles OOS/OOS Violations/OOS Rate	748 /	1,394 /	30.27%	60 /	118 /	21.13%	11 /	11 /	10.68%
Drivers OOS/OOS Violations/OOS Rate	216 /	271 /	8.74%	14 /	20 /	4.93%	6 /	9 /	5.83%
No. Other Violations		7,638			626			106	
Level 2 Inspections		2,675			465			17	
Vehicles OOS/OOS Violations/OOS Rate	719 /	1,063 /	26.88%	74 /	116 /	15.91%	4 /	5 /	23.53%
Drivers OOS/OOS Violations/OOS Rate	338 /	426 /	12.64%	31 /	45 /	6.67%	1 /	1 /	5.88%
No. Other Violations		7,185			808			28	
Level 3 Inspections		2,665			51			25	
Vehicles OOS/OOS Violations/OOS Rate	2 /	2 /	0.08%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	330 /	437 /	12.38%	4 /	4 /	7.84%	2 /	2 /	8.00%
No. Other Violations		4,266			85			42	
Level 4 Inspections		735			26			1	
Vehicles OOS/OOS Violations/OOS Rate	28 /	30 /	3.81%	2 /	2 /	7.69%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	63 /	83 /	8.57%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		519			10			1	
Level 5 Inspections		108			3			128	
Vehicles OOS/OOS Violations/OOS Rate	5 /	7 /	4.63%	0 /	0 /	0.00%	11 /	12 /	8.59%
No. Other Violations		64			0			59	
Level 6 Inspections		0			3			0	
Vehicles OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		0			1			0	
Total Inspections		8,654			832			274	

10/19/2015 12:29
Prepared By: HOLLY

SAFETYNET
Inspection MCSAP Quarterly Report

Page: 2

INSPECTION ACTIVITIES:

Total Number of Intrastate Carrier Driver/Vehicle Inspections: 850
Total Number of Interstate Carrier Driver/Vehicle Inspections: 8,910
Total Inspections: 9,760
MCSAP eligible inspections conducted by Local Enf. Jurisdictions: 182

	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Level 4</u>	<u>Level 5</u>	<u>Level 6</u>	<u>Total</u>
Total Inspections	2,858	3,157	2,741	762	239	3	9,760
Off Peak Inspections	770	1,459	1,237	325	30	0	3,821
Percentage Off Peak	26.94%	46.21%	45.13%	42.65%	12.55%	0.00%	39.15%
Inspection w/ CVSA Decal	1,541	0	0	0	163	3	1,707
Number of CVSA Decals	2,078	0	0	0	170	6	2,254

SAFETYNET
Inspection MCSAP Quarterly Report

VIOLATIONS BY TYPE:

Driver	TRUCKS		BUSES	
	Total	OOS Violations	Total	OOS Violations
Medical Certificate	377	11	6	5
False Record of Duty Status	397	328	2	2
No RODS / RODS not current	1,034	295	14	5
10/11 & 14/15 Hours	462	206	2	0
Alaska HOS	0	0	0	0
60/70/80 Hours	27	24	0	0
All Other Hours-of-Service	1,281	7	13	0
Disqualified Drivers	162	108	1	0
Drugs	23	23	0	0
Alcohol	42	42	0	0
Seat Belt	403	0	0	0
Traffic Enforcement	77	0	0	0
Radar Detectors	17	0	0	0
All Other Driver Violations	1,547	243	23	1
Failure to Obey Traffic Cntrl Device	337	0	2	0
Following too Close	75	0	1	0
Improper Lane Change	251	0	2	0
Improper Passing	10	0	0	0
Reckless Driving	15	0	0	0
Speeding	1,866	0	15	0
Improper Turns	62	0	1	0
Size and Weight	65	0	0	0
Failure to Yield Right of Way	42	0	0	0
State/Local Hours of Service	0	0	0	0
Total Driver Violations	8,572	1,287	82	13

SAFETYNET
Inspection MCSAP Quarterly Report

Vehicle	TRUCKS		BUSES	
	Total	OOS Violations	Total	OOS Violations
Brakes, Out of Adjustment	932	224	9	2
Brakes, All Others	4,014	776	36	4
Coupling Devices	29	10	0	0
Fuel Systems	55	9	0	0
Frames	108	11	1	0
Lighting	3,931	594	13	0
Steering Mechanism	107	20	3	0
Suspension	153	38	3	1
Tires	765	224	4	2
Wheels, Studs, Clamps, Etc.	135	50	1	0
Load Securement	658	615	0	0
Windshield	586	0	4	0
Exhaust Discharge	85	1	9	5
Emergency Equipment	1,325	0	19	0
Periodic Inspection	692	3	3	0
All Other Vehicle Defects	2,689	75	87	12
Total Vehicle Violations	16,264	2,650	192	26
Hazardous Materials	TRUCKS			
	Total	OOS Violations		
Shipping Paper	98	9		
Improper Placarding	55	16		
Accept. Shipment Improperly Marked	14	6		
Improper Blocking and Bracing	41	39		
No Retest & Inspection (Cargo Tank)	10	0		
No Remote Shutoff Control	0	0		
Use of Non-Specification Container	7	1		
Emergency Response	35	0		
All Other HM Violations	126	11		
Total Hazardous Materials Violations	386	82		
Total Violations	25,222	4,019	274	39

SAFETYNET
Inspection MCSAP Quarterly Report

REVIEW ACTIVITIES:

	<u>Non-HM Carrier</u>	<u>HM Carrier</u>	<u>HM Carrier/Shipper</u>	<u>Number Deleted</u>
Educational Contacts (Intrastate)	0	0	0	0
Educational Contacts (Interstate)	0	0	0	0
Compliance Reviews (Intrastate)	0	0	0	0
Compliance Reviews (Interstate)	24	0	0	0
HM Shipper Only Reviews			0	

OOS VERIFICATION:

No. Repaired at Scene	433
No. Towed/Escorted	1

ACTIVITIES CONDUCTED IN CONJUNCTION WITH AN INSPECTION:

Alcohol/Controlled Substance Check	19
Drug Interdiction Searches	38
Drug Interdiction Arrests	11
Size and Weight Enforcement	0
Traffic Enforcement	3,155

COVERT ACTIVITIES:

No. Vehicles/Drivers First Observed at the Scene	236
No. Vehicles/Drivers Rechecked After Leaving	0
No. Vehicles/Drivers Rechecked Still in Violation	0
No. Citations Issued	0
Total Duration of Covert/Verification Activity	472

02/08/2016 12:25
Prepared By: HOLLY

Tagged Records
Period: (386 MONTH TOTALS)

Jan 1, 2015 - Dec 31, 2015

SAFETYNET
Inspection MCSAP Quarterly Report

Page: 1

District 1 and District 2

From: IDAHO STATE POLICE/MCSAP
COMMERCIAL VEHICLE SAFETY
700 S STRATFORD RD
MERIDIAN, ID 83642-6202
Phone #: (208)884-7220 Fax #: (208)884-7192

INSPECTION ACTIVITIES:

	NON-HM VEHICLES			HM VEHICLES			BUSES		
Level 1 Inspections		1,440			115			5	
Vehicles OOS/OOS Violations/OOS Rate	327 /	493 /	22.71%	12 /	17 /	10.43%	1 /	1 /	20.00%
Drivers OOS/OOS Violations/OOS Rate	115 /	130 /	7.99%	3 /	4 /	2.61%	0 /	0 /	0.00%
No. Other Violations		3,525			147			6	
Level 2 Inspections		889			87			6	
Vehicles OOS/OOS Violations/OOS Rate	215 /	301 /	24.18%	8 /	11 /	9.20%	3 /	4 /	50.00%
Drivers OOS/OOS Violations/OOS Rate	98 /	123 /	11.02%	7 /	11 /	8.05%	0 /	0 /	0.00%
No. Other Violations		2,320			125			12	
Level 3 Inspections		499			10			3	
Vehicles OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	45 /	61 /	9.02%	2 /	2 /	20.00%	0 /	0 /	0.00%
No. Other Violations		801			11			4	
Level 4 Inspections		126			3			0	
Vehicles OOS/OOS Violations/OOS Rate	13 /	13 /	10.32%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	2 /	2 /	1.59%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		132			2			0	
Level 5 Inspections		17			0			35	
Vehicles OOS/OOS Violations/OOS Rate	1 /	1 /	5.88%	0 /	0 /	0.00%	3 /	3 /	8.57%
No. Other Violations		27			0			8	
Level 6 Inspections		0			0			0	
Vehicles OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		0			0			0	
Total Inspections		2,971			215			49	

SAFETYNET
Inspection MCSAP Quarterly Report

INSPECTION ACTIVITIES:

Total Number of Intrastate Carrier Driver/Vehicle Inspections: 163
Total Number of Interstate Carrier Driver/Vehicle Inspections: 3,072
Total Inspections: 3,235
MCSAP eligible inspections conducted by Local Enf. Jurisdictions: 1

	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Total
Total Inspections	1,560	982	512	129	52	0	3,235
Off Peak Inspections	390	393	231	22	20	0	1,056
Percentage Off Peak	25.00%	40.02%	45.12%	17.05%	38.46%	0.00%	32.64%
Inspection w/ CVSA Decal	1,015	0	0	0	22	0	1,037
Number of CVSA Decals	1,385	0	0	0	27	0	1,412

SAFETYNET
Inspection MCSAP Quarterly Report

VIOLATIONS BY TYPE:

Driver	TRUCKS		BUSES	
	Total	OOS Violations	Total	OOS Violations
Medical Certificate	125	3	0	0
False Record of Duty Status	80	56	0	0
No RODS / RODS not current	249	117	0	0
10/11 & 14/15 Hours	106	49	0	0
Alaska HOS	0	0	0	0
60/70/80 Hours	4	3	0	0
All Other Hours-of-Service	363	4	2	0
Disqualified Drivers	49	38	0	0
Drugs	4	4	0	0
Alcohol	13	13	0	0
Seat Belt	71	0	0	0
Traffic Enforcement	27	0	0	0
Radar Detectors	5	0	0	0
All Other Driver Violations	422	46	6	1
Failure to Obey Traffic Cntrl Devce	64	0	0	0
Following too Close	8	0	1	0
Improper Lane Change	45	0	0	0
Improper Passing	3	0	0	0
Reckless Driving	4	0	0	0
Speeding	443	0	1	0
Improper Turns	20	0	0	0
Size and Weight	20	0	0	0
Failure to Yield Right of Way	16	0	0	0
State/Local Hours of Service	0	0	0	0
Total Driver Violations	2,141	333	10	1

SAFETYNET
Inspection MCSAP Quarterly Report

Vehicle	TRUCKS		BUSES	
	Total	OOS Violations	Total	OOS Violations
Brakes, Out of Adjustment	504	82	0	0
Brakes, All Others	1,675	245	5	1
Coupling Devices	8	2	0	0
Fuel Systems	19	7	0	0
Frames	29	6	0	0
Lighting	1,478	153	4	0
Steering Mechanism	62	18	1	0
Suspension	65	23	0	0
Tires	256	63	1	1
Wheels, Studs, Clamps, Etc.	49	25	0	0
Load Securement	184	176	0	0
Windshield	189	0	1	0
Exhaust Discharge	43	0	2	1
Emergency Equipment	334	0	3	0
Periodic Inspection	339	0	2	0
All Other Vehicle Defects	836	25	9	4
Total Vehicle Violations	6,070	825	28	7
Hazardous Materials	TRUCKS			
	Total	OOS Violations		
Shipping Paper	7	1		
Improper Placarding	8	5		
Accept. Shipment Improperly Marked	1	0		
Improper Blocking and Bracing	3	3		
No Retest & Inspection (Cargo Tank)	3	0		
No Remote Shutoff Control	0	0		
Use of Non-Specification Container	3	0		
Emergency Response	6	0		
All Other HM Violations	17	2		
Total Hazardous Materials Violations	48	11		
Total Violations	8,259	1,169	38	8



LCV RESOLUTION INFORMATION, PRESENTATION, AND DIALOG
SEPTEMBER 12, 2013

The Resolution Highlights

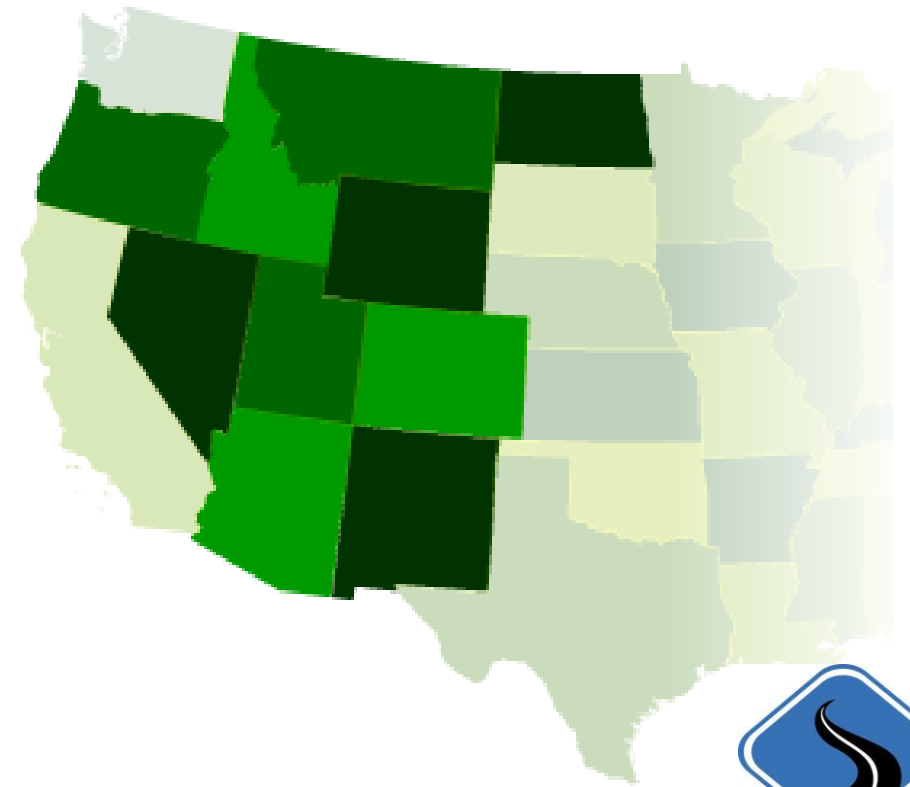
Today, all WSTA states have defined the four critical elements for the “Pilot Program” and we list them below.

Total maximum weight allowed in each state.

Total length allowed in each state.

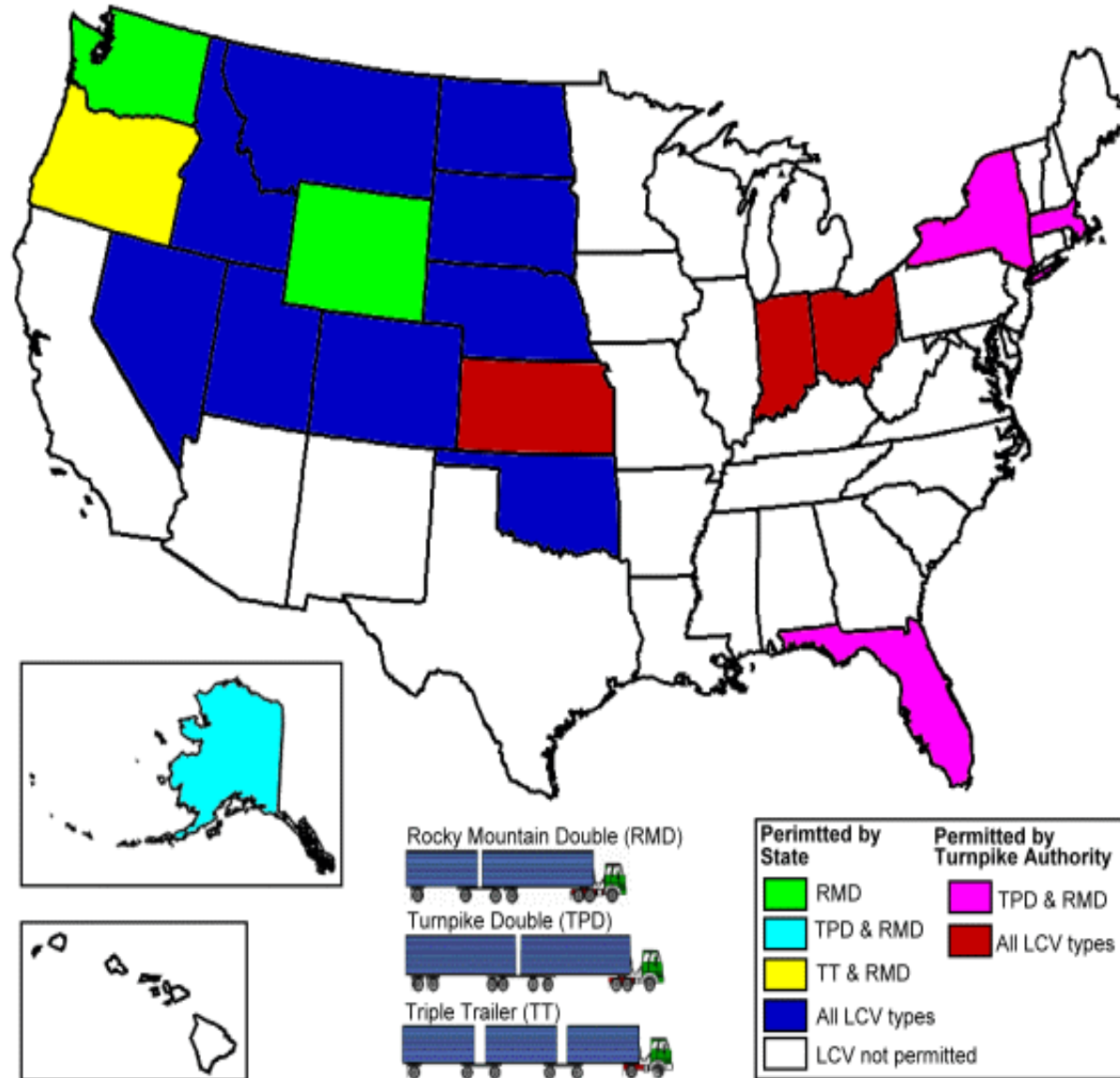
Combinations of commercial vehicles allowed in each state.

Existing over dimension permit systems for weight/length/combinations.



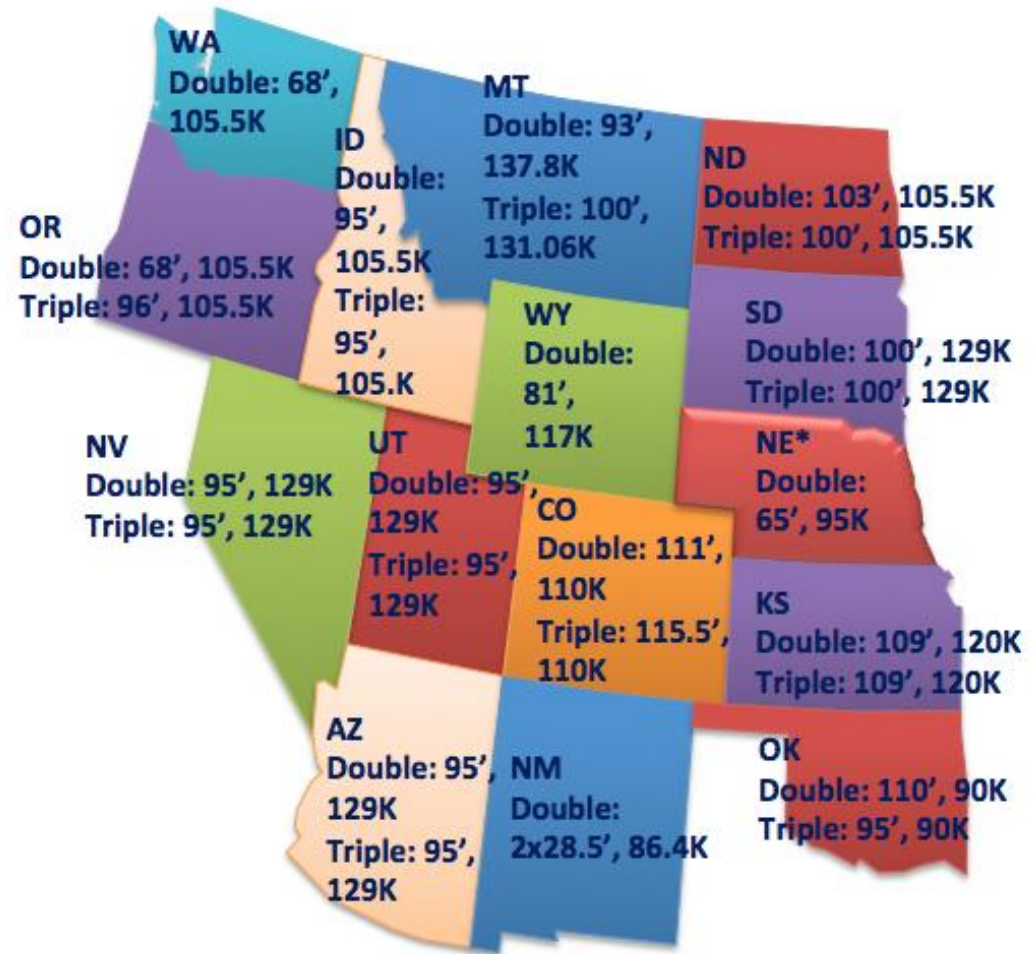
Combinations Allowed

Longer Combination Vehicles (LCV) allow trucks to haul more in a single load. There are three common types: Rocky Mountain Doubles (RMD), Turnpike Doubles (TPD), and Triple Trailers (TT). These longer combination vehicles are primarily allowed in Western States but are also permitted on some turnpikes.



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*Nebraska empty doubles and triples: 95'

States Permitting Longer Combination Vehicles (LCVs)		
State	Types of LCVs permitted by the State	Types of LCVs permitted by the Turnpike Authority
Alabama	None	
Alaska	Turnpike doubles & Rocky Mountain doubles	
Arizona	None	
Arkansas	None	
California	None	
Colorado	ALL LCV types	
Connecticut	None	
Delaware	None	
District of Columbia	None	
Florida		Turnpike doubles & Rocky Mountain doubles
Georgia	None	
Hawaii	None	
Idaho	ALL LCV types	
Illinois	None	
Indiana		ALL LCV types
Iowa	None	
Kansas		ALL LCV types
Kentucky	None	
Louisiana	None	
Maine	None	
Maryland	None	
Massachusetts		Turnpike doubles & Rocky Mountain doubles

Michigan	None	
Minnesota	None	
Mississippi	None	
Missouri	None	
Montana	ALL LCV types	
Nebraska	ALL LCV types	
Nevada	ALL LCV types	
New Hampshire	None	
New Jersey	None	
New Mexico	None	
New York		Turnpike doubles & Rocky Mountain doubles
North Carolina	None	
North Dakota	ALL LCV types	
Ohio		ALL LCV types
Oklahoma	ALL LCV types	
Oregon	Triple Trailers & Rocky Mountain doubles	
Pennsylvania	None	
Rhode Island	None	
South Carolina	None	
South Dakota	ALL LCV types	
Tennessee	None	
Texas	None	
Utah	ALL LCV types	
Vermont	None	
Virginia	None	
Washington	Rocky Mountain doubles	

Wisconsin	None	
Wyoming	Rocky Mountain doubles	

Western States Transportation Alliance Triples Survey														
State	Triples Combination Overall Length	Load Space Length	Trailer Length Variance Allowed	Gross Weight Limits	Axle Weight Limits Single/Tandem	Route Restrictions	Holiday Restrict	Weather Restrict	Extra Equipment Requirements	Signs Req'd	Driver Requirements	Safety Requirements	Permit Revocation Possibility	Other Information or Comments
Arizona	None	95'		111,000 123,500, 1-15 - 129,000	Legal 20/34	YES	NO	YES	Heavy duty 5th wheel, solid type king-pin, specific hitch connectors, axles & brakes. Mud flaps or splash guards.	NO	Yes - Triples CDL endorsement, special triples instruction.	All multiple trailer combinations shall be driven in the right hand traffic lane.		Must maintain 20 MPH on all up-grades.
Colorado	No overall length limit for triples. Allowable trailer lengths determine overall length. Truck/trailer combination is limited to 85'.	115.5'	Three 28'6" trailers; or one trailer not to exceed 48' and one 28'6" trailer; or two trailers of "approximately equal lengths" not to exceed 48' each.	110,000 - subject to W=800(L+40) or Federal Bridge Formula - whichever is less.	20/36	YES	Yes	Yes	No fewer than 6 axles, no more than 9 axles. Tires must conform to DPS standards. King pin must be solid type. Specific hitch, draw bar, axles and brake requirements.	No	Yes - Triples CDL endorsement, driver cannot have had any suspension of driving privileges in any State during the past 3 yrs where such suspension arose out of the operation of a motor vehicle used as a contract or common carrier of person or property. Driver must be certified by the motor carrier permit holder's safety office (written/road test).	Must have established safety program that conforms with Colorado rules & regulations for LCVs. Subject to different hours of operation restrictions.	Yes	Must maintain 20 MPH on all up-grades and can maintain 20 MPH after stopping on any such grade.
Idaho	115'	95'		105,500	Legal 20/34 - axle spacing must comply with Idaho Code 49-1001	YES		YES - refer to rule	Subject to CMOT - calculated maximum off-tracking limits. Fifth wheel, drawbar & other coupling devices must comply with FMCSR 393.70.		Yes - Triples CDL endorsement.	Evidence of insurance must be kept in permitted vehicle. Weight of trailer in combination cannot exceed more than 4,000 lbs. heavier than the trailer in front of it.	YES	Must maintain 15 MPH on all up-grades. Additional information can be located at: http://adminrules.idaho.gov/rules/current/39/0322.pdf
Kansas	119'	95', 109'		120,000	Legal 20/34	YES	YES	YES	Minimum of 6 axles, no more than 9 axles. All axles except steer must have dual wheels. Antispray mudguards must be attached to the rear of all axles except the steering axle. Heaviest trailers placed forward. Convex mirrors on both sides of cab.		Yes - triples CDL endorsement. Must have passed SVC training program and road test. Must have 2 years tractor semi-trailer experience and 1 year doubles experience.	Hazardous cargo is prohibited. SVC must be stable at all times during normal braking and normal operation without swerving or shifting.		Must maintain 40 MPH on all up-grades.
Montana	105' (cab over) or 110' (conv. T)	The 100-foot cargo-carrying length is only with a conventional tractor within a 110-foot overall length limit. If a cabover tractor is used, the cargo length is 95 feet within a 105-foot overall length limit.	an individual cargo unit of the combination may not exceed 28 1/2 feet in length and 102 inches in width	131,060	Legal 20/34 - comply with Federal Bridge Law. Truck tractor-semitrailer-trailer combinations must have a minimum of seven axles and a maximum of nine axles	federal-aid interstate system and 2-mile radius reasonable access	No	YES	Solid kingpin, specific drawbar, axles, anti-sail mudflaps.	No	Yes - Must meet federal requirements as in 49 CFR	In no case may any trailer or semitrailer be placed in front of another trailer or semitrailer which carries an appreciably heavier load. The heaviest trailer or semitrailer shall be placed in front and the lightest at the rear. An empty trailer or semitrailer may not precede a loaded trailer or semitrailer.	Yes	No person may operate any special vehicle combination under 61-10-124 (4), MCA, at a speed greater than 55 miles per hour. Must maintain 20 MPH on all up-grades.
Nebraska	105'	95'	approx. equal length	can only travel empty	Legal	YES	YES	YES			Yes - Triples CDL endorsement. Driver must comply with all State & Federal requirements and must not have had any accidents while operating triples.			There have never been any triples combinations permits issued in NE. The ability to allow was created in 1990 before ISTEA passed so that a trailer manufacturer could use triples combinations to transport empty, new trailers. It has never been done.
Nevada	NONE	Tractor w/2-3 trailers: 95'; Truck w/1-2 trailers: 98'	NO	129,000	Legal 20/34K	YES	NO	NO	NO	NO	Yes - Triples CDL endorsement, must be 25 years old and have had a medical exam within previous 24 months and be covered by liability insurance with personal injury and property damage limits meeting state requirements.	NONE	YES	Each trailer in a combination may not exceed 48' in length. A trailer or semitrailer which is 48' in length may not be used in combination with another trailer or semitrailer which is more than 42' in length. Shorter trailer(s) must be last in combination unless heavier than other trailer(s).
North Dakota	110'	100'		105,500	Legal 20/34K	All NN routes	NO	YES	Specific hitch, brakes safety chains.	YES - Long Load.	Yes - Triples CDL endorsement.	Explosives, poisons & radioactive material may not be transported.	No permits issued. Must comply length map	Lightest trailer of 3 trailers must always be operated as the rear trailer. For the first 2 trailers, the heaviest trailer must be the second trailer except when the gross weight differential with the other trailer does not exceed 5K.
Oklahoma		95'		90,000	Legal 20/34K	YES		YES	Maximum unit length is 29 feet. Specific hitch, fifth wheel, pick-up plate, king-pin, hitch connections, mudflaps & splash guards.		Yes - CDL endorsements, must have at least 2 years experience driving truck tractor trailer combinations.	Must maintain a 500 ft following distance & must drive in the right lane, except when passing or in an emergency. Explosives, poisons & radioactive material may not be transported.		Must be stable at all times during braking and normal operation. Heavier trailers placed in front of combination.
Oregon	105'	96'	+/- 8 ft.	105,500	Legal	YES	YES	YES	YES - Splash/Spray	YES - Long Load	YES - Triples CDL endorsement, 21 yoa	Carrier Must have SAT Rating, Trucks must have clean inspections	YES	Must maintain 40 MPH on level and 20 MPH on all up-grades.
South Dakota	110'	100'		129,000	Legal 20/34	YES		YES	Trailer lengths are limited to 28.5 feet.	YES - Long Load	Yes - Triples CDL endorsement.	A trailer may neither be longer than nor weight more than 3K than the trailer located immediately in front of it. Tow bars longer than 19 feet must be flagged during daylight hours and lighted at night.		Must maintain 20 MPH on grades less than 5% and then resume 20 MPH when stopped on grade except in extreme weather.
Utah		95'		129,000	Legal 20/34	YES			Heavy duty 5th wheel, solid type king-pin, specific hitch connectors, axles & brakes. Mud flaps or splash guards. No single tires allowed on single axles more than 8 feet between axles or axle groups.	Yes	Yes - Triples CDL endorsement. Safe driving record and has passed a road test administered by a qualified safety supervisor.	Heavy trailers to the front and empty trailers at the rear. Shall maintain minimum distance of 500 feet from another commercial vehicle traveling in the same direction on the same highway. Must not swerve more than 3 inches to either side when the towing vehicle is moving in a straight line.		

Recommendations

- WSTA would offer that the following recommendations would be utilized to gain support and approval of the desired “Pilot Program”.
- Set a standard weight limit for combination of commercial vehicles under program to fit maximum allowed weights from western states.
- Set standard length limit for combination of commercial vehicles under the program to fit maximum limits allowed by western states.
- Set parameters for which combination of vehicles would be allowed under the program to fit current western state statutes.
- Discuss standards for over dimension permits



Increase Productivity/Efficiency

1. Seek ways to merge new technology with statutory or policy guidelines
2. Embrace that geographical differences mean opportunities for Western States that do not exist in other parts of the country.
3. Move critical decision making on system regulation to states.
4. Ensure that proper safe guards exist to maximize potential benefits
5. Look for flexibility in new federal reauthorization legislation.



Western State Uniformity

1. Uniformity brings greater productivity for transportation industry and for state oversight and enforcement.
2. Uniformity allows western states to compete in both national and global markets.
3. Allows for lower costs to consumers in the market place- majority served by highway freight delivery.



Embrace New Technology

1. Weigh stations and ports of entry operations can be revamped to dramatically improve size and weight enforcement-reasonable cost.
2. Design and technology of motor vehicles provides us both benefits and challenges- we must be willing to step up to meet these issues.
3. Realize that emissions reductions, environmental goals and greater public benefit do not have to be in opposition to productive and efficient movement of goods and people.





CONTACT INFORMATION

RJ HICKS – EXECUTIVE DIRECTOR

WWW.WSTASTATES.COM

MEGA Load Inspection Stats - Port of Lewiston

01/25/2013 10:59
Prepared By: HOLLY

SAFETYNET Inspection MCSAP Quarterly Report

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Record Selection: Tagged Records
Period: (349 MONTH TOTALS)

From: IDAHO STATE POLICE/MCSAP
COMMERCIAL VEHICLE SAFETY
700 S STRATFORD RD
MERIDIAN, ID 83642-6202
Phone #: (208)884-7220 Fax #: (208)884-7192

INSPECTION ACTIVITIES:

	NON-HM VEHICLES			HM VEHICLES			BUSES		
Level 1 Inspections		30			0			0	
Vehicles OOS/OOS Violations/OOS Rate	2 /	2 /	6.67%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	2 /	2 /	6.67%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		37			0			0	
Level 2 Inspections		15			0			0	
Vehicles OOS/OOS Violations/OOS Rate	1 /	1 /	6.67%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	1 /	1 /	6.67%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		8			0			0	
Level 3 Inspections		0			0			0	
Vehicles OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		0			0			0	
Level 4 Inspections		0			0			0	
Vehicles OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		0			0			0	
Level 5 Inspections		41			0			0	
Vehicles OOS/OOS Violations/OOS Rate	8 /	10 /	19.51%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		49			0			0	
Level 6 Inspections		0			0			0	
Vehicles OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
Drivers OOS/OOS Violations/OOS Rate	0 /	0 /	0.00%	0 /	0 /	0.00%	0 /	0 /	0.00%
No. Other Violations		0			0			0	
Total Inspections		86			0			0	

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SAFETYNET
Inspection MCSAP Quarterly Report

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INSPECTION ACTIVITIES:

Total Number of Intrastate Carrier Driver/Vehicle Inspections: 0
Total Number of Interstate Carrier Driver/Vehicle Inspections: 86
Total Inspections: 86
MCSAP eligible inspections conducted by Local Enf. Jurisdictions: 0

	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>	<u>Level 4</u>	<u>Level 5</u>	<u>Level 6</u>	<u>Total</u>
Total Inspections	30	15	0	0	41	0	86
Off Peak Inspections	8	2	0	0	5	0	15
Percentage Off Peak	26.67%	13.33%	0.00%	0.00%	12.20%	0.00%	17.44%
Inspection w/ CVSA Decal	27	0	0	0	39	0	66
Number of CVSA Decals	43	0	0	0	87	0	130

SAFETYNET
Inspection MCSAP Quarterly Report

VIOLATIONS BY TYPE:

Driver	TRUCKS		BUSES	
	Total	OOS Violations	Total	OOS Violations
Medical Certificate	1	0	0	0
False Record of Duty Status	0	0	0	0
No RODS / RODS not current	1	1	0	0
10/11 & 14/15 Hours	0	0	0	0
15/20 Hours	0	0	0	0
60/70/80 Hours	0	0	0	0
All Other Hours-of-Service	0	0	0	0
Disqualified Drivers	2	2	0	0
Drugs	0	0	0	0
Alcohol	0	0	0	0
Seat Belt	0	0	0	0
Traffic Enforcement	0	0	0	0
Radar Detectors	0	0	0	0
All Other Driver Violations	4	0	0	0
Failure to Obey Traffic Cntrl Device	0	0	0	0
Following too Close	0	0	0	0
Improper Lane Change	0	0	0	0
Improper Passing	0	0	0	0
Reckless Driving	0	0	0	0
Speeding	0	0	0	0
Improper Turns	0	0	0	0
Size and Weight	1	0	0	0
Failure to Yield Right of Way	0	0	0	0
State/Local Hours of Service	0	0	0	0
Total Driver Violations	9	3	0	0

SAFETYNET
Inspection MCSAP Quarterly Report

Vehicle	TRUCKS		BUSES	
	Total	OOS Violations	Total	OOS Violations
Brakes, Out of Adjustment	3	0	0	0
Brakes, All Others	48	5	0	0
Coupling Devices	0	0	0	0
Fuel Systems	0	0	0	0
Frames	3	0	0	0
Lighting	13	3	0	0
Steering Mechanism	1	0	0	0
Suspension	0	0	0	0
Tires	3	1	0	0
Wheels, Studs, Clamps, Etc.	0	0	0	0
Load Securement	5	3	0	0
Windshield	1	0	0	0
Exhaust Discharge	0	0	0	0
Emergency Equipment	3	0	0	0
Periodic Inspection	0	0	0	0
All Other Vehicle Defects	21	1	0	0
Total Vehicle Violations	101	13	0	0
Hazardous Materials	TRUCKS			
	Total	OOS Violations		
Shipping Paper	0	0		
Improper Placarding	0	0		
Accept. Shipment Improperly Marked	0	0		
Improper Blocking and Bracing	0	0		
No Retest & Inspection (Cargo Tank)	0	0		
No Remote Shutoff Control	0	0		
Use of Non-Specification Container	0	0		
Emergency Response	0	0		
All Other HM Violations	0	0		
Total Hazardous Materials Violations	0	0		
Total Violations	110	16	0	0

SAFETYNET
Inspection MCSAP Quarterly Report

REVIEW ACTIVITIES:

	<u>Non-HM Carrier</u>	<u>HM Carrier</u>	<u>HM Carrier/Shipper</u>	<u>Number Deleted</u>
Educational Contacts (Intrastate)	0	0	0	0
Educational Contacts (Interstate)	0	0	0	0
Compliance Reviews (Intrastate)	0	0	0	0
Compliance Reviews (Interstate)	0	0	0	0
HM Shipper Only Reviews			0	

OOS VERIFICATION:

No. Repaired at Scene	10
No. Towed/Escorted	0

ACTIVITIES CONDUCTED IN CONJUNCTION WITH AN INSPECTION:

Alcohol/Controlled Substance Check	0
Drug Interdiction Searches	0
Drug Interdiction Arrests	0
Size and Weight Enforcement	0
Traffic Enforcement	0

COVERT ACTIVITIES:

No. Vehicles/Drivers First Observed at the Scene	0
No. Vehicles/Drivers Rechecked After Leaving	0
No. Vehicles/Drivers Rechecked Still in Violation	0
No. Citations Issued	0
Total Duration of Covert/Verification Activity	0

SAFETYNET
Federal Violation Table

Federal Violation Code	Description	Vio. Category
390.21G3	IEP failing to mark/identify equipment with "USDOT" Number as required.	30
390.33-XS	Operating a Motor Coach or other Passenger Carrying vehicle with seating, secured or unsecured, in excess of the manufacturer's designed seating capacity.	30
390.35	Fraudulent record(s).	14
390.35B-MED	Operating a CMV while possessing a fraudulent medical certificate	14
390.3E1	Mexico-domiciled carrier failing to display a current CVSA decal as required by 385.103(c)	30
391.11B1	Driving a CMV in Interstate Commerce and driver is less than 21 years of age	14
391.11B2	Driver cannot read or speak the English language sufficiently to respond to official inquiries.	14
391.11B2S	Driver must be able to understand highway traffic signs and signals in the English language	14
391.11B4	Driver not physically qualified	14
391.11B5-DEN	Driver operating a CMV without proper endorsements or in violation of restrictions.	14
391.11B5-DNL	Driver does not have a valid operator's license for the CMV being operated.	14
391.15A	Driving a CMV while disqualified	8
391.15A-NSIN	Driving a CMV while disqualified. Suspended for non-safety-related reason and in the state of driver's license issuance.	8
391.15A-NSOUT	Driving a CMV while disqualified. Suspended for a non-safety-related reason and outside the state of driver's license issuance.	8
391.15A-SIN	Driving a CMV while disqualified. Suspended for safety-related or unknown reason and in the state of drivers license issuance.	8
391.15A-SOUT	Driving a CMV while disqualified. Suspended for a safety-related or unknown reason and outside the driver's license state of issuance	8
391.41A	No medical certificate in driver's possession	1
391.41A-F	Operating a property-carrying vehicle without possessing a valid medical certificate.	1
391.41A-FPC	Operating a property-carrying vehicle without possessing a valid medical certificate. Previously Cited on [DATE]	1
391.41A-P	Operating a passenger-carrying vehicle without possessing a valid medical certificate.	1
391.43H	Improper medical examiners certificate form	1
391.45B	Expired medical examiner's certificate	1
391.49J	No valid medical waiver in drivers possession	1
392.10A1	Failure to stop at railroad crossing - Bus transporting passengers	12
392.10A2	Failure to stop at railroad crossing - CMV transporting Division 2.3 Chlorine	12
392.10A3	Failure to stop at railroad crossing - CMV requiring display of HM placards	12
392.10A4	Failure to stop at railroad crossing - HM Cargo Tank vehicle	12
392.11	Commercial Vehicle failing to slow down approaching a railroad crossing.	12
392.14	Failed to use caution for hazardous condition	12
392.16	Failing to use seat belt while operating CMV	11
392.2	Violation of Local Laws - Explain:	14
392.2-INAT	Inattentive Driving	12
392.2-ML	Failure to Maintain Lane	12
392.2-SLLEWA1	State/Local Laws - Excessive weight - 1-2500 lbs over on an axle/axle groups.	47
392.2-SLLEWA2	State/Local Laws - Excessive weight - 2501-5000 lbs over on an axle/axle groups.	47
392.2-SLLEWA3	State/Local Laws - Excessive weight - More than 5000 lbs over on an axle/axle groups.	47
392.2-SLLEWG1	State/Local Laws - Excessive weight - 1-2500 lbs over on allowable gross weight.	47
392.2-SLLEWG2	State/Local Laws - Excessive weight - 2501-5000 lbs over on allowable gross weight	47
392.2-SLLEWG3	State/Local Laws - Excessive weight - More than 5000 lbs over on allowable gross weight.	47
392.2-SLLEWPB	State/Local Laws - Excessive weight - Posted bridge.	47
392.2-SLLS1	State/Local Laws - Speeding 1-5 miles per hour over the speed limit	45
392.2-SLLS2	State/Local Laws - Speeding 6-10 miles per hour over the speed limit.	45
392.2-SLLS3	State/Local Laws - Speeding 11-14 miles per hour over the speed limit.	45
392.2-SLLS4	State/Local Laws - Speeding 15 or more miles per hour over the speed limit.	45

SAFETYNET
Federal Violation Table

Federal Violation Code	Description	Vio. Category
392.2-SLLSWZ	State/Local Laws - Speeding work/construction zone.	45
392.2-SLLT	State/Local Laws - Operating a CMV while texting	14
392.22A	Failing to use hazard warning flashers	12
392.22B	Failure to place or improper placement of warning devices on the road surface	14
392.2AU	State Operating Authority violation	30
392.2C	Failure to obey traffic control device	40
392.2DH	Headlamps - Failing to dim when required	14
392.2DIM	Dimension Violation (Width / Height / Length)	30
392.2DL	Miscellaneous Drivers License Violation	14
392.2FC	Following too close	41
392.2FT	State or International Fuel Tax (IFTA) Violation	14
392.2H	State/Local Hours of Service	49
392.2IN	State Insurance Violation	30
392.2IRP	IRP Apportioned Tag or Registration Violation	30
392.2LC	Improper lane change	42
392.2LV	Lane Restriction violation	14
392.2MI	Miscellaneous Traffic Law Violation	14
392.2P	Improper passing	43
392.2PK	Unlawfully parking and/or leaving vehicle in the roadway	14
392.2R	Reckless driving	44
392.2RG	State vehicle registration or License Plate violation	30
392.2RR	Railroad Grade Crossing violation	14
392.2T	Improper turns	46
392.2UCR	Failure to pay UCR Fee	30
392.2W	Excessive Weight violation	47
392.2WC	Wheel (Mud) Flaps missing or defective	30
392.2Y	Failure to yield right of way	48
392.3	Operating a CMV while ill or fatigued	14
392.3-FPASS	Fatigue - Operate a passenger-carrying CMV while impaired by fatigue.	14
392.3-FPROP	Fatigue - Operate a property-carrying CMV while impaired by fatigue	14
392.3-I	Illness - Operate a CMV while impaired by illness or other cause.	14
392.33	Operating CMV with lamps/reflectors obscured	14
392.4A	Driver on duty and under the influence of, or using a narcotic drug / amphetamine, which renders the driver incapable of safe operation.	9
392.5A	Driver consuming an intoxicating beverage within 4 hours before operating a motor vehicle	10
392.5A3	Driver in possession of intoxicating beverage while on duty or driving.	10
392.5C2	Violating OOS order pursuant to 392.5(a)/(b)	10
392.6	Scheduling a run which would necessitate the vehicle being operated at speeds in excess of the prescribed	14
392.60A	Unauthorized passenger on board CMV	14
392.62	Unsafe bus operations	14
392.62A	All standees on a bus are to be rearward of the white standee line	14
392.62C1	Bus - baggage/freight restricts driver oper	14
392.62C2	Bus - Exit(s) obstructed by baggage/freight	14
392.62C3	Passengers not protected from falling baggage	14
392.63	Pushing/towing a loaded bus	14
392.64	Riding within the closed body of a commercial vehicle without exits	30
392.71A	Using or equipping a CMV with radar detector	13
392.7A	Driver failing to conduct pre-trip inspection	14
392.7B	Driver failing to conduct a pre-trip inspection of Intermodal Equipment	14
392.8	Failing to inspect/use emergency equipment	14
392.80A	Driving a commercial motor vehicle while Texting	14
392.82A1	Using a hand-held mobile telephone while operating a CMV	14
392.82A2	Allowing or requiring a driver to use a hand-held mobile telephone while operating a CMV	14

CVSA North American Standard Inspection Levels

http://www.cvsa.org/programs/nas_levels.php

LEVEL I

North American Standard Inspection – An inspection that includes examination of driver's license; medical examiner's certificate and Skill Performance Evaluation (SPE) Certificate (if applicable); alcohol and drugs; driver's record of duty status as required; hours of service; seat belt; vehicle inspection report(s) (if applicable); brake systems; coupling devices; exhaust systems; frames; fuel systems; lighting devices (headlamps, tail lamps, stop lamps, turn signals and lamps/flags on projecting loads); securement of cargo; steering mechanisms; suspensions; tires; van and open-top trailer bodies; wheels, rims and hubs; windshield wipers; emergency exits and/or electrical cables and systems in engine and battery compartments (buses), and HM/DG requirements as applicable. HM/DG required inspection items will be inspected by certified HM/DG inspectors.

LEVEL II

Walk-Around Driver/Vehicle Inspection – An examination that includes each of the items specified under the North American Standard Level II Walk-Around Driver/Vehicle Inspection Procedure. As a minimum, Level II inspections must include examination of: driver's license; medical examiner's certificate and Skill Performance Evaluation (SPE) Certificate (if applicable); alcohol and drugs; driver's record of duty status as required; hours of service; seat belt; vehicle inspection report(s) (if applicable); brake systems; coupling devices; exhaust systems; frames; fuel systems; lighting devices (headlamps, tail lamps, stop lamps, turn signals and lamps/flags on projecting loads); securement of cargo; steering mechanisms; suspensions; tires; van and open-top trailer bodies; wheels, rims and hubs; windshield wipers; emergency exits and/or electrical cables and systems in engine and battery compartments (buses), and HM/DG requirements as applicable. HM/DG required inspection items will be inspected by certified HM/DG inspectors. It is contemplated that the walk-around driver/vehicle inspection will include only those items, which can be inspected without physically getting under the vehicle.

LEVEL III

Driver/Credential Inspection – An examination that includes those items specified under the North American Standard Level III Driver/Credential Inspection Procedure. As a minimum, Level III inspections must include, where required and/or applicable, examination of the driver's license; medical examiner's certificate and Skill Performance Evaluation (SPE) Certificate; driver's record of duty status; hours of service; seat belt; vehicle inspection report(s); and HM/DG requirements. Those items not indicated in the North American Standard Level III Driver/Credential Inspection Procedure shall not be included on a Level III inspection.

LEVEL IV

Special Inspections – Inspections under this heading typically include a one-time examination of a particular item. These examinations are normally made in support of a study or to verify or refute a suspected trend.

LEVEL V

Vehicle-Only Inspection – An inspection that includes each of the vehicle inspection items specified under the North American Standard Inspection (Level I), without a driver present, conducted at any location.

LEVEL VI

North American Standard Inspection for Transuranic Waste and Highway Route Controlled Quantities (HRCQ) of

Radioactive Material – An inspection for select radiological shipments, which include inspection procedures, enhancements to the North American Standard Level I inspection, radiological requirements, and the *North American Standard Out-of-Service Criteria for Transuranic Waste and Highway Route Controlled Quantities (HRCQ) of Radioactive Material*.

As of January 1, 2005, all vehicles and carriers transporting highway route controlled quantities (HRCQ) of radioactive material are regulated by the U.S. Department of Transportation and required to pass the North American Standard Level VI Inspection.

Previously, U.S. Department of Energy (DOE) voluntarily complied with the North American Standard Level VI Inspection Program requirements.

Select radiological shipments include highway route controlled quantities (HRCQ) of radioactive material as defined by Title 49 CFR Section 173.403. And, because only a small fraction of transuranics are HRCQ, DOE has decided to include its transuranic waste shipments in the North American Standard Level VI Inspection Program.

LEVEL VII

Jurisdictional Mandated Commercial Vehicle Inspection – An inspection that is a jurisdictional mandated inspection program that does not meet the requirements of any other level of inspection. An example will include inspection programs such as, but not limited to: school buses; limousines; taxis; shared ride; hotel courtesy shuttles, and other intrastate/intraprovincial operations. These inspections may be conducted by CVSA-certified inspectors, other designated government employees or jurisdiction approved contractors. Inspector training requirements shall be determined by each jurisdiction. No CVSA decal shall be issued for a Level VII inspection but a jurisdiction-specific decal may be applied.



WSTA Resolution: 2013- #1
Adopted: November 5th 2013
Western States Pilot Program

Western States Transportation Alliance (WSTA) has adopted the following resolution concerning the lifting of the federal freeze on longer combination vehicles on the Interstate Highway System and other federal- aid primary highways in certain western states through a pilot program. WSTA believes that the pilot program in these western states will demonstrate the excellent safety capabilities of longer combinations vehicles and show how these vehicles can produce significant productivity, congestion mitigation and emissions reduction benefits.

The basic requirements for the western pilot program would be as follows:

1. State participation in the pilot program is voluntary.
2. Each state wishing to participate would have to file an application with FHWA either singularly or with adjacent states they have operational agreements with.
3. States would have to issue permits to companies wishing to participate in a state's pilot program.
4. States would have the authority to adopt routes, set restrictions on operations and establish maximum length and weight standards for vehicle configurations.
5. Maximums for length for the pilot program would set at 100' cargo length and maximum weight would be 129,000 pounds, including current federal axle and bridge formula weight limits.
6. Carriers deemed high risk by USDOT would be prohibited from participating.
7. To ensure that only safe drivers participate in the pilot, any driver convicted of serious safety violation would not be allowed to operate pilot program vehicles.
8. Vehicle equipment requirements will enhance safety and regulatory compliance.
9. Establishes a pilot program for a minimum of five years while giving USDOT the option to continue the pilot program for up to five years.

10. Require FHWA to report safety and other impacts of vehicles operating under the pilot program and make recommendations to Congress based on the results of the program.
11. Allows current longer vehicle combination operations to continue in each state listed in this pilot without change.
12. Calls for harmonization of state standards in the pilot program to maximize interstate commerce and program efficiency.

WSTA suggests that the following straw bill language for this pilot program.

Western States Pilot Program:

1) Section 127 of title 23, United States Code, is amended by inserting after subsection (h) the following --

“(i) Operations of certain vehicles with overall gross weight greater than eighty thousand pounds.—

(1) In general.—No State shall allow the operation of a vehicle with an overall gross weight, including all enforcement tolerances that exceeds eighty thousand pounds, unless the State law provides:

- (A) No High-Risk Carriers.**—A motor carrier deemed to be high risk by the Federal Motor Carrier Safety Administration for a period of at least three consecutive months shall be prohibited from operating such vehicles for a period of six months following the last of the consecutive months;
- (B) No High-Risk Drivers.**—A driver shall be prohibited from operating such vehicles for the duration of the pilot program from the date of conviction for any one of the following violations:
 - (i) violating an out-of-service order resulting from a violation of the Federal Motor Carrier Safety Regulations;
 - (ii) violation of Part 383.21 of title 49, Code of Federal Regulations [multiple driver licenses];
 - (iii) violation of Part 392.4 of title 49, Code of Federal Regulations [use, possession of drugs];
 - (iv) violation of Part 392.5 of title 49, Code of Federal Regulations [use of alcohol 4 hours before driving];
 - (v) violation of Part 391.41 of title 49, Code of Federal Regulations [medically unqualified];
 - (vi) violation of Part 383.51 of title 49, Code of Federal Regulations [disqualified CDL]; or
 - (vii) the driver’s license is suspended or revoked or the driver meets the disqualification definition in 49 CFR Part 383.

- (C) Participating drivers shall comply with all longer combination vehicle training requirements in 49 CFR.
- (D) Electronic Logging Device Required – All such vehicles shall be equipped with a device that automatically records a driver’s compliance with the hours of service requirements, consistent with the device standards in 49 CFR part 395.
- (E) Speed Limiters Required.—All such vehicles shall be equipped with a device designed to limit the maximum speed of the vehicle, which device shall be set to limit the speed at a maximum of sixty-five miles per hour or less.
- (F) Stability Control System Required – All such vehicles shall be equipped with a stability control system designed to prevent rollovers.

(2) Applicability.—This subsection shall not apply to the operation of vehicles or combinations thereof which the State determines could be lawfully operated within such state as of the date of enactment of this section.”

2) More productive vehicle pilot program

(a) In general.—Notwithstanding any other provision of law limiting vehicle weight or length to the contrary, and subject to compliance with this section, a State or group of states may apply to the Secretary for authority to grant permits authorizing the operation of the following types of vehicles on the Dwight D. Eisenhower System of Interstate and Defense Highways and those classes of qualifying Federal-aid Primary System highways designated by the Secretary of Transportation under section 31111(e) of title 49, United States Code, if the operation of these types of vehicles was not already lawful within such state prior to the date of enactment of this section.

(1) Longer combination vehicles.—Any combination of a truck tractor and two or more trailers or semitrailers, not exceeding three trailers or semitrailers, with a maximum property-carrying unit length of 100 feet; *Provided*, That the maximum overall gross weight of such combination shall not exceed 129,000 pounds, including enforcement tolerances, and that such combination is subject to the weight limits for single axle, tandem axle, and groups of two or more consecutive axles established in section 127(a)(2) of this title.

(2) States eligible for participation—

- a. Colorado
- b. Idaho
- c. Kansas
- d. Montana
- e. Nebraska
- f. New Mexico
- g. Nevada
- h. North Dakota
- i. Oklahoma
- j. Oregon
- k. South Dakota

- l. Utah
- m. Washington
- n. Wyoming

(b) Application process.—

(1) Information required.--In submitting an application for authority to grant permits under subsection (a), the State or group of states shall submit—

(A) The types of vehicle configurations, including the number of axles and weight limits, the applicant seeks to authorize;

(B) Any proposed vehicle requirements above Federal minimum standards to be imposed by the applicant as part of the permit criteria;

(C) The identification of specific routes which particular vehicles will be authorized to use, including an engineering safety analysis demonstrating that roadway characteristics and traffic conditions, combined with operational requirements, are likely to support the safe operation of each vehicle type;

(D) A certification by the applicant that bridge load and resistance factors have been considered and that vehicles are restricted to bridges which have an appropriate weight rating for the vehicles proposed, or in the absence of the appropriate weight rating, that the applicant has a plan to replace or improve the bridges to allow safe operation of the vehicles on such bridges;

(E) Any proposed driver qualification requirements above Federal minimum standards to be imposed by the applicant as part of the permit criteria;

(F) Any operational requirements above those set forth in subsection (c) of this section, such as but not limited to weather restrictions or speed restrictions, to be imposed by the applicant as part of the permit criteria;

(G) An estimate of any additional infrastructure costs that exceed any infrastructure savings measured by per ton-mile or other volumetric-distance measurement, for each vehicle type as compared to the costs imposed by the type of vehicle likely replaced; and

(H) The proposed permit or other fee to be charged by the applicant necessary to recoup any additional costs as estimated in subparagraph (G).

(c) Operational requirements.—No State or group of states shall issue a permit to operate any vehicle described in subsection (a) of this section unless the requirements set forth in section 127(i) of this title are incorporated as part of the permit.

(d) Review of application.—The Secretary shall approve an application if it is determined that the proposal complies with all requirements under this section and other relevant sections of this Title and Title 49, that the operation of vehicles authorized under this section can be reasonably expected to operate in a safe manner compared with vehicles likely replaced, and that any additional infrastructure costs can reasonably expect to be recovered by a permit fee or another source of revenue.

(e) Period of Pilot Program. – Each pilot program shall expire five years after initiation by the State. Upon the request of the applicant, the Secretary may grant an extension of the pilot program by up to five years.

(f) Reporting.—(1) The Secretary shall collect such information as necessary to determine the fatal, bodily injury and property damage only crash rates for the vehicles authorized by this section by major configuration type and shall publish those rates annually.

(2) For each pilot program, three years after the initiation of the pilot program, the Secretary shall submit a report to Congress to include--

(A) a comparison of fatal crash rates for vehicles authorized by this section and fatal crash rates for five-axle vehicles, by roadway type;

(B) the economic effects of operation of vehicles authorized by this section, including infrastructure costs and the impact on freight transportation costs;

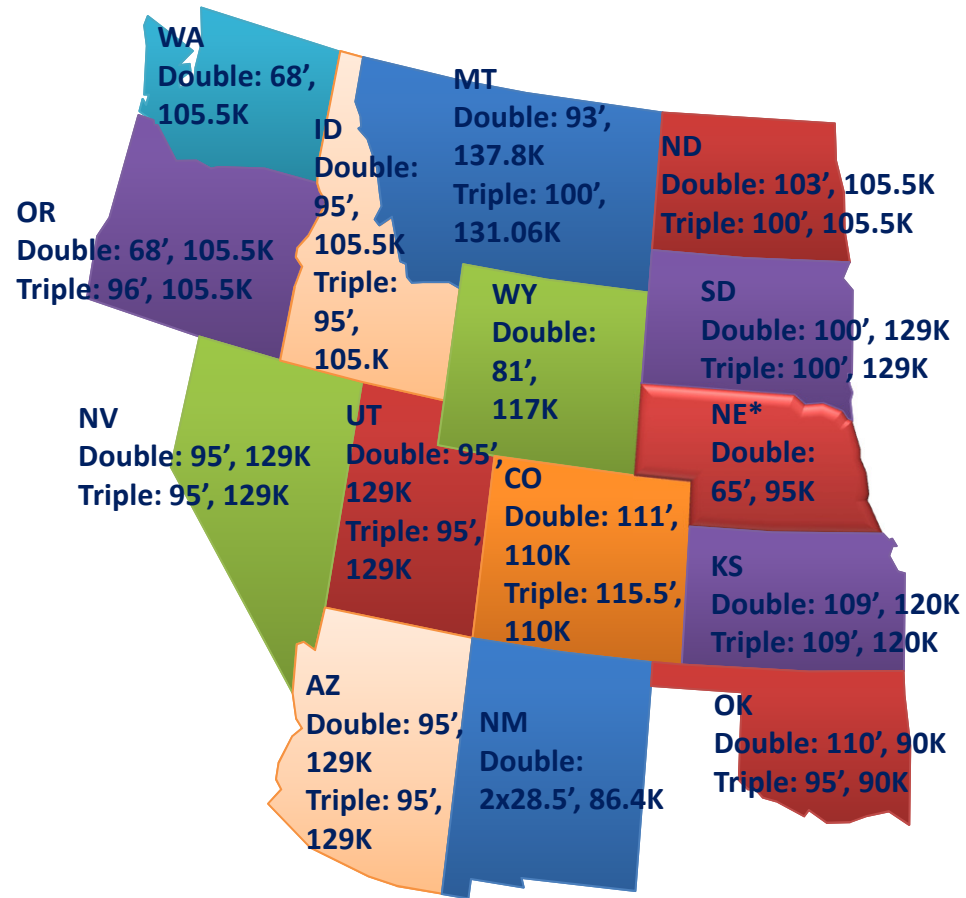
(C) the effects of operation of vehicles authorized by this section on traffic congestion, energy use, and air quality;

(D) based on the results of the pilot program, any recommended statutory changes related to vehicle limits on weight and length that are likely to contribute to improved highway safety, lower overall transportation costs, or improved air quality;

(3) The Secretary shall, on an annual basis, submit to Congress a summary of each application made by States under this section during the preceding year and the agency's determination.

(g) Policy on uniformity.—To facilitate the efficient flow of interstate commerce, the Secretary shall encourage applicants, to the extent permissible, to adopt uniform permit and operating requirements for vehicles authorized under this section.

(h) Minor adjustments.—Any State or group of states authorized by the Secretary to grant permits for vehicles under this section may apply to the Secretary for approval of changes to its original application on an expedited basis, provided such proposed changes do not expand routes of operation, increase a vehicle's maximum overall gross weight, or increase a vehicle's maximum cargo-carrying unit length. The Secretary shall review the requested changes within sixty days and approve any changes that the Secretary determines are unlikely to have a negative impact on safety.

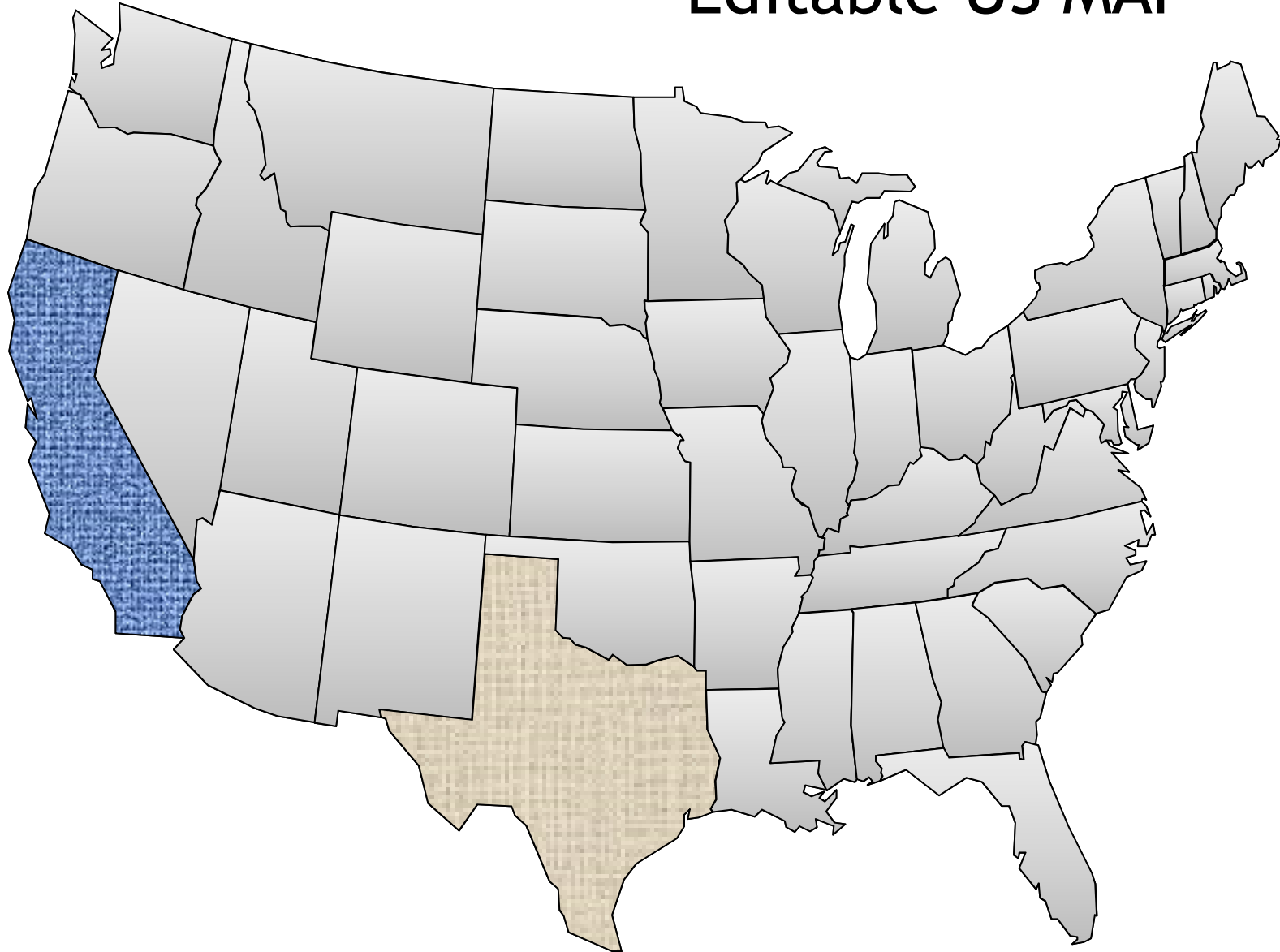


*Nebraska empty doubles and triples: 95'

Editable 3D US MAP



Editable US MAP





Commercial Vehicle Safety Alliance

Size & Weight Committee

Fall 2015 - Jacksonville, FL

CVSA Heavy Vehicle Data Collection Effort

Heavy Vehicle Data Collection Effort

Purpose: To gather data to help determine what, if any, impact heavier weights have on a vehicle's structural components, motor carrier safety violations, and safety.

Duration: January 15th, 2012 – January 15th, 2015

Vehicle Selection: a heavy vehicle should be included:

- 1.) When it is weighed and found to be over the allowable:
 - (a) axle weight; and/or
 - (b) axle group weight; and/or
 - (c) gross vehicle weight for the roadway on which it is operating.

OR

- 2.) When operating under a special permit for weight.



Data Collection

- Special Study Field 9: measured gross vehicle combination weight
- Special Study Field 10:
 - “HWP”, for vehicles possessing a special weight permit
 - “HW” for vehicles without a special weight permit
 - “SHVI” for Special Heavy Vehicle Inspection (WA/NC) (cooperative agreement)

General Inspection Information

Timeframe	No. CMV		
	Inspections	No. CMV OOS	CMV OOS Rate
6 month	2485	922	37.10%
1 year	5109	1830	35.82%
18 month	7602	2696	35.46%
2 year	9541	3494	36.62%
30 months	10564	3961	37.50%
3 year	11352	4281	37.71%

Combination CMV	# CMVs	OOS Rate
3 year		
Yes	8888	39.33%
No	2464	31.86%

Permitted CMV	No. CMVs	OOS Rate
6 Month		
Yes	273	32.97%
No	2212	37.61%
1 Year		
Yes	435	33.79%
No	4674	36.01%
18 Month		
Yes	558	35.30%
No	7044	35.48%
2 Year		
Yes	632	35.44%
No	8909	36.70%
30 Month		
Yes	682	36.36%
No	9882	37.57%
3 Year		
Yes	723	36.65%
No	10629	37.78%

Top Violations

Violation	No. Violations	No. CMVs
CLAMP/ROTO TYPE BRAKE(S) OUT-OF-ADJUSTMENT	4165	2402
INOPERABLE REQUIRED LAMP	2198	1596
State/Local Laws - Excessive weight - 1-2500 lbs over on an axle/axle groups.	1984	1863
State/Local Laws - Excessive weight - 2501-5000 lbs over on an axle/axle groups.	1659	1589
Inspection, repair and maintenance of parts & accessories	1641	1242
CMV MFR > 10/19/94 with automatic AB adjust system fails to compensate for wear	1505	1394
BRAKES OUT OF SERVICE: THE NUMBER OF DEFECTIVE BRAKES IS EQUAL TO OR GREATER THA	1439	1429
BRAKE HOSE/TUBING CHAFFING AND/OR KINKING	997	764
Brakes (general)	984	790
Tire-other tread depth less than 2/32 of inch	975	729
No/discharged/unsecured fire extinguisher	940	928
Oil and/or grease leak	847	763
Violation of Local Laws	815	592
Inoperative Turn Signal	812	652
Operating a CMV without proof of a periodic inspection	798	610
Inoperative/defective brakes	790	593
State vehicle registration or License Plate violation	753	639
BRAKE CONNECTIONS WITH LEAKS/CONSTRICTIONS	584	519
State/Local Laws - Excessive weight - 1-2500 lbs over on allowable gross weight.	580	573
Stop lamp violations	556	487

OOS Violations (All CMVs)

Category	No. CMVs	OOS Rate
Brakes	1558	13.72%
Brake Adjustment	947	8.34%
Tires	444	3.91%
Suspension	78	0.69%
Wheels	44	0.39%
Other	1210	10.66%
Total	4281	37.71%

Weight Violations

Violation	No. CMVs	No. OOS	OOS Rate
392.2-SLLEWA1	1863	676	36.29%
392.2-SLLEWA2	1589	642	40.40%
392.2-SLLEWA3	287	138	48.08%
392.2-SLLEWG1	573	218	38.05%
392.2-SLLEWG2	310	142	45.81%
392.2-SLLEWG3	474	267	56.33%
392.2W	346	149	43.06%
Total	5010	2005	40.02%

	Tractors	Trailer
Violation Category	No. Violations	No. Violations
BRAKES, OUT OF ADJUSTMENT	2426	2111
BRAKES, ALL OTHERS	3589	3066
COUPLING DEVICES	70	39
FUEL SYSTEMS	40	3
FRAMES	86	174
LIGHTING	1888	1505
STEERING MECHANISM	289	0
SUSPENSION	91	183
TIRES	629	1126
WHEELS, STUDS, CLAMPS, ETC.	139	194
LOAD SECUREMENT	36	409
WINDSHIELD	349	0
EXHAUST DISCHARGE	154	0
EMERGENCY EQUIPMENT	610	4
PERIODIC INSPECTION	233	240
ALL OTHER VEHICLE DEFECTS	2235	1493

Vehicle Configuration	Level 1 Inspections	Level 1 Inspection Vehicle OOS Rate	Level 1 Inspection CMVs with Weight Violation	Level 1 Inspection Vehicle OOS Rate CMVs with Weight Violation
SINGLES	2951001	26.30%	82472	41.89%
DOUBLES	59799	26.76%	1813	47.66%
TRIPLES	834	17.03%	48	52.08%
TOTAL	3011634	26.30%	84333	42.02%

Conclusion

- **36 months of data.**
- **A 3 year Final report is in draft.**
- **Trucks with weight violations have high OOS rates, over 40%**
- **High brake OOS violations**

Specialized Heavy Vehicle Inspection (SHVI)

(funded by cooperative agreement)

State	No. Inspections	No. OOS	OOS Rate
NC	508	220	43.31%
TN	32	12	37.50%
WA	261	144	55.17%
Total	801	376	46.94%

Heavy and Overweight Stopping Distance Testing

2012

5 axle tractor semitrailer

Max Weight 5 Axles

Florida, Wyoming, & Michigan – up to 122,000 on 5 axles.	Allowed
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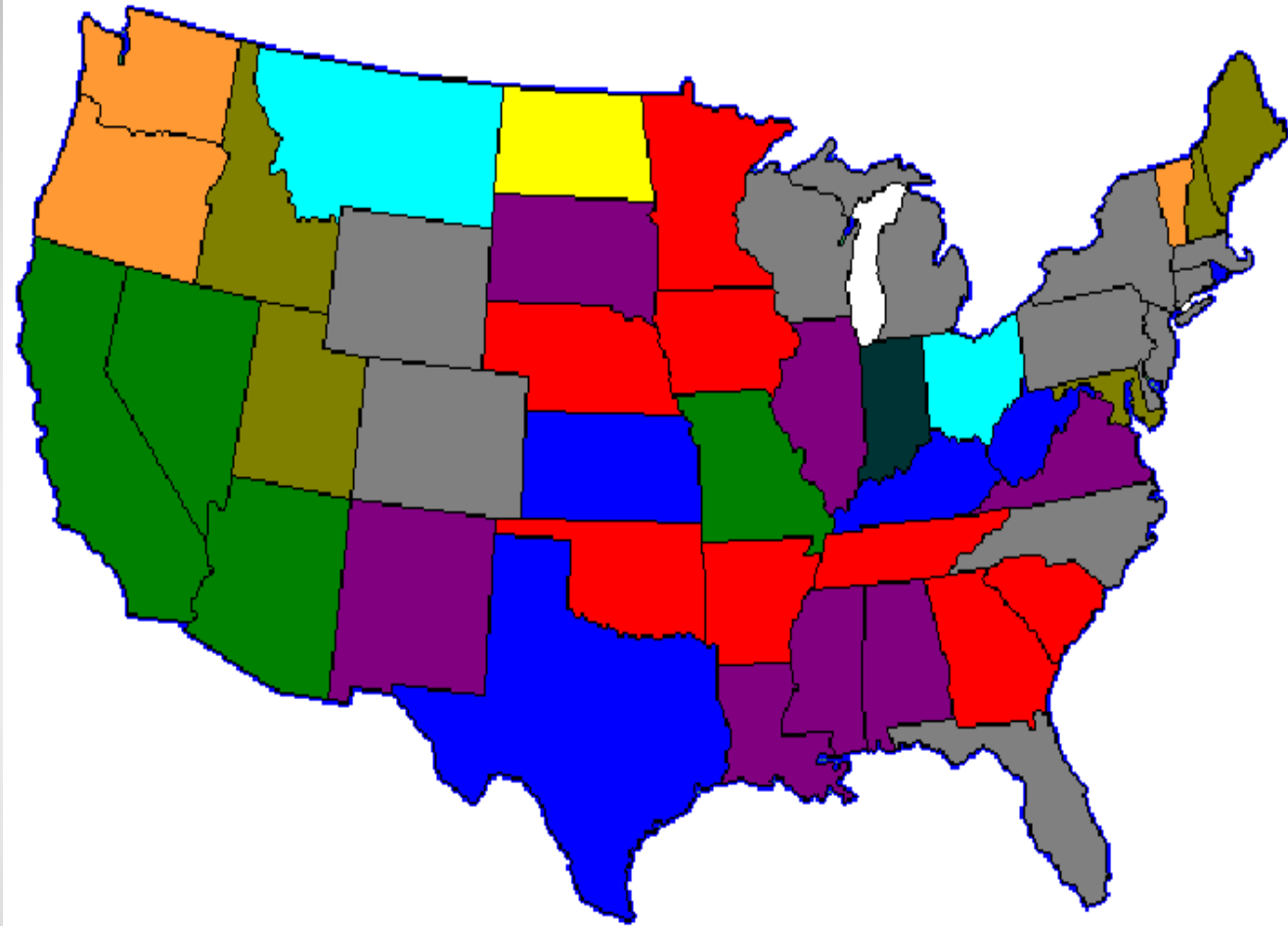
NY & NJ – Allowed up to 126,000 on 5 axles.

Massachusetts & Connecticut – Allowed
up to 128,000 on 5 axles.

Mississippi – Allows more weight depending on axle spacing's & routes.

Wisconsin – Allowed up to 142,000 on 5 axles.

Legend



92,000

102,000

112,000


96,000

104,000

116,000+

98,000

106,000

 100,000

108,000

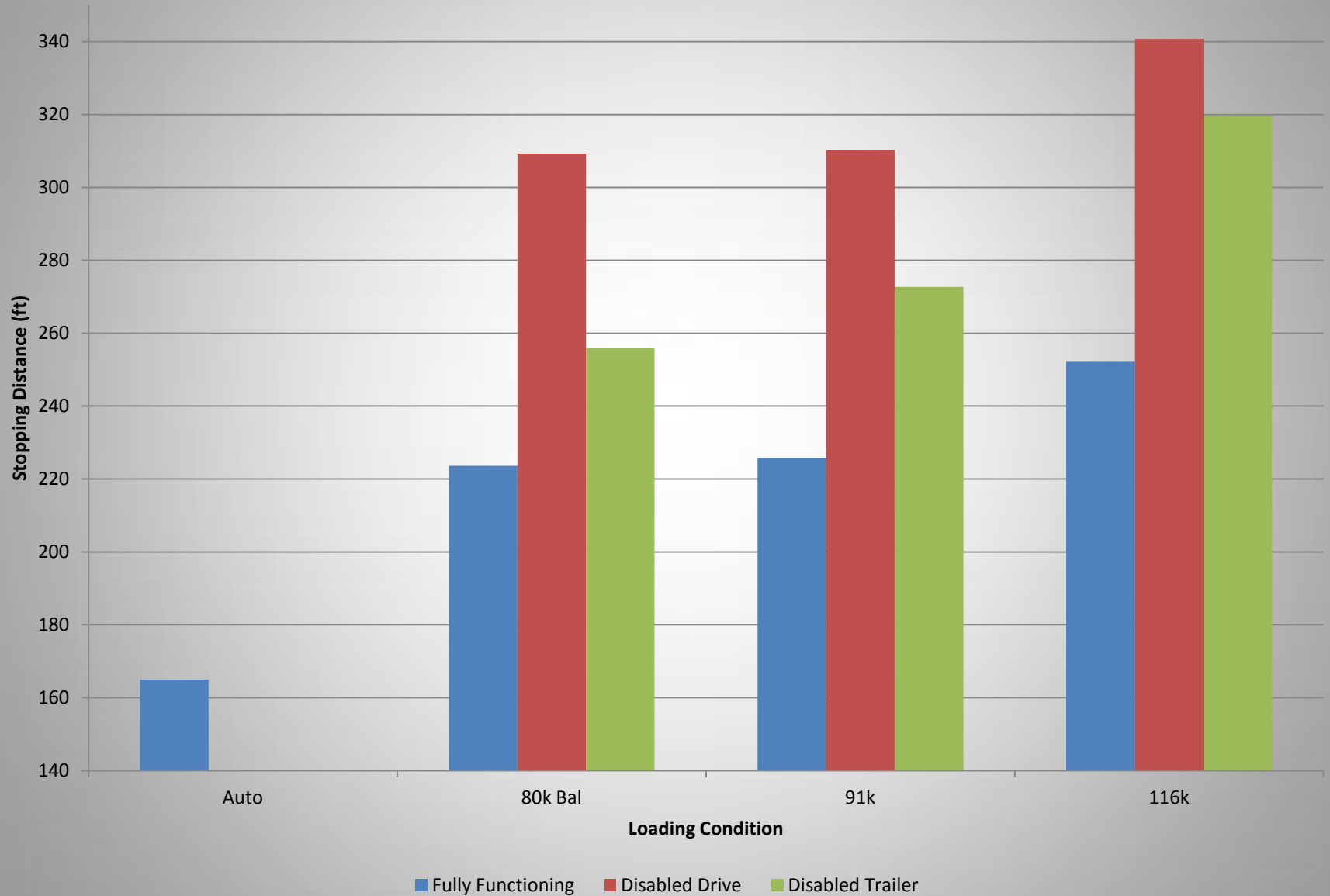
Heavy Overweight Brake Testing

- Impact on brake performance with increasing load
- Impact on brake performance with brake degradation on tractor and trailer (20%)

FY 2012 Testing

- 5 Axle Tractor/Semitrailer
- Reduced Stopping Distance Tractor
- New brakes/drums/tires
- FMVSS 121 burnish
- 20 mph, 60 mph
- Best Effectiveness
- 20% brakes out trailer
- 20% brakes out tractor.

Average Corrected Stopping Distances for 60-mph Panic Stops



FY 2013/14 Testing

- 6 Axle Tractor/Semitrailer
- Reduced Stopping Distance Tractor Test
- Re-ran with non-RSD Brakes Installed
- New brakes/drums/tires
- FMVSS 121 burnish
- 20 mph, 60 mph
- Best Effectiveness
- 2 brakes out trailer/3 brakes out trailer
- 2 brakes out tractor/3 brakes out tractor
- Steer Axle brakes out

Max Weight 6 axles

Nebraska – 102,000 on 6 axles.

SC – 107,000 on 6 axles.

West Virginia – 108,000 on 6 axles.

NC, SD, & OR – 119,000 on 6 axles.

Texas – 117,000 on 6 axles.

NM – 118,000 on 6 axles.

MS – 123,000 on 6 axles.

Georgia – 125,000 on 6 axles.

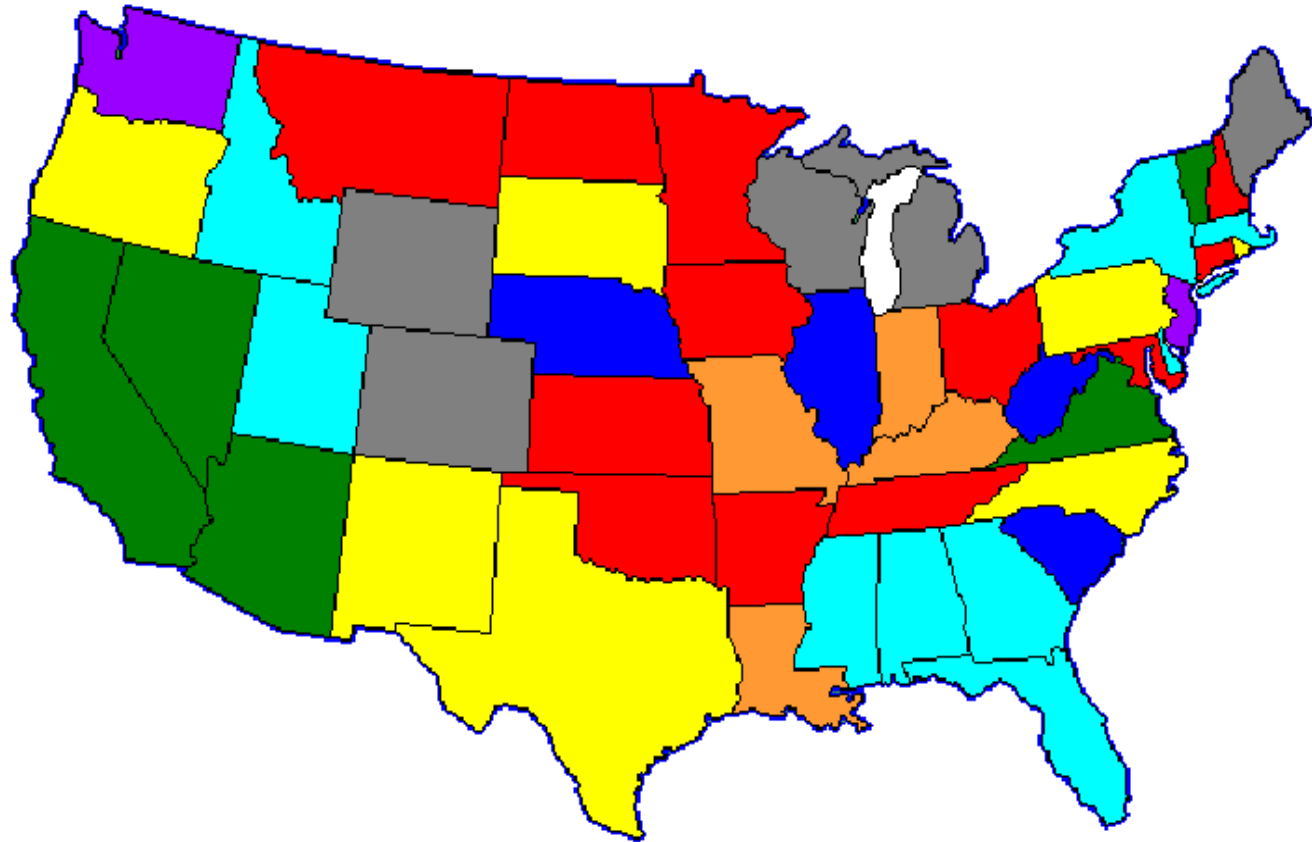
New York – 126,000 on 6 axles.

FL & UT – 127,000 on 6 axles.

Massachusetts – 128,000 on 6 axles.

Maine – 134,000 on 6 axles.

Wisconsin – 142,000 on 6 axles.



Legend

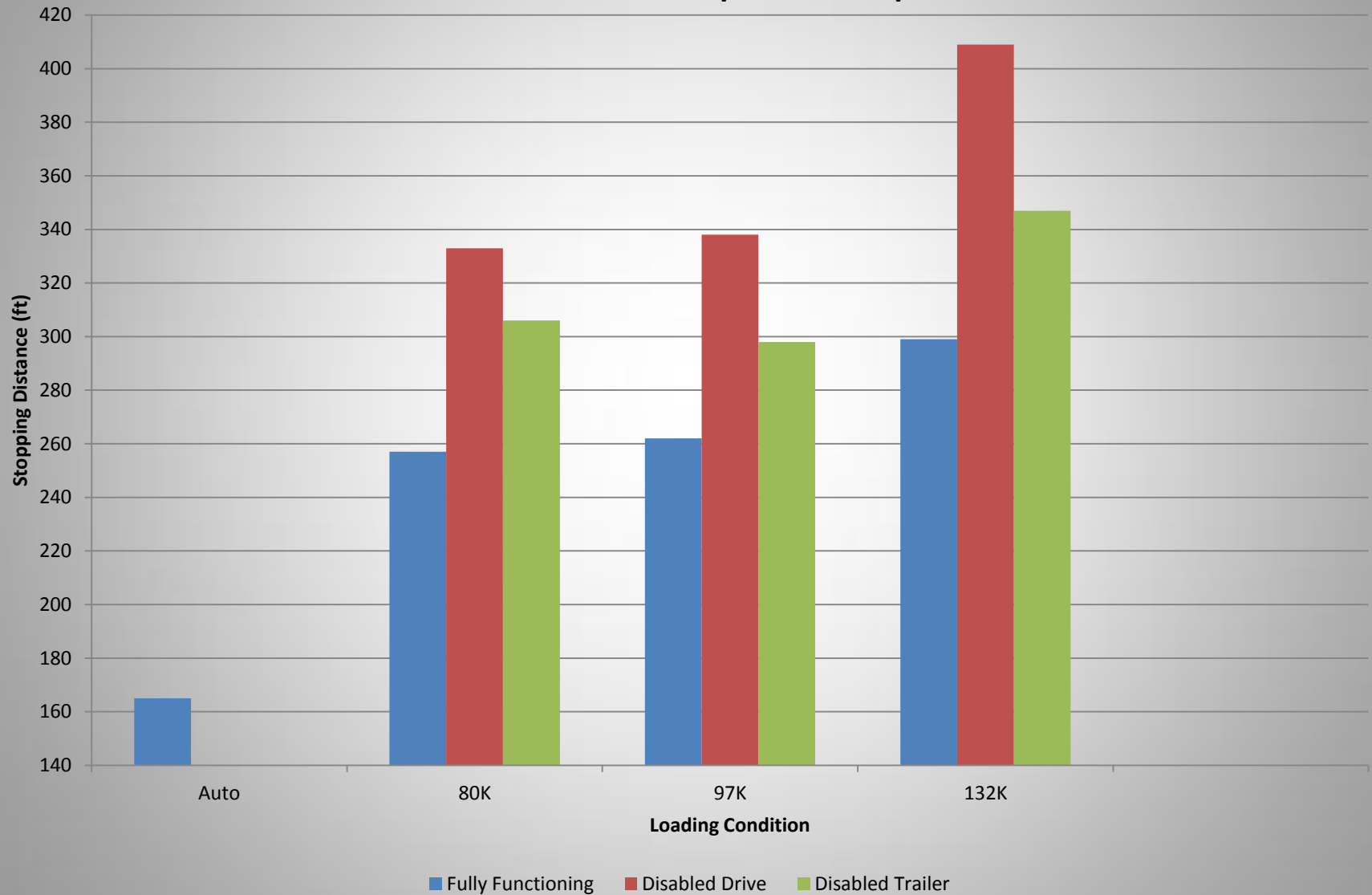
Blue 100,000-108,000 **Yellow** 116,000-119,000

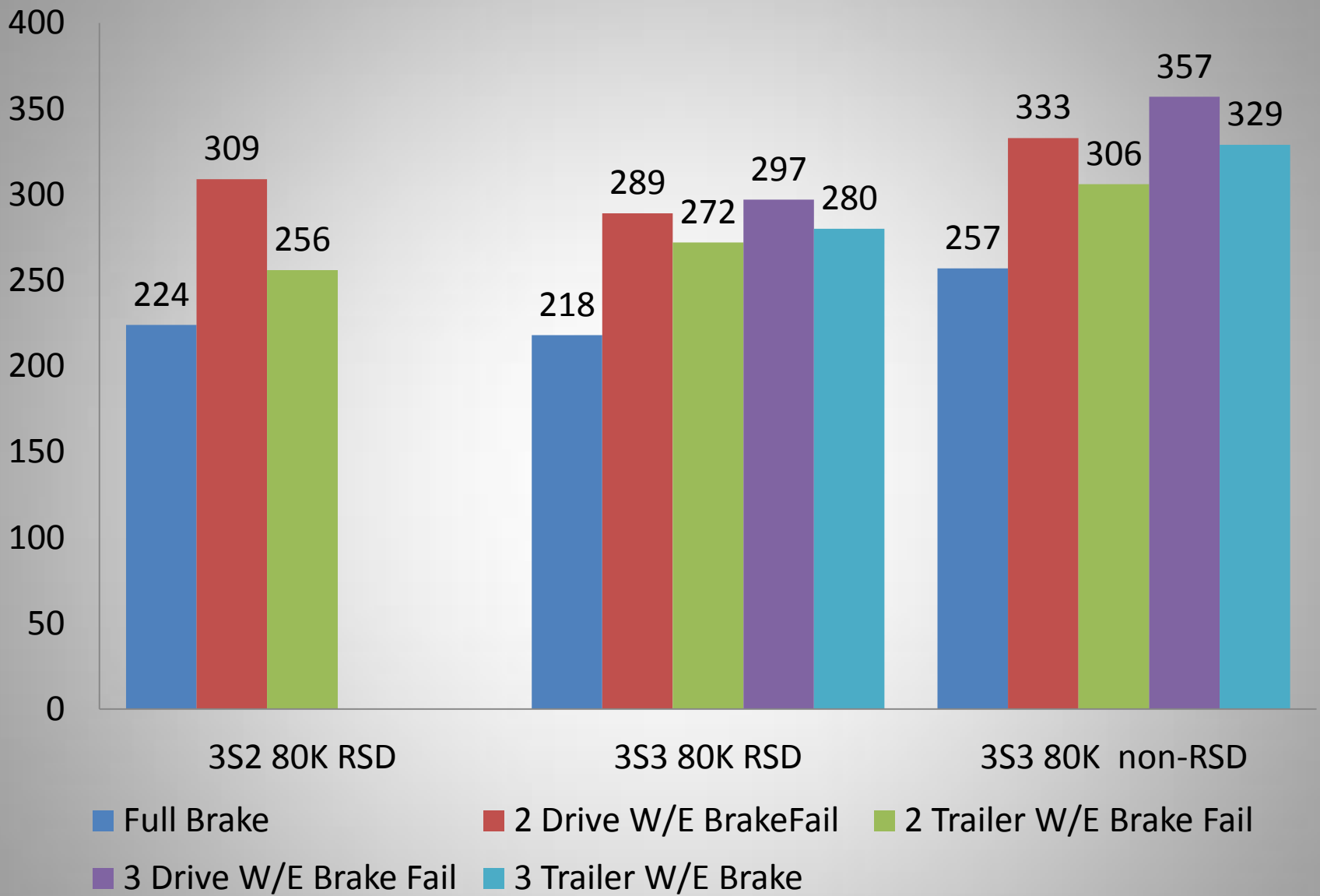
Green 109,000-110,000 **Orange** 120,000

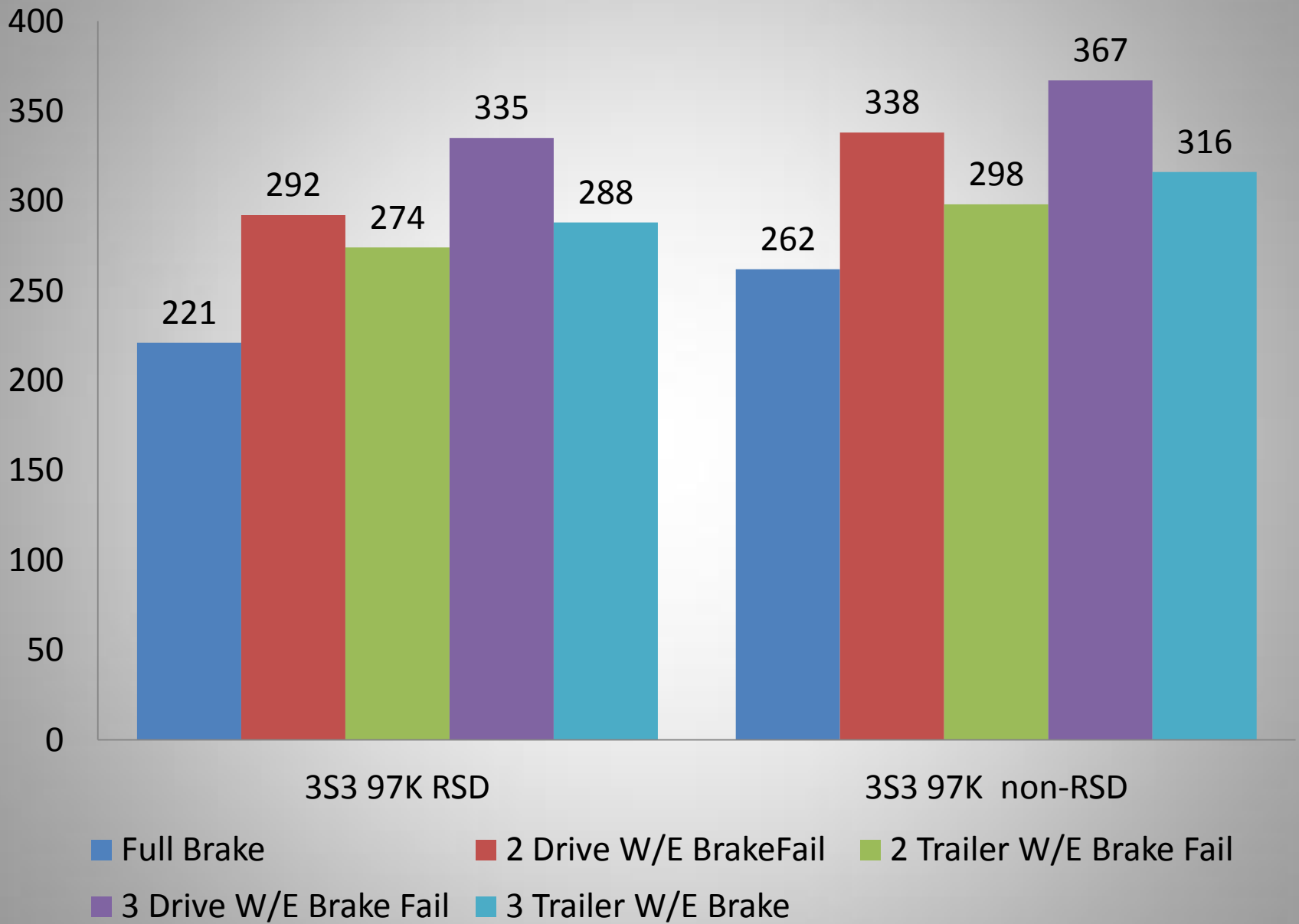
Red 112,000 **Cyan** 122,000+

Purple 113,000-114,000 **Grey** 132,000+

6 Axle Non- Reduced Stopping Distance Average Corrected Stopping Distances for 60-mph Panic Stops







Suggestions:

- State weight violations 392.2* should be included in CSA scoring
- No brake OOS violations on tow vehicle, i.e. Tractor
- Permit vehicles should have no brakes OOS
- Vehicles should not be permitted beyond GVWR

Questions?

Luke Loy, Sr. Engineer

FMCSA Vehicle and Roadside Operations Div.

Luke.Loy@dot.gov

From: Steven Todd <stodd@scrinet.org>
Subject: RE: ITD Negotiated Rulemaking
Date: April 23, 2016 at 8:46:30 AM MDT
To: Stephen Bywater <bywaterlaw@gmail.com>
Cc: "brian.ness@itd.idaho.gov" <brian.ness@itd.idaho.gov>,
"reymundo.rodriquez@itd.idaho.gov" <reymundo.rodriquez@itd.idaho.gov>, "Joel Dandrea"
<JDandrea@scrinet.org>

Mr. Stephen Bywater

Appreciated our discussion this week re proposed Idaho changes. We're most appreciative for this opportunity to provide industry input. We've long enjoyed an excellent working relationship with Idaho DOT officials including Director Brian Ness and Motor Carrier Services Manager Reymundo Rodriguez

In order for Idaho to efficiently process current and expected increased permits as result of new statutes & rules, we believe it's absolutely critical Idaho implement a fully automated permit routing and analysis system capable of "auto-issuing" a minimum of 14' wide, 14' 6" high, 110' long and 150,000 gross pounds as have dozens of states to date (see attached excel spreadsheet and powerpoint maps). In fact, please note a number of western states, primarily due to geographic landscape far exceed some of our recommended nationwide thresholds.

We along with a number of members will follow up with more detailed comments (including issue of additional designated 129k highways) in early May upon my return from our Annual Conference.

Many thanks,
Steven

Steven Todd, Vice President
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U. S. Jurisdiction Oversize/Overweight Auto Issue Thresholds

Note: The system may require review if construction or restrictions

Jurisdiction	Auto/Self Issue	Width	Height	Length	Weight	Future Plans	Current System	Comments
AL - Alabama	N					Ability to Auto/Self-Issue with Bentley System	Internal System	Testing beginning around 7/1/15
AR - Arkansas	Y	14'	14'	90'	120K	Not at this time	Bentley	
AZ - Arizona	Y	14'	16'	120'	250K	Not at this time	Bentley	
CA - California	N					Not at this time	Internal System	Annual permit limits are: Weight: Purple weight chart Width: 12' Height: legal only: 14' Length: Up to legal length No plans to increase limits
CO - Colorado	Y	14'	15'	110'	140K	Not at this time	Promiles	Possibility of that self issue height will not exceed 16' and may include width.
CT - Connecticut	N					Not at this time	Bentley	
DE - Delaware	N					Upgrade to Auto Issue	Integraph	
FL - Florida	Y	12'	14'6"	120'	Tractor/Trailer - 112K; Crane -88K	7/1/16 - increase to 199,000 pounds (Truck Tractor) and 140,000 pounds (Cranes).	PAS	No Overweight permits auto issued
GA - Georgia	Y	16'	16'	100'	150K	Not at this time	Promiles	
IA - Iowa	Y	9'	14'	120'	90K	Not at this time	Bentley	
ID - Idaho	N					Not at this time	Internal System	
IL - Illinois	Y	16'	17'	200'	120K	Auto issue up to 250K	GIS Solutions/Bentley (weight analysis)	Loads that are not auto issued ;Any route that has a weight conflict rating on a structure >/= 250000 lbs (loaded, towed or own power) (no limit to axle, tandem, triple, etc...weights other than the standard 29000 lbs per axle max and with those no structures can be crossed unless load is a trunnion/dual lane move) No trunnion moves.

U. S. Jurisdiction Oversize/Overweight Auto Issue Thresholds

Note: The system may require review if construction or restrictions

Jurisdiction	Auto/Self Issue	Width	Height	Length	Weight	Future Plans	Current System	Comments
IN - Indiana	Y	16'	3" less of lowest VC on route	110'	200K	Not at this time	Internal System	
KS - Kansas	Y	16'6"	15'	126'	120K /150K	Not at this time	ProMiles	
KY - Kentucky	N					Target "Go Live" is June or later 2016 with Bentley.	Bentley	Goal is 16'W; 13'6"H, 120'L, 160K for auto issue.
LA - Louisiana	Y	16'	15'6"	125'	232K	New permitting system/kickoff 5/19/15	Intergraph/Cambri dge	Maintained by internal IT
MA - Massachusetts	N					New System September 2015	ProMiles	Goal is auto issue goal is 130k by September 2015
MD - Maryland	N					Upgrade being done	Bentley	Will auto issue 150k, 14' 6 h, 12 w, 90 L for both state and Baltimore by first of next year
ME - Maine	N					Not at this time	Internal System	Over 178k gross, 125' long, 16' wide and 16' 1" high go to DOT for investigation – about 2 weeks. For those under those dimensions – goal is same day issuance
MI - Michigan	N					Not at this time	Bentley	Only auto issue extended annual
MN - Minnesota	Y	14'6"	14'	95'	36K tandem; 54K tridem	Increase to 14' 6"H; 110' L	Bentley	Possible update in August/September 2015
MO - Missouri	Y	16'	16'	150'	160K	18'W on interstate	Bentley	
MS - Mississippi	Y-Daylight Move Only	16"	15'6"	120'	180K	Not at this time	Internal System	Auto issue subject to maximum axle weights and minimum axle spacing's table
	Y - 24 Hour Movement	12'	13'6"	99'	150K			
MT - Montana	Y	18'	17'	150'	Based on axle configuration/ distances and weights	New System with Celtic in 2016	Internal System	Auto issue not available to Permit Services until the new system.

U. S. Jurisdiction Oversize/Overweight Auto Issue Thresholds

Note: The system may require review if construction or restrictions

Jurisdiction	Auto/Self Issue	Width	Height	Length	Weight	Future Plans	Current System	Comments
NC - North Carolina	N					Not at this time	Bentley	
ND - North Dakota	Y	18'	17'	200'	250k	Not at this time	ProMiles	Trunnions are reviewed
NE - Nebraska	Y	16' 1"	16'	150'	180K	Not at this time	Bentley	Depend on permits
NH - New Hampshire	N					Not at this time	Internal System	
NJ - New Jersey	Y	No Trigger	15'	100'	250K	Not at this time	Bentley	Auto Issue varies by route. Analysis ran if more than 15' high, 250k
NM - New Mexico	Y	16'	15'5"	120' (Trailer not greater than 90')	170K (No axle width greater than 8'6")	Not at this time	ProMiles	Any Load that does not require a Route Survey, is not Self-Propelled, does not have any Safer (FMCSA) Issues, does not have any Routing Issues or Weight Distance issues should Self-Issue. The max length on the dimensions below for a Multiple Trip is 90'
NV-Nevada	N					by 2016 – 250K; 12'W; 15'H; 110'L long	No System	Orders phoned in to the state.
NY - New York	N					New System - Promiles with auto issue capability in 2016. Dimensions not established yet.	Internal System	
OH - Ohio	Y	14'	14'6"	No Limitation	133,000/No more than 20,000 per axle	Upgrade being done	Bentley	
OK - Oklahoma	Y	16'	15'	110'	200K; Weight – as long as they match OL-1 drawing;	Not at this time	Cambridge/ Intergraph	
OR - Oregon	N					Not at this time	Internal System	
PA - Pennsylvania	Y	16'		160'	201K	New Promiles system 2017	APRAS	With current system, maybe some glitches causing manual review or depending on the area, type of hwy your running, the system may not auto issue. With new system, Superloads will still require manual review but new system allow fewer items to need reviewing. Less paper forms, more pre-established traffic control plans & better routing

U. S. Jurisdiction Oversize/Overweight Auto Issue Thresholds

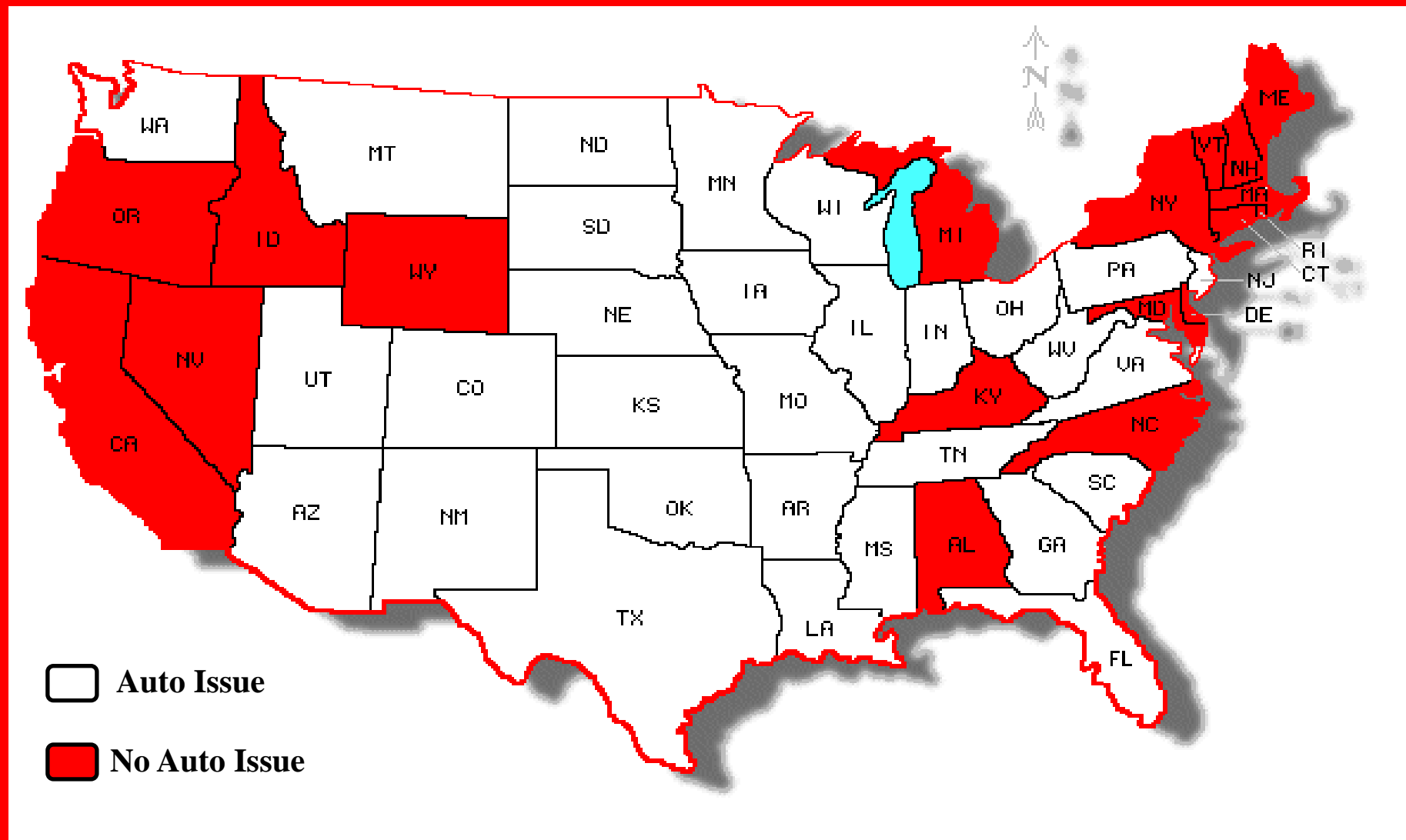
Note: The system may require review if construction or restrictions

Jurisdiction	Auto/Self Issue	Width	Height	Length	Weight	Future Plans	Current System	Comments
RI - Rhode Island	N					Not at this time	Internal System	
SC - South Carolina	Y	14'	13'6"	100"	100K	Not at this time	Bentley	Annual or Multi Trip Permits - Up to 100,000 lbs., 13'6" 14 wide Routes are all US, SC and Interstates for up to 90,000 lbs; max 40,000 a tandem. If weights exceed 40,000 on a tandem, only the routes on the map can be used. Some routes do not connect. NO Secondary travel is allowed.
SD - South Dakota	Y	14'	18'	100'	130K	Not at this time	Bentley	
TN - Tennessee	Y	16'	14'6"		150K	Not at this time	Cambridge	Weight,- provide it passes load screening process in the system. Dimensions are complicated Length – see rules manual. These are the basics.
TX - Texas	Y	16'	16'6"	110'	180K	Not at this time	ProMiles	
UT - Utah	Y	14'	14'6"	105'	125K	Not at this time	Internal System	
VA - Virginia	Y	14'	14'	100'	115K	Not at this time	Bentley	
VT - Vermont	N					Not at this time	Internal System	Orders faxed to state
WA - Washington	Y	16'	16'	125'	200K	Not at this time	Internal System	24/7 with no WSDOT (human) intervention. Above 200,000 lbs. requires engineer analysis. Exceeding 16 high and wide are SL limits that require affected area input for day, time of day, extra escorts...depending on traffic, events, construction, and other factors each affected area would need to consider.
WI - Wisconsin	Y	12'	13'6"	125'	120K	Not at this time	Internal System	If the system detects any issues, based on route selected or dimensions of the vehicle and load, it will not “auto issue
WV - West Virginia	Y	16'	15'	150'L	250K	Not at this time	Bentley	
WY - Wyoming	N					Not at this time	No System	Wyoming does not have an automated permits system at this time.

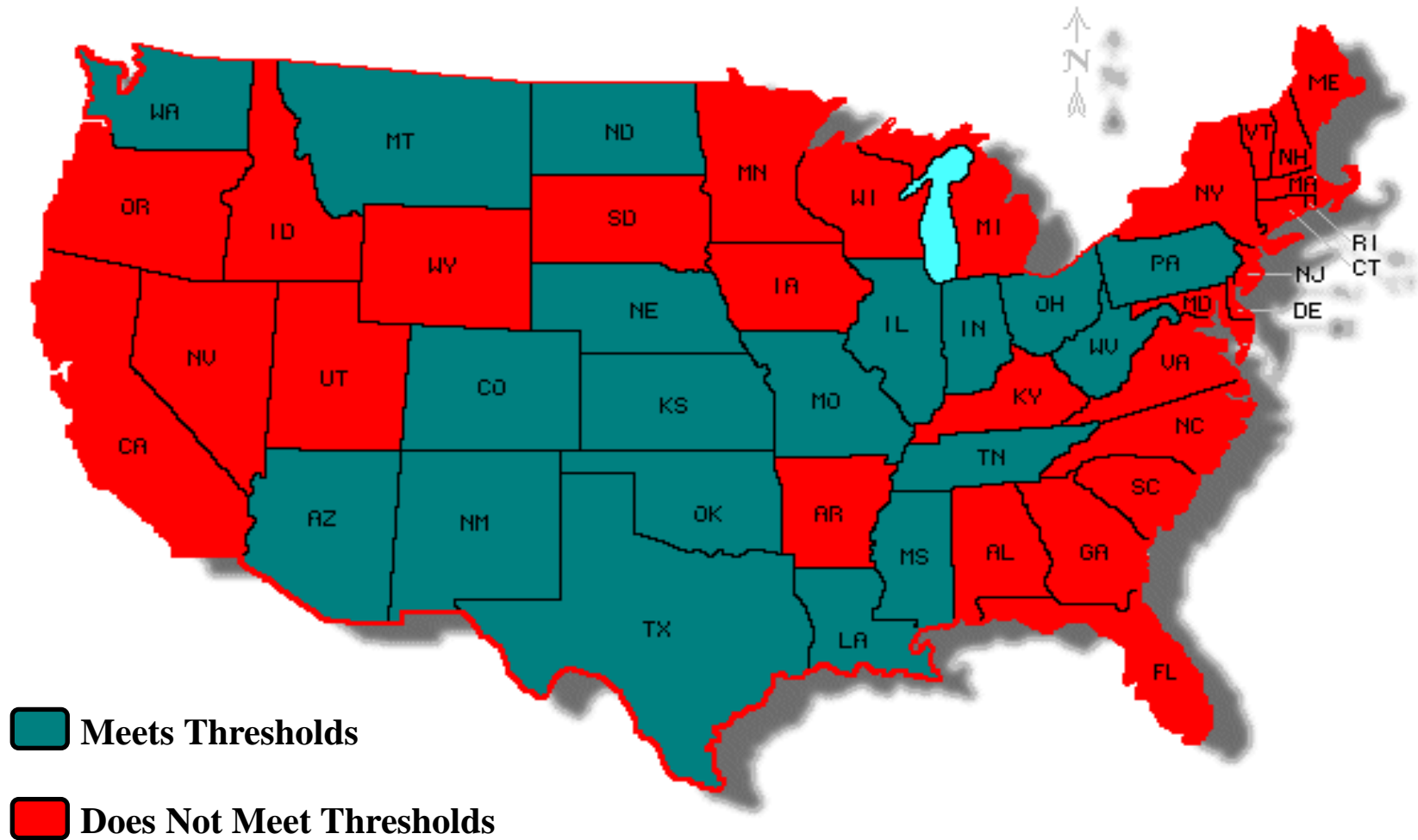
Last Updated: August 2015

Last Updated 9/14/15

OS/OW Automated Permit System - Self Issue Single Trip Permits



*Permit Auto Issue =>
14' Wide, 14' 6" High, 110' Long, 150K*



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May 13, 2016

Steve Bywater
Consultant to Idaho Transportation Department

and

Ramón Hobdey-Sánchez, Program Specialist
Governmental Affairs
Idaho Transportation Department
P.O. Box 7129
Boise, ID 83707-1129

Dear Mr. Bywater and Mr. Hobdey- Sánchez,

The Associated Logging Contractors, Inc. (ALC) is submitting the following list as a starting point of items the ALC would like to see addressed in rule as part of the Idaho Department of Transportation's negotiated rulemaking process *"for the Department to receive public feedback and comments regarding potential improvements to the permitting process and/or safety requirements for vehicles and/or loads that are required to operate under an overlegal permit. There will be a focus on potential improvements to the permitting process, safety requirements, regional harmonization and customer service."*

The Associated Logging Contractors, Inc. is a non-profit trade association in Idaho that has 418 regular business members about 1/3 of whom are logging and wood products haulers. Many of the remaining 2/3 also own and operate trucks. All of the ALC's members live and work in Idaho.

We respectfully suggest that rules governing extra heavy trucks provide for the safety necessary for all travelers on Idaho's highways. This list for negotiated rulemaking is suggested for consideration as the negotiated rulemaking continues over the next several months.

We also urge the negotiated rulemaking include continued consultation with and active participation of the Idaho State Police in their efforts to maintain safe and efficient transportation systems throughout Idaho.

1. Sight Distance on Roads

All roads meeting criteria to haul 129GVW must have a minimum sight distance of 400 feet at 60 mph or 200 feet at 30mph. This is based on stopping distance for loaded trucks on dry pavement.

2. Minimum shoulder width on roads for 129GVW travel should be 2 feet. The shoulder can be paved or hard pack surface so as not to give way if used within a margin of error to avoid obstacles.

3. Passing lanes required for 129GVW routes for any grade at 5% or greater and 2 miles in length or longer. Passing lanes should be a minimum of 400 feet. Grades exceeding 2 miles should have a passing lane for each 2 mile segment.
4. Runaway truck escape ramps should be provided on any 129 GVW route at grades of 5% or greater and 2 miles long or longer.
5. Chain up and Chain down pull off areas with safe distances available.
6. Reader boards provided in potentially hazardous weather conditions warning drivers to stop travel.
7. Minimum experience for 129GVW drivers should be required. 2years experience in pulling doubles as well as a minimum age of 25 years.
8. A Forward collision avoidance system.
9. A lane departure warning system.
10. Electronic stability control system.
11. A maximum speed of 65 mph.

We look forward to continuing conversations to ensure safety in all geographic areas of Idaho. As the conditions are quite variable throughout the State, each circumstance is different when considering extra heavy truck routes.

Respectfully submitted,



Steve Sherich, President
Associated Logging Contractors, Inc.
Owner, Sherich Logging

cc: The Honorable C.L. 'Butch' Otter, Governor of Idaho

The Honorable Senator Bert Brackett, Chairman, Senate Transportation Committee

The Honorable Representative Joe Palmer, Chairman, House Transportation & Defense Committee

Jerry Deckard, CapitolWest Public Policy



Pacific Northwest Region • P.O. Box 17819 • Salem, OR 97305 • 503-375-9024 • FAX 888-686-6271 • <https://westerneda.com>

May 17, 2016

Ramón Hobdey-Sanchez, Program Specialist
Idaho Department of Transportation
POB 7129
Boise, ID 83707-1129

Dear Ramón,

I am writing on behalf of the farm equipment members of the Western Equipment Dealers Association in response to ITD's negotiated rulemaking process initiated at the request of the Governor's Office. The purpose of this letter is to confirm the status of the Western Equipment Dealers Association (WEDA) as a participant in the negotiated rulemaking process.

It is our understanding the goal of this process is to make the Idaho highways safer for all motorists by insisting that all trucks, of every weight and classification, are configured, maintained and driven in ways that maximize public safety. We are in agreement.

It is also our understanding this negotiated rulemaking process is inclusive for all loads/vehicles that operate using an over legal permit with an emphasis for discussion on the following topics:

- 1) safety
- 2) regional harmonization
- 3) improved permitting processes
- 4) improved customer service.

The Western Equipment Dealers Association submits the following as general comments and will provide specifics as the process progresses. WEDA and our Idaho members are interested in the discussions regarding regional harmonization, improved permitting process and improved customer service.

With regards to regional harmonization several of our members operate on the borders and service customers in the surrounding states. Therefore, as much as possible, we prefer the Idaho rules and regulations to be consistent with the neighboring states. For example; the state of Washington may issue a special farm implement permit for implements less than 20 feet wide that do not exceed 16 feet in height (however farm implements must not exceed fourteen feet in height in the counties of Whatcom, Skagit, Island, Snohomish, and King). The size of farm equipment today is much larger than it was even 10 years ago. As a result one of the problems facing the farm equipment dealer when it comes to moving equipment is the wide load restriction set at 16 feet. Understanding that safety is a primary concern and not overlooking the need for safety the movement of the width limitation from 16 ft wide 19 ft. 11 inches would be in line with the size of today's equipment.

Regarding improving the permitting process, a major obstacle for the farm equipment dealer in providing service to his customer, the farmer, is the ability to obtain a permit on holidays, weekends and after hours. During the spring planting season, the summer harvest season and the fall planting season the farmer works as the weather permits and the equipment can breakdown at any time. Thus the equipment dealers may need to be obtain a permit to move equipment on a weekend, holiday or after hours. The industry needs 24/7 access to obtain a permit or the dealerships need to be able to purchase an annual over legal permit that can be used when necessary.

A couple of other issues that could/should be addressed in the negotiated rule making process include:

- Cameras vs Mirror extensions. When moving an oversize or over legal load the law requires the driver to be able to see 200 ft. behind the trailer. Dealers have added video cameras to the rear of their trailers providing much greater view from side to side and a clearer vision to the rear. Problem is, the statutes don't make an allowance for the use of a rear view camera. Seems the use of rear video camera ought to be allowed to meet the safety standards. Hopefully this is something the rule making process can address.
- The current permit manual and the fact that it is out of date. You acknowledge that it is and let us know updating the manual is in process.

On behalf of the farm equipment dealers in Idaho the Western Equipment Dealers Association looks forward to participating in the negotiated rule making process.

Regards,



VP Pacific NW Region

Western Equipment Dealers Association (WEDA)

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Visit our website at www.westerneda.com



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Lewiston, Idaho 83501-1126

May 16, 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: Comments regarding potential rulemaking for permitting and safety for “over-legal” vehicles.

Dear Mr. Hobdey-Sanchez;

Thank you for this opportunity to comment on what we are being told is a potential formal negotiated rulemaking regarding “over-legal” vehicles.

Clearwater Paper has long been involved in the development and passage of projects for more efficient trucks in Idaho and with the legislation that passed in 2014, which allows for 129,000 lb. vehicles on Idaho roads.

Clearwater Paper has been a strong supporter of Idaho maintaining an efficient effective system of product distribution within the state of Idaho. We remain very interested in any proposed changes to existing regulations or development of new regulations that will impact the State's distribution system. It is with that background that Clearwater Paper respectfully submit the following comments:

Need for new regulations: Clearwater Paper does not agree that a negotiated rulemaking is necessary to integrate 129,000 lb. trucks onto the Idaho Interstate Highway system. Both the U.S. Congress and the Idaho Legislature have passed legislation to allow for the more efficient trucks to operate on the Interstate system in Idaho. It is our opinion that the current rules regulating all trucks over 80,000 lb. are sufficient and should apply to the “over-legal” vehicles as presently written.

There is no evidence that these trucks provide any additional safety hazards on Idaho highways. In fact the evidence (ITD's own 10-year study) shows that these more efficient trucks do not create any additional safety hazards nor do they cause any additional harm to the roadway.

Clearwater Paper believes that the only change to the rules that ITD would need is to eliminate the phrase “over-legal” and apply the current rules to all vehicles up to 129,000 lb.

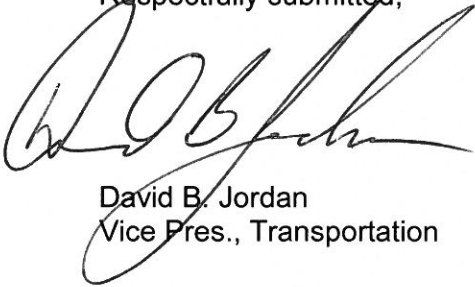
Should the ITD determine that changes to the rules are necessary, we make the following suggestions:

- **All current exemptions remain in place.**
- **The phrase “over-legal” is stricken from the regulations for all vehicles up to 129,000 lb., since these vehicles are now legal under both federal and state laws.**
- **The current number of inspections is sufficient to protect the public. The more efficient trucks (129,000 lb) will decrease the overall number of trucks. Therefore it is logical that the current number of inspections will statistically provide a higher percentage of inspections than currently exist.**

Clearwater Paper will participate in any negotiated rulemaking, should the ITD determine that a rulemaking is necessary, and we will appreciate notification of any such rulemaking.

Thank you again for the opportunity to offer comments.

Respectfully submitted,



David B. Jordan
Vice Pres., Transportation



Jay J. Backus
Vice Pres., Manufacturing



Matt Van Vleet
Vice Pres., Public Affairs

cc: Governor C.L. Otter
Senator Bert Brackett
Representative Joe Palmer

May 18, 2016

Dear Mr. Bywater,

We have been operating in Idaho since 1928. We are a family held and managed business with over 150 employees. We have terminals in Meridian, Paul, Pocatello and Salt Lake City. We operate around 120 trucks. Nearly half of them are over 80,000 lbs GVW. We operate in Oregon, Washington, Idaho, Montana, Wyoming, Utah, Nevada and Colorado. We are operating at 129,000 GVW in Utah, Wyoming, Nevada and Idaho (pilot program). These larger weight vehicles are both flat beds and dry bulk tanks. All of these states have been using 129,000 lb vehicles for many years. The ease and cost of operating in those states is noteworthy.

We have participated in the 129,000 lb pilot projects on two occasions with no problems. We operated on state highways. The move to the interstate system is only natural. It is what we have been working towards. We are so anxious to be able to use the interstate system. We have slowly accumulated trailers and trucks for the transition, but we also will be taking delivery of over a half a million dollars of equipment next month to haul 129,000 on the interstate system in Idaho and from Idaho to Utah, Nevada and Wyoming.

The ability to haul 129,000 lbs loads will not mean a huge change for the motoring public. Most of the traffic on the freeway system will still be a standard semi. The size of the equipment will not change but there will be more axles and tires on the rigs. The number of trucks could diminish slightly. The quality of the drivers will be maintained and possibly improved. The amount of fuel used per ton per mile will decrease. The Idaho economy will benefit. We have been operating at 105,000 lbs for years. We obviously police ourselves as to where the trucks go and what they do. We have a huge investment in these kinds of vehicles and we operate them with care. All the surrounding states of learned that over the years. They are very easy to operate in as they trust the industry.

In closing I would suggest we open the door to the interstate system. Watch the impact. Forget additional rules. The industry is well regulated with plenty of driver rules and safety regulations. Everything will be fine.

Thank You,

Clay Handy
President/CEO
Handy Truck Line



Idaho Farm Bureau Federation

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(208) 342-2688 Fax (208) 342-8585

May 19, 2016

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

RE: Potential Negotiated Rulemaking- 1) Regular and Overlegal Permits and 2) Safety Requirements for Overlegal Vehicles on Idaho Highways

Dear Mr. Hobdey-Sanchez:

I am contacting you today to provide the Idaho Farm Bureau Federation's (IFBF) comments on the Idaho Transportation Department's (ITD) potential negotiated rulemaking for permitting and safety issues of "overlegal" vehicles (rulemaking).

Farm Bureau is Idaho's largest agriculture trade association with over 74,300 member families throughout Idaho. Many IFBF members will be directly affected by this potential rulemaking. We have supported 129,000-pound trucks since the initiation of the early pilot projects and supported legislation allowing these trucks on state and federal highways in Idaho.

IFBF supports quick and efficient assimilation of 129,000-pound trucks into Idaho's transportation system but is concerned about any proposed changes in existing rules. We wonder about the rationale behind this proposed rulemaking. Are there safety issues of which we are not aware? Who requested the rulemaking? Are there other issues that need to be addressed? Our comments include:

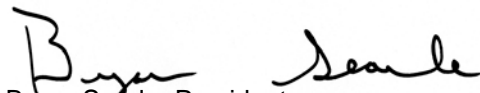
Necessity: Farm Bureau believes new rules are unnecessary and does not understand the need to initiate a broad rulemaking to introduce 129,000-pound trucks on Idaho interstate highways. The existing rules as written, which address 80,000-pound trucks and heavier, are sufficient and "overlegal" vehicles (129,000-pound trucks) should be included. ITD has studied 129,000-pound truck safety and found no additional safety hazards or additional harm to highways. 129,000-pound trucks will be added to the federal highways in Idaho. These roads are designed for heavier vehicles.

- ITD should create and publish a rule prior to receiving stakeholder "comments". This would clarify ITD objectives and scope of the rulemaking for stakeholders, as well as a basis and starting point for comment.
- The ITD contractor in charge of the rulemaking told IFBF that the rule would be compiled and created from comments and testimony received prior to, and during, the only hearing on this issue. In the collective experience of many stakeholders, one hearing and this approach to information-gathering is insufficient to address the number and complexity of potential issues and is the first time this methodology has been seen.

- Any negotiated rule should address only 129,000-pound trucks on the federal highway system in Idaho. This is the issue 2016's S1229 addressed. There was no discussion about 80,000 or 105,000-pound trucks or a rulemaking addressing those lighter weight trucks.
- Any adopted rules should be no more stringent or broader in scope than Federal regulation.
- Eliminate "overlegal" since 129,000-pound trucks are now legal on state and federal highways in Idaho.
- All current exemptions should be retained.
- Current inspection protocols and procedures should remain as is. 129,000-pound trucks have been represented as safer and more efficient. Fewer trucks will be on the state's highways because of the higher weight limit. Stricter enforcement and inspection contradicts legislative representations.
- The current number and type of Idaho State Police inspections for 129,000-pound trucks is sufficient to assure highway safety in Idaho.
- Any 129,000-pound truck permits should be issued by the State of Idaho with no additional permitting requirements from local jurisdictions through which the approved 129,000-pound routes pass.

Thank you for the opportunity to comment on this potential negotiated rulemaking. Our concerns are not limited to these comments. To achieve a positive outcome, we believe it is necessary to have the broadest possible representation at the negotiating table, not only from the agriculture and natural resource industries but from all other segments of the regulated community as well.

Sincerely,



Bryan Searle, President
Idaho Farm Bureau Federation

cc: Governor C.L. "Butch" Otter
Mr. Brian Ness
Mr. Jerry Whitehead
Sen. Bert Brackett
Rep. Joe Palmer



IDAHO FARM BUREAU FEDERATION®

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May 27, 2016

Mr. Ramon Hobdey-Sanchez
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Idaho Transportation Department
3311 W. State Street
P.O. Box 7129
Boise, Idaho 83707

SUPPLEMENTAL: 5/27/16

RE: Potential Negotiated Rulemaking- 1) Regular and Overlegal Permits and 2) Safety Requirements for Overlegal Vehicles on Idaho Highways

Dear Mr. Hobdey-Sanchez:

These comments are supplemental to the Idaho Farm Bureau Federation's (IFBF) May 19, 2016 comments on this potential negotiated rulemaking. After participating in the May 25 webinar hearing and reviewing other stakeholder comments, IFBF adds these additional thoughts to our May 19, 2016 letter:

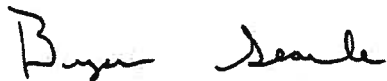
- The permitting and licensing process for trucks 80,000 pounds and above is not broken. As we stated in our May 19, 2016 comments, IFBF does not think rule changes are needed for trucks 80,000 pounds and above; the current system is operating well.
- Safety and appropriateness of state and local 129,000 pound truck routes is addressed by the current route selection process outlined in Idaho Code.
- There should no expansion of the State of Idaho's truck inspection programs at this time; fewer trucks on the road will ultimately mean fewer inspections.
- Idaho Farm Bureau incorporates by reference the Right Truck for Idaho Coalition comments of May 25, 2016 and May 31, 2016.
- Vehicle and equipment safety issues and driver qualifications are addressed by the Federal Motor Carrier Safety Act. The small minority of witnesses raising these safety issues should understand there is no need for the State of Idaho to expand into areas already addressed by Federal law.
- In at least one case, safety information and concerns entered into the rulemaking record are not new and have been previously entered into the Idaho House and Senate Transportation Committee records on several occasions at prior 129,000 pound truck hearings. The Senate and House Transportation Committee records for 129,000 pound truck proceedings should be examined for these exhibits and other individual's or organizations' safety concerns to determine if the information has been entered into this record.

- ITD's 2013 Report to the 62nd Idaho Legislature on the 129,000 Pound Pilot Project addresses many 129,000 pound truck safety questions.
- Idaho State Police Commercial Vehicle Safety Inspection Unit utilizes the Federal rules. Idaho does not need rules expansion in this area.
- There is some question among the regulated community whether or not rulemaking is required to implement S1229 and allow 129,000 pound trucks on the federal highways enumerated in the 2016 legislation.
- Use of the terms "overlegal" and "overweight" in the rulemaking imply illegal activity. 80,000 to 129,000 pound truck weights in Idaho are now standard and these terms should be eliminated in statute and from the rulemaking language.
- 129,000 pound trucks are now "extra" weight, not overweight.
- Idaho truckers have long and safe experience operating 129,000 pound trucks on approved Idaho routes.

Idaho Farm Bureau is a member of the Right Truck for Idaho Coalition and has been since its inception. I forgot to inform you of this in prior correspondence. Farm Bureau will continue to comment on agriculture related issues during this rulemaking process. We will rely on the Right Truck for Idaho Coalition to provide comments related to commercial operators, route selection and road safety.

Thank you for the opportunity to again provide comments on this proposed negotiated rulemaking.

Sincerely,



Bryan Searle, President
Idaho Farm Bureau Federation

cc: Governor C.L. "Butch" Otter
Mr. Brian Ness, Director-ITD
Mr. Jerry Whitehead, Chairman-
Idaho Transportation Board
Sen. Bert Brackett
Rep. Joe Palmer



May 18, 2016

Stephen Bywater
Bywater Law office

RE: Idaho Negotiated Rulemaking for Overlegal Permitting and Safety requirements

Dear Mr. Bywater,

This response includes formal comments AAA wishes to submit for the negotiated rulemaking process of overweight permits for 129,000-pound trucks on the interstate system, state and U.S. highways, resulting from passage and enactment of S 1229.

As a stakeholder representing 120,000 Idaho members, AAA believes the significant rulemaking safety and mobility objectives envisioned by Governor Otters hinge on three important perspectives: **trucks, drivers, and Idaho roads**. The purpose of this communication is to raise questions, offer recommendations, and provide pertinent commentary relative to this framework. As appropriate, please refer to the attachments that support AAA's positions.

Attachment 1 is a compilation of AAA recommendations and positions, along with questions raised by our analysis of the supporting data we have provided in this package.

Comprehensive rulemaking should consider all three of these factors. AAA's approach to making recommendations relies less on section-by-section and line-by-line changes to Administrative Code and more on a systems evaluation that seems fitting based on the recommendations made by Governor Otter in a recent letter.

In his March 21, 2016 letter to ITD Board Chairman Jerry Whitehead, Idaho Governor Otter identifies a public process that is transparent, inclusive and should encompass the factors including the safety of all Idahoans. The governor correctly says: ***"Our goal must be making our highways safer for all motorists by insisting that all trucks, of every weight and classification are configured, maintained and driven in ways that maximize public safety."***

To accomplish that goal, the state must address existing safety defects of the trucks on Idaho roads and violations associated with the drivers who operate them. It must also take an introspective look at the process Idaho uses to identify suitable routes where bigger, heavier trucks may legally operate, because not all roads are equal. All this should occur before the state proceeds to allow potentially thousands of larger, heavier trucks on interstate and state highways.

Reputable carriers who follow the rules by using well-maintained trucks and who hire experienced drivers are not the problem. **But there is ample evidence that thousands of trucks**

Continued

and hundreds of drivers are currently not making the grade, placing themselves and others at considerable risk. Therefore AAA's first recommendation is for a more robust, pre-certification, and enforcement process requiring a dynamic collaboration involving stakeholders and appropriate state agencies.

In a previous fact-finding letter AAA delivered to ISP and copied to your office, our organization noted that ISP plays a significant, necessary role relative to its "authority to conduct safety inspections and issue compliance review of motor carriers, envisioned in Idaho Code 67-2901A and Idaho Code 67-2901B. Idaho Administrative Code 11.13.01 lays out the responsibility state police have for promulgating rules and enforcing motor carrier inspections, compliance conditions, driver violations, and safety ratings consistent with federal regulations and Idaho Code.

The findings of fact on this issue raise a red flag as to whether the state is properly prepared to allow bigger, heavier trucks on routes under federal, state, and local jurisdiction. Idaho has moved beyond the limited scope of pilot projects in southern Idaho, to broader exposure of 129,000-pound trucks on thousands of miles of roads statewide. To its credit, ISP has provided especially useful information about the extent of truck and operator violations in Idaho. Mr. Bywater, we copied your office regarding a written formal request AAA made to ISP earlier this month. ISP's supporting documents submitted to ITD previously contain a wealth of important information in this regard.

For stakeholder consideration, AAA has submitted the FMCSA Motor Carrier Management Information System (MCMIS) data snapshot from 3/25/2016 for the state of Idaho (**Attachment 2**). It includes current year-to-date information for FY 2016 and historical data of roadside inspections for FY2014 and FY2015.

In 2015, the tables in that document show that **1,639 trucks of 6,257 inspected** received vehicle violations serious enough to earn an Out-of-Service designations which reflect an "imminent safety hazard." That means **26 percent** of vehicles inspected theoretically were placed out of service, though we have no confirmation that these vehicles were taken off the road. Bad brakes are the most common truck violation in the category. According to the breakouts included in Idaho's MCSAP 10/9/2015 quarterly report (supplied by ISP), **16,264 truck violations** were issued—including this detail: brakes out of adjustment, **932**; all other brake violations, **4,014**; lighting, **3,931**; tires, **765**.

The FMCSA report AAA provided also shows that **941** or nearly **11 percent of driver inspections** resulted in driver violations serious enough to earn the OOS designation. ISP's quarterly MCSAP report mirrors those findings: **1,287 drivers cited for violations among 8,472 inspected earned Out-of-Service designations**. Major violations included: hours of service, 462; disqualified drivers, 162; speeding, 1,866; improper lane changes, 251; No RODS or RODS not current, 1,034.

As Idaho anticipates the addition of hundreds of miles of interstate highways being opened to thousands of trucks with 129,000-pound trucks on the interstate system and the continued

Continued

migration of those trucks onto adjoining U.S. and State highways, it is *disturbing that the current process reveals that about **37 percent of all state inspections result in OOS designations.***

Federal Motor Carrier Safety Administration

The Federal DOT retains authority over commercial carriers on interstate highways and roads on the federal system. Federal descriptive detail on the process that coordinates state enforcement of the federal Commercial Safety Plan (CVSP) is included in **Attachments 3 & 4.**

AAA Idaho requested assistance from the regional Federal Highway Administration office to better understand how this federal relationship works, but received no response.

The authority to regulate motor carrier safety and operation is placed through the USDOT and specifically resides with the Federal Motor Carrier Safety Administration. **Title 49 CFR Part 355** includes language regarding the compatibility of state laws and regulations affecting interstate motor carriers.

The purpose of Part 355 is to promote the framework, adoption and enforcement of State laws and regulations pertaining to commercial motor vehicle safety on Federal interstate highways. In addition states are required to complete an annual regulatory review and certification with the Commercial Vehicle Safety Plan (CVSP).

Title 49 CFR Part 396 addresses federal oversight on the topics of inspection, repair and maintenance for motor carriers operating on the Federal System. The objective is to protect the public; to identify the inspection process; and to outline the obligations of motor carriers in addressing violations and safety defects serious enough to place trucks out of service.

AAA's purpose in providing this information is to identify an objective framework of the protections in Federal Law and the roles of state agencies like ITD, the Ports of Entry and ISP have in administering and enforcing this process.

AAA Policy Declarations and Advocacy

AAA's national policy declarations drive the organization's advocacy efforts. Included below is a selection of declarations from AAA's 2016 policy handbook on the issues related to overweight and oversize trucks:

"Overweight and oversized vehicles create serious safety hazards and accelerate the deterioration of highway pavements and bridges. States should strictly enforce laws against overweight trucks and provide adequate funds for the necessary enforcement personnel and equipment. Legislation should be enacted to set stiff fines and penalties for those persons or businesses responsible for loading as well as for those who operate vehicles in violation of size and weight laws."

On the topic of Reasonable Access

The concept of reasonable access off the federal truck network for food, fuel and rest, or to reach a terminal should not be used to circumvent state size and weight laws.

On the topic of Seasonal Reduction in Load Limits

AAA supports reduced load limits during those seasons of the year when pavements, particularly flexible pavements, are weakened by alternate freezing and thawing or any other seasonal variation which has the effect of reducing the road's ability to carry the normal legal load.

On the topic of Size and Weight Limits

AAA is seriously concerned about the safety implications of large, heavy trucks, sharing the highway system with a growing fleet of passenger vehicles. AAA opposes any further increases in existing federal standards as the present legal size and weight limits applying to trucks and combinations of vehicles already tax the limits of highway safety and infrastructure integrity.

Federal funding incentives should be provided to appropriate state agencies for enforcement of truck size and weight limits and to collect and maintain data on the impacts of trucks on safety, congestion and the highway infrastructure.

On the topic of Special Permits

AAA recognizes the need for the occasional movement of loads exceeding statutory or regulatory maximums. AAA, however, believes that such movements should be carefully controlled by issuance of special permits limited to indivisible loads on a single trip basis.

AAA opposes proposals that would circumvent current federal truck size and weight restrictions by allowing long-term continued use of special permits. Truck sizes that would be allowed under these proposals pose an increased safety threat to other highway users, as well as the certainty of increased pavement and bridge damage.

AAA truck size and weight policies prioritize safety and infrastructure integrity in relative balance to the economic gain for carriers, shippers and trucks.

AAA's public position and testimony on S 1229

AAA advocated its position on S1229 during the 2016 session:

Attachment 5 is the text of an email sent to members of the Senate Transportation committee in February 2016. The letter contains a message consistent with AAA's February 2016 public testimony regarding S 1229 delivered to the Senate Transportation Committee. In testimony, AAA made the following recommendations:

"AAA recommends that SB 1229 should include important sidebars, including more required funding for safety inspections, minimum standards like ABS disc brakes and crash avoidance technology. In addition, we believe the state should have important data regarding the miles traveled, weight violations by driver and shipper, and clearly articulated protections to local routes off the interstate system.

AAA recommends the state have a clearer understanding of how truck size and weight increases will interact with our higher state speed limits enacted two years ago. We believe there is evidence to suggest that there are already more unsafe interactions on the road, involving a bigger range of speeds—some involving trucks, some involving passenger vehicles, and others involving travel trailers being towed by underpowered pickups.

To summarize, Mr. Chairman, AAA is less inclined to give a blanket endorsement to a bill that will put larger, heavier trucks on the road, without some sensible sidebars, such as those we suggest.”

AAA’s position on road selection criteria of 129,000 lb. routes

AAA Idaho testified in opposition to SB1117, the 2013 legislation to allow expansion of 129,000 lb. routes in North Idaho. AAA’s arguments challenged the advisability of opening routes in North Idaho, where geology, elevation changes, line of sight, hairpin turns, and winding narrow lanes were in sharp juxtaposition to conditions of southern Idaho routes that were part of a 12-year pilot project authorized by the Legislature.

AAA concurred then and now with truck drivers, trucking companies and citizens who oppose the addition of 129,000 lb. truck routes on some state roads in North Idaho. The positions taken make specific reference to the concerns AAA had three years ago: narrow lanes, the lack of passing lanes, crash data, speed limits, torque and braking issues.

Comments submitted in a December 2015 public hearing to consider the addition of three 129,000 lb. routes in Idaho were in sharp contrast to ITD engineer pronouncements that the routes met all state requirements.

Idaho Administrative Code 39.03.22 notes that an ITD evaluation of routes for 129,000-pound consideration will rely on an analysis completed for engineering and safety factors. Statute and code language grant ITD the authority to recommend for approval, reject, or request more information. AAA is concerned that the evaluation process is stilted.

Written comments provided to ITD from Givens Pursley LLC for client KBC Trucking, a North Idaho company are particularly instructional:

Comment

A. Highway 13 is not suitable for 129,000-pound trucks.

First and foremost, Highway 13 is not safe for 129,000-pound trucks. The Harpster Grade is a winding 5.0-5.5% grade with no passing lanes, no emergency truck ramps, and limited chain-up locations. Even the trucks that currently travel up this grade—smaller than the proposed 129,000-pound trucks—move very slowly, resulting in excessive congestion, driver frustration and complaints to ITD. Larger trucks will move even more slowly, exacerbating the already problematic status quo and increasing the likelihood that frustrated drivers will attempt to pass in unsafe areas. Longer, heavier trucks will also have difficulty climbing the steep grade on slick roads. With narrow shoulders, no passing lanes, and a steep drop-off to the river canyon, there is no room to maneuver around a jackknifed truck in the roadway.

The route along the Clearwater River is winding, has poor visibility, has no passing lanes, and is frequently more treacherous by weather conditions. In key areas, the roadway is bordered closely by rock walls, which further restrict and constrain drivers' ability to react.

AAA Recommendations for factors to be included in 129,000-pound route designations

Route selection is a critical component of safety for trucks, passenger vehicles and the general public. In addition to safety concerns, the potential for hastened deterioration of roads and bridges is a legitimate concern.

The issue at hand concentrates on 129,000–pound trucks, but ITD issues overweight permits for trucks that haul considerably heavier loads.

These are relevant topics for discussion:

- Speed limits – above and below posted route limits
- Passing lanes – availability and condition
- Skidding, cargo shifts, rollovers
- Cargo shifting on hairpin turns and steep grades
- Weight distribution by axle due to cargo shifting
- Highway specific crash data
- Braking and handling – more brakes are not safer brakes if out of adjustment
- Narrow shoulders
- Wet, inclement weather or high winds
- Overweight enforcement – What percentage of trucks operate overweight?
- Bypassing ports of entry – What portion of trucks bypass POE?
- Overweight fines – Consistent with damage to roads?
- Opening Idaho roads to carriers who cannot/do not self-regulate
- Driver credentials, driver violations
- Improving crash reporting
- Track record for revocation of overlegal permits IDAPA 39.03.23
- Track record of IDAPA 39.03.80 (trucks proceeding after OOS designation)
- ITD safety and engineering analysis limited scope
- LCV driver training and credentials

AAA acknowledges that all road users share the responsibility to legally and safely operate vehicles, prescribed by law. Passenger vehicles frequently—perhaps primarily—are determined to be at fault in collisions with trucks. To that end, AAA advocates for stronger laws, education, and suitable enforcement to keep Idaho roads safe.

Going forward, AAA supports the necessary and prudent steps that will serve all Idahoans.

Continued

Summary

Governor Otter correctly concludes in his recent letter to the ITD Board, “(The) negotiated rulemaking process, in concert with the Idaho State Police, must go beyond truck weights to include all relevant, professional established and widely accepted and technical standards.”

In his April 2013 transmittal letter to the Senate, Governor Otter provides his observations on rulemaking for S1117, legislation enacted that year that gives the state authority to open more highways in Idaho to 129,000 lb. routes:

“Safety must be the highest priority, addressing necessary and prudent restrictions on use of designated routes, enforcement processes from jurisdiction to jurisdiction, mechanical requirements for trucks and trailers, driver certification requirements, pavement and roadbed conditions, geographic conditions, weather conditions, traffic conditions and other factors unique to each area in question.”

AAA concurs with these sentiments noting, however, that the state has more work to do to meet its obligations—especially as it considers expanding 129,000 lb. routes on interstate highways and other U.S. and State highways.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Carlson", with a stylized flourish at the end.

Dave Carlson
Director of Public & Government Affairs
AAA Idaho
208-658-4401

cc: Governor Otter, Bert Brackett, Joe Palmer

Attachment 1 / AAA Idaho






AAA Idaho recommendations re:

NEGOTIATED RULEMAKING FOR OVERLEGAL PERMITTING AND SAFETY REQUIREMENTS

RECOMMENDATIONS:

- *Safety and mobility objectives should be based on a consistent evaluation of the trucks using the system, the drivers who operate these vehicle, and the roads where these vehicles operate*
- *Trucks should be inspected for approval, drivers should meet precertification requirements, and a record of compliance/violations should be maintained to promote compliance*
- *Consistent , reasonable penalties for breaking the rules*
- *Incentivize legal operation/behaviors (fast pass authority, tax breaks)*
- *Out-of-service designations should be strictly enforced due to ‘imminent safety hazard’*
- *The cost of permits should be consistent with the use and damage to the roads, as well as to cover state administrative costs*
- *The long-term use of special permits should be discouraged, especially for trucks that circumvent size and weight restrictions*
- *Recommend program oversight to provide adequate funding for safety inspections and enforcement*
- *Recommend minimum standards such as ABS disc brakes and crash avoidance technology*
- *Recommend that data regarding miles traveled, weight violations by driver and shipper and clearly articulated protections be made for local routes and for those on and off the interstate system, U.S. highways and state highways*
- *Recommend regular evaluations of speed limits and strictly enforce violations involving passenger vehicles and trucks*
- *Ports of Entry should be evaluated regularly and should report the percentage of overweight and illegal vehicles passing through those facilities*
- *Support inspections on routes for trucks that are avoiding POE*
- *Support route evaluation practices by ITD that consider mitigating factors like availability of passing lanes; sight distance, grades, switchbacks, minimum shoulder widths, braking distance and other safety considerations including speed limits under load, cargo shifting, crash data.*











Active Carriers and Safety Measurement System (SMS) Summary

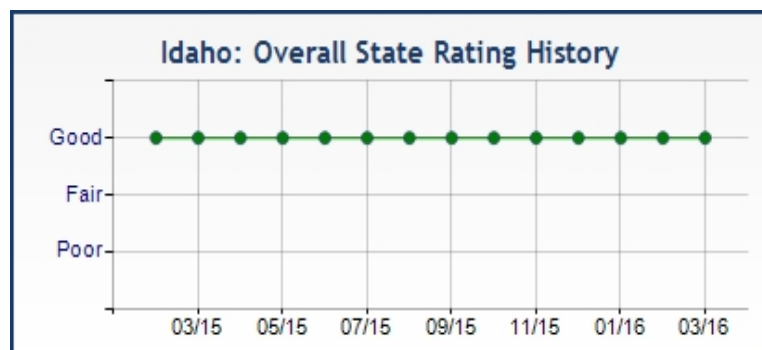
	Idaho		National	
	Number	Percent	Number	Percent
Interstate and Intrastate HazMat Carriers	5,614	N/A	574,199	N/A
Passenger Carriers	66	1.17%	13,311	2.31%
HazMat Carriers	84	1.49%	10,191	1.77%
General Carriers	5,464	97.32%	550,697	95.9%
Carriers with a BASIC(s) in  Status	446	7.94%	54,699	9.52%
Passenger Carriers with a BASIC(s) in  Status	3	.67%	869	1.58%
HazMat Carriers with a BASIC(s) in  Status	19	4.26%	2,197	4.01%
General Carriers with a BASIC(s) in  Status	424	95.06%	51,633	94.39%
Total Power Units	45,332	N/A	8,643,512	N/A
Power Units of Carriers with a BASIC(S) in  Status	6,018	13.27%	1,357,456	15.7%

Data Source: SMS Results as of 03/25/2016. Updated Monthly. For more information, please visit <http://ai.fmcsa.dot.gov>

 Exceeds Intervention Threshold

State Safety Data Quality (SSDQ)

SSDQ (as of March 25, 2016)	Rating
Overall State Rating	
Crash Record Completeness	
Fatal Crash Completeness	
Crash Timeliness	
Crash Accuracy	
Inspection Record Completeness	
Inspection VIN Accuracy	
Inspection Timeliness	
Inspection Accuracy	
Crash Consistency Indicator	N/A
Crash Rating	



For more information, please visit the Data Quality module on <http://ai.fmcsa.dot.gov>

Ratings:  Good  Fair  Poor  Insufficient Data  Overriding Indicator

Summary of Large Truck and Bus Crash Involvements

Summary	CY 2011		CY 2012		CY 2013		CY 2014		CY 2015*	
	ID	% of Nat	ID	% of Nat	ID	% of Nat	ID	% of Nat	ID	% of Nat
Number of vehicles involved in fatal & non-fatal crashes	586	.4%	686	.5%	667	.4%	732	.4%	609	.4%
# in fatal crashes	21	.5%	16	.4%	45	1%	22	.5%	26	.6%
# in non-fatal crashes	565	.4%	670	.5%	622	.4%	710	.4%	583	.4%
Number of fatal & non-fatal Crashes	563	.4%	633	.5%	625	.4%	683	.4%	578	.4%
# of fatal crashes	21	.6%	12	.3%	31	.8%	21	.5%	24	.7%
# of non-fatal crashes	542	.4%	621	.5%	594	.4%	662	.4%	554	.4%
Number of Fatalities as a result of a crash	25	.6%	12	.3%	34	.8%	24	.5%	28	.7%
Number of Injuries as a result of a crash	309	.4%	357	.4%	346	.4%	377	.4%	320	.4%

Data Source: MCMIS data snapshot as of 03/25/2016, including crash records through 11/30/2015.

State Enforcement Programs Summary Data

Reviews									
	FY 2014			FY 2015			FY 2016		
	ID	National	% of Nat	ID	National	% of Nat	ID	National	% of Nat
Total Reviews	83	14,935	0.56%	95	14,673	0.65%	35	6,129	0.57%
Motor Carrier Safety Compliance Reviews	0	0	0%	0	0	0%	0	0	0%
Cargo Tank Facility Reviews	0	70	0.00%	1	103	0.97%	0	21	0.00%
Shipper Reviews	0	175	0.00%	0	101	0.00%	0	62	0.00%
Non-Rated Reviews (excludes SCR & CSA)	6	1,066	0.56%	3	1,011	0.30%	1	685	0.15%
CSA Offsite	0	334	0.00%	0	137	0.00%	0	25	0.00%
CSA Onsite Focused / Focused CR	53	7,387	0.72%	65	7,921	0.82%	25	2,953	0.85%
CSA Onsite Comprehensive*	24	5,904	0.41%	26	5,400	0.48%	9	2,383	0.38%
Total Security Contact Reviews	3	543	0.55%	6	654	0.92%	0	252	0.00%

Roadside Inspections									
	FY 2014			FY 2015			FY 2016		
	ID	National	% of Nat	ID	National	% of Nat	ID	National	% of Nat
Number of Inspections	11,580	3,437,842	0.34%	9,762	3,383,789	0.29%	3,855	1,549,702	0.25%
Driver Inspections*	11,179	3,319,889	0.34%	8,753	3,264,036	0.27%	3,773	1,503,048	0.25%
with Driver OOS Violation	1,088	166,604	0.65%	941	160,072	0.59%	383	72,786	0.53%
Driver OOS Rate	9.73%	5.02%	N/A	10.75%	4.90%	N/A	10.15%	4.84%	N/A
Vehicle Inspections*	8,276	2,368,239	0.35%	6,257	2,309,092	0.27%	2,405	1,044,982	0.23%
with Vehicle OOS Violation	2,111	479,441	0.44%	1,639	468,327	0.35%	537	209,241	0.26%
Vehicle OOS Rate	25.51%	20.24%	N/A	26.19%	20.28%	N/A	22.33%	20.02%	N/A
Hazmat Inspections*	1,116	198,615	0.56%	849	191,250	0.44%	343	91,383	0.38%
with Hazmat OOS Violation	68	7,788	0.87%	53	7,452	0.71%	12	3,296	0.36%
Hazmat OOS Rate	6.09%	3.92%	N/A	6.24%	3.90%	N/A	3.50%	3.61%	N/A

Traffic Enforcement (TE)									
	FY 2014			FY 2015			FY 2016		
	ID	National	% of Nat	ID	National	% of Nat	ID	National	% of Nat
Number of Traffic Enf. Inspections	3,750	368,207	1.02%	3,239	359,805	0.90%	1,331	160,804	0.83%
With Moving Violations	3,073	194,962	1.58%	2,593	190,760	1.36%	1,192	92,728	1.29%
With Drug & Alcohol Violations	16	807	1.98%	18	847	2.13%	7	393	1.78%
With Railroad Crossing Violations	3	279	1.08%	5	290	1.72%	0	110	0.00%
With Non-specified State Law/Miscellaneous Violations	804	182,128	0.44%	753	177,577	0.42%	169	71,821	0.24%
Number of Traffic Enf. Violations	4,055	414,917	0.98%	3,515	403,113	0.87%	1,400	177,559	0.79%
Moving Violations	3,149	202,576	1.55%	2,680	196,723	1.36%	1,215	95,111	1.28%
Drug & Alcohol Violations	17	952	1.79%	22	991	2.22%	10	457	2.19%
Railroad Crossing Violations	3	280	1.07%	5	291	1.72%	0	110	0.00%

* In FY 2012, all reviews that were previously considered Motor Carrier Safety Compliance Reviews are now included in the CSA Onsite Comprehensive. For more information, please visit Enforcement Programs on <http://ai.fmcsa.dot.gov>

Data Source: FMCSA Motor Carrier Management Information System (MCMIS) data snapshot as of 03/25/2016, including current year-to-date information for FY 2016. The data presented above are accurate as of this date, but are subject to update as new or additional information may be reported to MCMIS following the snapshot date

**** Roadside Inspections:**

Driver Inspections were computed based on inspection levels I, II, III, and VI.

Vehicle Inspections were computed based on inspection levels I, II, V, and VI.

Hazmat Inspections were computed based on inspection levels I, II, III, IV, V, and VI, when HM is present.

The OOS rate for each category is based on the number of inspections which resulted in one or more Out-Of-Service (OOS) violations.

Idaho - State Data Summary

Safety Data Improvement Program				
FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
\$26,400	\$0	\$300,000	\$0	\$0

Data Source: FMCSA, Office of Research and Analysis

Contact Information			
FMCSA Contact		MCSAP Contact	
Main Address & Main Phone:	1387 S. Vinnell Way, Suite 341 Boise, ID 83709 (208) 334-1842	Agency	Idaho State Police (208) 884-7220
Division Administrator:	Richard York		

<https://www.fmcsa.dot.gov/regulations/title49/section/396.11>

FMCSA Federal Motor Carriers Safety Administration

Part 396 INSPECTION, REPAIR, AND MAINTENANCE

< 395 | 397 >



- **Section**
- **Guidance**

§ 396.11: Driver vehicle inspection report(s).

(a) ***Equipment provided by motor carrier.*** (1) ***Report required.*** Every motor carrier shall require its drivers to report, and every driver shall prepare a report in writing at the completion of each day's work on each vehicle operated, except for intermodal equipment tendered by an intermodal equipment provider. The report shall cover at least the following parts and accessories:

- (i) Service brakes including trailer brake connections;
- (ii) Parking brake;
- (iii) Steering mechanism;
- (iv) Lighting devices and reflectors;
- (v) Tires;
- (vi) Horn;
- (vii) Windshield wipers;
- (viii) Rear vision mirrors;
- (ix) Coupling devices;
- (x) Wheels and rims;

(xi) Emergency equipment.

(2) **Report content.** (i) The report must identify the vehicle and list any defect or deficiency discovered by or reported to the driver which would affect the safety of operation of the vehicle or result in its mechanical breakdown. If a driver operates more than one vehicle during the day, a report must be prepared for each vehicle operated. The driver of a passenger-carrying CMV subject to this regulation must prepare and submit a report even if no defect or deficiency is discovered by or reported to the driver; the drivers of all other commercial motor vehicles are not required to prepare or submit a report if no defect or deficiency is discovered by or reported to the driver. (ii) The driver must sign the report. On two-driver operations, only one driver needs to sign the driver vehicle inspection report, provided both drivers agree as to the defects or deficiencies identified.

(3) **Corrective action.** (i) Prior to requiring or permitting a driver to operate a vehicle, every motor carrier or its agent shall repair any defect or deficiency listed on the driver vehicle inspection report which would be likely to affect the safety of operation of the vehicle.

(ii) Every motor carrier or its agent shall certify on the original driver vehicle inspection report which lists any defect or deficiency that the defect or deficiency has been repaired or that repair is unnecessary before the vehicle is operated again.

(4) **Retention period for reports.** Every motor carrier shall maintain the original driver vehicle inspection report, the certification of repairs, and the certification of the driver's review for three months from the date the written report was prepared.

(5) **Exceptions.** The rules in this section shall not apply to a private motor carrier of passengers (nonbusiness), a driveaway-towaway operation, or any motor carrier operating only one commercial motor vehicle.

(b) **Equipment provided by intermodal equipment provider.** (1) **Report required.** Every intermodal equipment provider must have a process to receive driver reports of, and each driver or motor carrier transporting intermodal equipment must report to the intermodal equipment provider or its designated agent, any known damage, defects, or deficiencies in the intermodal equipment at the time the equipment is returned to the provider or the provider's designated agent. The report must include, at a minimum, the following parts and accessories:

(i) Brakes;

(ii) Lighting devices, lamps, markers, and conspicuity marking material;

- (iii) Wheels, rims, lugs, tires;
- (iv) Air line connections, hoses, and couplers;
- (v) King pin upper coupling device;
- (vi) Rails or support frames;
- (vii) Tie down bolsters;
- (viii) Locking pins, clevises, clamps, or hooks;
- (ix) Sliders or sliding frame lock;

(2) **Report content.** (i) Name of the motor carrier responsible for the operation of the intermodal equipment at the time the damage, defects, or deficiencies were discovered by, or reported to, the driver.

(ii) Motor carrier's USDOT number; intermodal equipment provider's USDOT number, and a unique identifying number for the item of intermodal equipment.

(iii) Date and time the report was submitted.

(iv) All damage, defects, or deficiencies of the intermodal equipment reported to the equipment provider and discovered by, or reported to, the motor carrier or its driver which would

(A) Affect the safety of operation of the intermodal equipment, or

(B) Result in its mechanical breakdown while transported on public roads.

(v) The signature of the driver who prepared the report.

(3) **Corrective action.** (i) Prior to allowing or permitting a motor carrier to transport a piece of intermodal equipment for which a motor carrier or driver has submitted a report about damage, defects or deficiencies, each intermodal equipment provider or its agent must repair the reported damage, defects, or deficiencies that are likely to affect the safety of operation of the vehicle.

(ii) Each intermodal equipment provider or its agent must certify on the original driver's report which lists any damage, defects, or deficiencies of the intermodal equipment that the reported damage, defects, or deficiencies have been repaired, or that repair is unnecessary, before the vehicle is operated again.

<https://www.fmcsa.dot.gov/regulations/title49/section/396.11>

FMCSA Federal Motor Carriers Safety Administration

Part 396

INSPECTION, REPAIR, AND MAINTENANCE

< 395 | 397 >



- **Section**
- **Guidance**

§ 396.11: Driver vehicle inspection report(s).

(a) ***Equipment provided by motor carrier.*** (1) ***Report required.*** Every motor carrier shall require its drivers to report, and every driver shall prepare a report in writing at the completion of each day's work on each vehicle operated, except for intermodal equipment tendered by an intermodal equipment provider. The report shall cover at least the following parts and accessories:

- (i) Service brakes including trailer brake connections;
- (ii) Parking brake;
- (iii) Steering mechanism;
- (iv) Lighting devices and reflectors;
- (v) Tires;
- (vi) Horn;
- (vii) Windshield wipers;
- (viii) Rear vision mirrors;
- (ix) Coupling devices;
- (x) Wheels and rims;

(xi) Emergency equipment.

(2) **Report content.** (i) The report must identify the vehicle and list any defect or deficiency discovered by or reported to the driver which would affect the safety of operation of the vehicle or result in its mechanical breakdown. If a driver operates more than one vehicle during the day, a report must be prepared for each vehicle operated. The driver of a passenger-carrying CMV subject to this regulation must prepare and submit a report even if no defect or deficiency is discovered by or reported to the driver; the drivers of all other commercial motor vehicles are not required to prepare or submit a report if no defect or deficiency is discovered by or reported to the driver. (ii) The driver must sign the report. On two-driver operations, only one driver needs to sign the driver vehicle inspection report, provided both drivers agree as to the defects or deficiencies identified.

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(4) **Retention period for reports.** Every motor carrier shall maintain the original driver vehicle inspection report, the certification of repairs, and the certification of the driver's review for three months from the date the written report was prepared.

(5) **Exceptions.** The rules in this section shall not apply to a private motor carrier of passengers (nonbusiness), a driveaway-towaway operation, or any motor carrier operating only one commercial motor vehicle.

(b) **Equipment provided by intermodal equipment provider.** (1) **Report required.** Every intermodal equipment provider must have a process to receive driver reports of, and each driver or motor carrier transporting intermodal equipment must report to the intermodal equipment provider or its designated agent, any known damage, defects, or deficiencies in the intermodal equipment at the time the equipment is returned to the provider or the provider's designated agent. The report must include, at a minimum, the following parts and accessories:

(i) Brakes;

(ii) Lighting devices, lamps, markers, and conspicuity marking material;

- (iii) Wheels, rims, lugs, tires;
- (iv) Air line connections, hoses, and couplers;
- (v) King pin upper coupling device;
- (vi) Rails or support frames;
- (vii) Tie down bolsters;
- (viii) Locking pins, clevises, clamps, or hooks;
- (ix) Sliders or sliding frame lock;

(2) **Report content.** (i) Name of the motor carrier responsible for the operation of the intermodal equipment at the time the damage, defects, or deficiencies were discovered by, or reported to, the driver.

(ii) Motor carrier's USDOT number; intermodal equipment provider's USDOT number, and a unique identifying number for the item of intermodal equipment.

(iii) Date and time the report was submitted.

(iv) All damage, defects, or deficiencies of the intermodal equipment reported to the equipment provider and discovered by, or reported to, the motor carrier or its driver which would

(A) Affect the safety of operation of the intermodal equipment, or

(B) Result in its mechanical breakdown while transported on public roads.

(v) The signature of the driver who prepared the report.

(3) **Corrective action.** (i) Prior to allowing or permitting a motor carrier to transport a piece of intermodal equipment for which a motor carrier or driver has submitted a report about damage, defects or deficiencies, each intermodal equipment provider or its agent must repair the reported damage, defects, or deficiencies that are likely to affect the safety of operation of the vehicle.

(ii) Each intermodal equipment provider or its agent must certify on the original driver's report which lists any damage, defects, or deficiencies of the intermodal equipment that the reported damage, defects, or deficiencies have been repaired, or that repair is unnecessary, before the vehicle is operated again.

(4) ***Retention period for reports.*** Each intermodal equipment provider must maintain all documentation required by this section, including the original driver report and the certification of repairs on all intermodal equipment, for a period of three months from the date that a motor carrier or its driver submits the report to the intermodal equipment provider or its agent.

Editorial Note:

At 78 FR 58485, Sept. 24, 2013, § 396.11 was amended; however, a portion of the amendment could not be incorporated due to inaccurate amendatory instruction.

Citation: [44 FR 38526, July 2, 1979, as amended at 45 FR 46425, July 10, 1980; 53 FR 18058, May 19, 1988; 59 FR 8753, Feb. 23, 1994; 63 FR 33279, June 18, 1998; 73 FR 76824, Dec. 17, 2008; 74 FR 68709, Dec. 29, 2009; 77 FR 34852, June 12, 2012; 77 FR 59828, Oct. 1, 2012; 78 FR 58485, Sept. 24, 2013]

Disclaimer:

Although we make every effort to assure that the information we provide is complete and accurate, it is not intended to take the place of published agency regulations. Regulations issued by the U.S. Department of Transportation and its Operating Administrations are published in the Federal Register and compiled in the U.S. Code of Federal Regulations (CFR). Copies of appropriate volumes of the CFR in book format may be purchased from the Superintendent of Documents, [U.S. Government Printing Office](#), or examined at many libraries.

The CFR may also be viewed online at <http://ECFR.gpoaccess.gov>.

FMCSA Federal Motor Carriers Safety Administration

Feb. 2, 2016

Attachment 5

Dear Senator _____,

AAA Idaho expressed its concern with removing a **25-year federal freeze on truck size and weights, in letters to our Congressional delegation as recent as this past summer**. But a special rider provision in the Congressional Omnibus Spending Bill passed just prior to the 2015 holiday recess is now in play. That rider, inserted at the request of Idaho's Congressman Simpson advances a special dispensation to allow Idaho to raise the truck size and weights on its interstate highway routes .

In letters to our Congressional delegation as recent as this past summer, AAA Idaho expressed its concerns about the inconclusive results from the long awaited **USDOT Comprehensive Truck Size and Weight Technical Report**. That report was to have settled the safety implications associated with larger, heavier trucks on the country's interstate system. It did not.

AAA's message to the delegation: **"In its letter to Congress, USDOT said, "At this time, the Department believes the current data limitations are so profound that the results cannot accurately be extrapolated to predict national impacts. In Congress, DOT Undersecretary Peter Rogoff said "...no changes in relevant laws should be considered until these data limitations are overcome."**

It's widely considered a 'done deal' that the Idaho Legislature will pass SB1229, legislation giving the Idaho Transportation Department authority to open all interstates in Idaho to trucks hauling 129,000 lb. loads. In the past fifteen years, the state has relaxed its position, allowing more of the heavier trucks on state routes, even in the cases when there has been strong public opposition. AAA acknowledges that its role as David in a battle with Goliath may be coming to end, but says there are many relative points regarding the impacts that raising truck size and weights will have on and off the interstate routes. One such concern is the impact these heavier vehicles will have on interstate highways where higher speed limits are more likely to produce more opportunities for rear-end collisions, passing mishaps, and other dangerous vehicle interactions.

AAA is also concerned regarding a presentation from ISP at a recent hearing by ITD on 129,000 lb. routes on state roads wherein Major Reese, acknowledged that **about one in five trucks tested by the state at Ports of Entry are judged to have safety defects or driver violations significant enough to put vehicles Out of Service**. Reese said the 129,000 lb. issue should raise the bar on how the state handles safety issues relative to the big vehicles. AAA's observation and tracking of truck crashes in Idaho shows these concerns are very real.

AAA recommends that SB 1229 should include important sidebars, including more required funding for safety inspections, minimum standards like ABS disc brakes and crash avoidance technology. In addition, we believe the state should have important data regarding the miles traveled, weight violations by driver and shipper, and clearly articulated protections to local routes off the interstate system.

AAA believes **Idaho's own well researched cost allocation studies and others conducted for ITD make a strong case to question why the state would grant special economic incentives to the very vehicles that are underpaying the share of damage they inflict on the state's roads and bridges.**

Would you like more information? Would you be willing to promote a conversation among your colleagues that protects the integrity of our interstate highway system while providing a measure of safety we can all live with?

Thank you for your consideration.

Dave

Dave Carlson

Director of Public & Government Affairs
AAA Idaho

(4) ***Retention period for reports.*** Each intermodal equipment provider must maintain all documentation required by this section, including the original driver report and the certification of repairs on all intermodal equipment, for a period of three months from the date that a motor carrier or its driver submits the report to the intermodal equipment provider or its agent.

Editorial Note:

At 78 FR 58485, Sept. 24, 2013, § 396.11 was amended; however, a portion of the amendment could not be incorporated due to inaccurate amendatory instruction.

Citation: [44 FR 38526, July 2, 1979, as amended at 45 FR 46425, July 10, 1980; 53 FR 18058, May 19, 1988; 59 FR 8753, Feb. 23, 1994; 63 FR 33279, June 18, 1998; 73 FR 76824, Dec. 17, 2008; 74 FR 68709, Dec. 29, 2009; 77 FR 34852, June 12, 2012; 77 FR 59828, Oct. 1, 2012; 78 FR 58485, Sept. 24, 2013]

Disclaimer:

Although we make every effort to assure that the information we provide is complete and accurate, it is not intended to take the place of published agency regulations. Regulations issued by the U.S. Department of Transportation and its Operating Administrations are published in the Federal Register and compiled in the U.S. Code of Federal Regulations (CFR). Copies of appropriate volumes of the CFR in book format may be purchased from the Superintendent of Documents, [U.S. Government Printing Office](#), or examined at many libraries.

The CFR may also be viewed online at <http://ECFR.gpoaccess.gov>.

FMCSA Federal Motor Carriers Safety Administration

May 17, 2016

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

RE: ITD Over-legal Negotiated Rulemaking

Dear Mr. Hobdey-Sánchez;

Glanbia Nutritionals appreciates the opportunity to provide comments regarding the negotiated rulemaking for the implementation of 129,000 pound vehicles on Idaho interstates. As a significant investor in the state of Idaho we are deeply reliant on the state infrastructure to ensure our community is travelling on the safest roadways, our milk suppliers can reach their maximum potential, and our plants are operated at the optimum sustainable efficiency.

Glanbia believes the current system for registering trucks up to 105,500 pounds is adequate. To ensure consistent and objective standards are the same for all trucks in Idaho, we recommend keeping the same procedures and replacing 105,500 pounds with 129,000 pounds.

In Governor Otter's letter, he suggests that "separate and apart from the implementation of S1229," there should be a look at truck safety on all Idaho roads. Glanbia believes that the practical implementation of S1229 and the issue of truck safety are two separate issues and should be treated as such. Our recommendation is to keep this negotiated rule making focused on S1229 which only includes 129,000 pound trucks on the interstate system.

At Glanbia we have a proven safety record, and we are committed to making our highways safer for all motorists. 129,000 pounds trucks help us on this ambition. All our new drivers must pass a practical road test including a pre-trip inspection along with a driving test, a pre-employment drug test, a fitness test, and a DOT medical examination prior to being hired. Once hired, our drivers complete a two day safety orientation prior to being placed with a trainer in a truck. All drivers complete annual and monthly safety trainings as well as a supplemental defensive driving course (Smith System) at time of hire and every three years thereafter.

ITD's own 10 year study shows that these more efficient trucks do not create any additional safety hazards nor do they cause any additional harm to the roadways. In addition, while working on approval for a local 129,000 pound route in Gooding, an independent engineering firm showed there was reduced rutting around corners due to a different off-track on the 129,000 pound configurations than the 105,000 pound configurations. We see no stopping concerns when hauling these larger loads due to the fact that there are 20 brakes versus the 14 brakes for the standard 105,500 configuration.

The safest truck is the truck that is not on the road. Operating 129,000 pound trucks eliminates 20%-25% of the loads. The majority of our loads, as with most agricultural products, are only loaded one way; so this reduction is in loaded miles as well as empty miles. By reducing the number of loads, the loads inspected by ISP as a percentage of the total loads will inherently increase even with the same number of annual inspections being completed.

S1229 deals exclusively with the interstate system in Idaho. The interstate system has the best roads in the state, with wide lanes and shoulders and a single direction of travel. Current 129,000 pound routes pull trucks off the interstate system and require them to travel on two-lane highways passing through many cities and small towns. Getting the 129,000 pound trucks on the interstate system will reduce the number of trucks and thus improve the safety of many state highways in southern Idaho.

The implementation of 129,000 pound trucks on Idaho's interstates will improve the harmonization and facilitate interstate commerce with the many surrounding states that have allowed 129,000 pound trucks for years.

Using Idaho's current system for all trucks up to 129,000 pound trucks (replacing 105,500 pounds with 129,000 pounds in all Idaho processes) will improve the permitting process as well as the customer service.

The Western States Transportation Alliance (WSTA), of which Idaho is a member state, in a 2013 resolution for a western states 129,000 pound pilot project, stated: "WSTA believes that the pilot project in these western states will demonstrate the excellent safety capabilities of longer combinations vehicles and show how these vehicles can produce significant productivity, congestion mitigation, and emissions reduction benefits."

Should ITD determine that changes to rules beyond the scope of increasing the max gross weight on the interstate system to 129,000 pounds, Glanbia makes the following suggestions:

- All current exemptions remain unchanged.
- Current Federal Motor Carrier Safety Administration (FMCSA) rules related to equipment and driver safety should be sufficient for all trucks up to 129,000 pounds. These include rules regarding:
 - Electronic logbook requirements (December 2017 deadline)
 - CDL requirements (including endorsements)
 - Medical card requirements
 - Alcohol and Drug testing requirement
 - Pre and post trip inspection requirements
 - Brake requirements
 - Stability control requirements
- The current number and type of ISP inspections is sufficient to ensure our highways are safe for all motorists.
- There should be one statewide permitting process for 129,000 pound trucks to travel on all approved routes in the state.

- Reasonable access requirements should be established to allow trucks to access 129,000 pound routes including the interstate system from depots and other loading/unloading facilities within a reasonable number of miles from an approved route. If reasonable access limits are not established, the bulk of the economic benefit of allowing heavier loads on the interstate system will be achieved by those passing through the state rather than Idaho based companies operating within the state.

Thank you for this opportunity to submit these comments.

Respectfully submitted.

Gary Halverson

Transportation Manager

Glanbia Nutritionals



Lewiston, Idaho

May 17, 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: Comments regarding potential rulemaking for permitting and safety for “over-legal” vehicles.

Dear Mr. Hobdey-Sanchez;

CHS Primeland is a Farmer / Member owned Cooperative based in Lewiston Idaho and is a regional operation of the nation’s largest Cooperative CHS Inc. We are one of the largest buyers and traders of wheat in the state of Idaho. We are in the business of helping Idaho’s Producers get their wheat production from seed to table via our connections with CHS around the globe. Our 1800 members are wholly supportive of the move to 129,000 lb. vehicles as a way to more efficiently handle and move wheat and other products to the world market.

Our members believe that the State of Idaho has a vested interest in maintaining an efficient effective transportation system of within the state. Any proposed changes outside of the law that was passed making 129,000 lb. loads legal is unnecessary and will cause confusion and disruption of the transportation systems throughout the state.

We contend the following:

Current rules for 80,000 lb. loads are sufficient and should apply to the 129,000 lb. limit loads. Both the U.S. Congress and the Idaho Legislature have passed legislation to allow for the more efficient trucks to operate on the Interstate system in Idaho. Don’t try to change the rules via the process, just apply the existing rules and review as needed for future modifications.

Eliminate the phrase “over-legal”. The law has passed, 129,000 lb. trucks are legal.

All permits should be consistent and done through the state so there are no jurisdictional rule issues.

Inspections and rules for the vehicles should be the same that exist today.

The new rules should be no broader in scope than the federal regulations.

Thank you for the opportunity to comment on this very important issue to the farmer / producers of Idaho.

Respectfully Submitted,

Ken Blakeman
General Manager
CHS Primeland
1200 Snake River Ave.
Lewiston, Idaho 83501
208-743-8551



323 La Fond St
Caldwell, ID 83605
Phone: 208-780-1031
Fax: 208-780-5753

May 19, 2016

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

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

Dear Mr. Hobdey-Sánchez:

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

We believe that the existing system of permitting vehicles up to 105,500 pounds on the Interstate works well. All that is needed to implement Senate Bill 1229 is a rule that extends the Idaho Transportation Department's current ability to permit approved state routes to the Interstate system.

Safety is our top priority at Simplot Transportation. Our drivers and equipment operate safely at the current 105,500 pound weight limit, and this will not change with an increase in our hauling capacity. The trucking industry is among the safest and most highly regulated industries in the country. Federal Motor Carrier regulations have many mandates in place to ensure safe driver hiring and management. The hiring process has multiple safety checks, including a required Motor Vehicle Record check, the Pre-Employment Screening program, a safety performance review with previous employers, and validation of the Commercial Driver's License and Medical Certification Card, with a road test encouraged. A pre-employment drug and alcohol screening is required, as is continuous management of a drug and alcohol testing program and supervisory training to help spot possible drug and alcohol use.

The Compliance, Safety, Accountability program provides further tools to monitor roadway safety and allows for visibility to high risk behaviors and incidents. The annual review process ensures that employers are aware of any instances that their drivers did not previously share with them and guarantees continued attention to driving records after the point of hire. Truck identification requirements ensure that regulatory agencies and members of the public are able to contact a trucking company if there is reason to file a

complaint or report an incident. The Electronic Logging Device mandate will continue to ensure a safe work environment for drivers as well as accurate tracking and management of hours of service records. In the trucking industry, there is nowhere for bad actors to hide.

Conscientious employers, including Simplot Transportation, implement additional safety procedures that go beyond the federal mandates. The trucking industry has made great strides when it comes to safety, and the vast majority of truck related incidents are caused by other drivers, not by professionally licensed commercial vehicle drivers. Simplot Transportation investigates each citizen complaint we receive. We hold regular safety meetings and continuously solicit driver feedback. We play an active role in the Idaho Trucking Association and are members of the American Trucking Association. We have developed relationships and maintained open dialogue with ports and state law enforcement officials throughout the Northwest.

As our current record indicates, we take our drivers and equipment very seriously. Our driver out of service rate is nonexistent, and our vehicle out of service rate is well below the national average. Over the past three years, and more than 19 million miles traveled, we have not had any Department of Transportation recordable incidents in which one of our drivers was at fault. We hold our drivers accountable for thorough pre-trip inspections and ensure that maintenance items are reported and addressed immediately. We closely monitor driver logs and utilize many tools and devices to ensure their accuracy. We foster a culture of addressing any and all safety concerns and maintain the expectation that they be brought forward. We train our drivers in not only safe and conscientious driving but how to support others at the scene of an accident regardless of their involvement. We manage licensing, registration, permitting, taxes and endorsements as appropriate.

The trucking industry has the tools and mandates in place to ensure employers can hire and maintain safe and conscientious drivers and also ensure that equipment is in safe operating condition. And the current state permitting system is more than adequate to address the new 129,000 pound weight limit on Idaho Interstates. Additional regulations would not provide any further safety benefits and would only create an unnecessary administrative burden for companies, drivers, and law enforcement officials.

Again, thank you for the opportunity to comment on the Idaho Transportation Department's negotiated rulemaking on over-legal permits on the Interstate. If you need to contact me, please call 208-780-5724 or e-mail bill.moad@simplot.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Moad", with a stylized, flowing script.

Bill Moad
Director Fleet Operations
Simplot Transportation



May 17, 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 Idaho Transportation Department's (ITD) "Overlegal" rulemaking. Far West Agribusiness Association's (FWAA) mission is to enhance the business and safety environment for the fertilizer and agrichemical industry in Idaho, Oregon, Utah, Nevada, and Washington. We are very interested in transportation issues and the opportunity to incorporate 129,000 pound trucks into Idaho's interstate highway system. As a regional trade association, we are very supportive of rules that will allow the seamless traverse of all trucks throughout our region.

The passage of Senate Bill 1229 ensured the opportunity for Idaho to permit and integrate trucks up to 129,000 pounds gross weight to travel on Idaho's interstate highways. This change is significant for Idaho business and industry. FWAA supports the current system for registering trucks up to 105,000 pounds. To ensure consistent and objective standards are in place for all trucks in Idaho we would support extending those current rules for trucks up to 129,000 pounds.

The Idaho Transportation Department notes with the posting of the rulemaking that it has been initiated at the request of Governor Otter. In Governor Otter's letter he suggests there should be a look at truck safety on all Idaho roads and notes that it should be "separate and apart from the implementation of S1229." Therefore, FWAA believes the two issues should be handled separately. This would allow ITD to move forward with making the rule changes necessary to integrate 129,000 pound trucks onto Idaho's interstate highways without delay. It would also allow ITD and interested stakeholders the time appropriate for a more thorough review of the current system through a negotiated rulemaking.

Should ITD decide to move forward with a rulemaking that combines both integrating 129,000 pound trucks and the proposed overview of our current system and truck safety, we would submit the following points for your review and consideration:

1. Rule changes should not exceed the scope or stringency of federal regulations
2. The Federal Motor Carrier Safety Administration Rules cover driver safety and equipment effectively for trucks of all sizes, including 129,000 pound trucks.
3. Truck permits for trucks from 80,000 to 129,000 pounds should be issued by the state. Additional permitting from local governments should not be required or allowed on state approved routes.



4. All current exemptions should be retained.
5. The current inspection system is effective to support road safety for all motorists. In fact, those inspections should increase given the use of 129,000 pound trucks will allow for fewer trucks on the road.

FWAA and our members are committed to ensuring Idaho's roads, highways and interstate are safe for all motorists. We believe that extending access to Idaho's interstate highway system for 129,000 trucks will support that goal. Thank you for this opportunity to comment and for your consideration of our concerns and interests.

Sincerely,

A handwritten signature in blue ink, appearing to read "James F. Fitzgerald". The signature is fluid and cursive, with a large loop at the end.

James F. Fitzgerald
Executive Director

May 20, 2016

Ramón S. Hobdey-Sánchez
Governmental Affairs Program Specialist
Idaho Transportation Department
3311 W. State St.
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 to permit vehicles up to 129,000 on the Interstate system. I, along with my father, brother, and cousin, own and operate Doug Andrus Distributing LLC. We are the largest for-hire motor carrier based in the state of Idaho. We employ 330 employees and operate 270 tractors. We have a diverse fleet which includes standard refrigerated, heavy haul refrigerated, 48-foot spread flatbeds, heavy haul flat beds, convertible hopper/flat bed trains, and hopper trains. Our service area includes the lower 48-states as well as portions of Canada and our customers include some of Idaho's oldest and largest businesses.

While we operate 270 tractors, only 10% (approximately) of them are impacted by the 105,500 limit. The impact, however, is significant. For example, for several years we have hauled road salt out of Northern Utah to locations in Idaho as well as Montana with our convertible hopper and standard hopper equipment. Because Utah and Montana have GWV limits of 129,000, we load less than we could in Utah to deliver less than we could in Montana simply because we have to pass through Idaho during the trip. The difference is 23,500 a trip which means we make 5 trips under current restrictions to haul the same amount of product that could be hauled in 4 trips if the Idaho limit was set at 129,000.

Similarly, we frequently haul wheat and fertilizers out of and through Idaho to destinations in states (or Canada) that have higher limits than Idaho. This disparity in weights from state to state leads to inefficiencies which result in more trucks being on Idaho roads as well as unnecessary fuel consumption. Regulatory requirements among states should be harmonious whenever possible to promote efficiencies in Interstate travel.

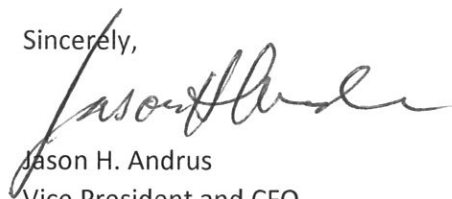
In our opinion, the existing system of permitting vehicles up to 105,500 pounds on the Interstate works well. All that is needed to implement Senate Bill 1229 is a rule that extends the Idaho Transportation Department's current ability to permit for approved 129,000 pound state routes to the Interstate system.

At Doug Andrus Distributing LLC, safety is a top priority. We have a dedicated safety department that is vigilant in making sure our drivers and trucks are compliant with state and federal regulations. We would not push for a rule change that we believed would put our professional drivers and the public at risk. We are aware that Idaho conducted a 10-year pilot project on this issue that showed no damage to roads and no impacts on safety. We wouldn't be as comfortable as we are with a rule change if that were not the case.

Lastly, we would like to point out that more efficient trucks mean fewer qualified drivers will be required to haul the same amount of freight. Those of us in the transportation industry are acutely aware that economists have projected increasing driver shortages in the United States each year. We have certainly observed this trend over the last few years and anticipate that it will continue to be a significant issue.

Again, thank you for the opportunity to comment on the Idaho Transportation Department's negotiated rulemaking on over-legal permits on the Interstate. If you need to contact me, please call me at 208-533-6705 or email me at jason.andrus@dougandrus.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason H. Andrus", written over a horizontal line.

Jason H. Andrus
Vice President and CFO
Doug Andrus Distributing LLC