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1991 State Fee and Fine Regulations for Overweight Vehicles: A National Survey

WA-RD 242.2

Final Report: Regulatory Appendix
September 1991



Washington State Department of Transportation
in cooperation with the
United States Department of Transportation
Federal Highway Administration

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16 ABSTRACT Deterioration of highways is associated with overloading vehicles. A system of fines and fees has been legislated to control or provide economic incentives to reduce overloading. This study evaluates the effectiveness and equity of the existing motor vehicle permit and penalty structure in Washington State and reviews the fee/fine/permit legislation in the balance of the nation. A comparison of fee/fine schedules over time was made and it was concluded that the "real" fine (fine adjusted for inflation) is considerably lower at present than it was in the past. Details of the national sample are found in this volume of the report.		
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**1991 STATE FEE AND FINE REGULATIONS
FOR OVERWEIGHT VEHICLES:
A NATIONAL SURVEY**

by

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Final Report: Regulatory Appendix

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**Prepared for Washington Department of Transportation
and in cooperation with U.S. Department of
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DISCLAIMER

The contents of this report appendix reflect the views and findings of the author, who is responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the Washington State Department of Transportation or the Federal Highway Administration. This report appendix does not constitute a standard, specification or regulation.

APPRECIATION

Special appreciation is expressed to Karol Hughes who performed the detailed telephone survey in 1991 and compiled the regulations contained herein and to Coleen McCracken who undertook the initial 1989 survey. This report appendix was improved by the critical review of Gary Ray. Obviously, all errors of commission, or omission, or interpretation are the responsibility of the author.

PREFACE

This report appendix is the companion volume to Ken L. Casavant, "A Preliminary Evaluation of the Equity of the Truck Fine and Fee System in Washington," Final Report: Technical Analysis, to Washington State Department of Transportation, September, 1991. The overall purpose of this study was to evaluate the effectiveness and equity of the existing motor vehicle overload permit and penalty structure of the state of Washington. An objective was to determine the structure and goals of other state systems and determine recent changes in those systems. The state regulations detailed in this report appendix were compiled by a national survey of all 50 states, plus Puerto Rico and Washington, D.C. A survey questionnaire, sent to the appropriate agencies (Departments of Transportation, Department of Highways, etc.) was followed up by telephone calls to ensure completion. This original survey was updated in March-June of 1991 by an exhaustive (all 50 states) telephone questionnaire. The resultant regulations and structures, as of June, 1991, are the object of this report appendix.

This report appendix consists of precise descriptions of the fee and fine structures in all 50 states. Much of the current information in these descriptive tables was gathered from legislation and other documents returned with the completed surveys or obtained via subsequent telephone reconfirmations and requests. Representatives in appropriate departments in each state were contacted to update that information to June of 1991 and to respond to additional questions. The individuals and departments contacted for this information are identified as "sources." In some cases two or more people were contacted

in the course of gathering information, therefore, the department in general, or a supervisor, is listed as the overall source.

Most states address the same topics in their legislation. However, interpretation of the laws, implementation, differences between state and interstate highways, and other guidelines made the task of gathering information less than straightforward. In compiling the report appendix every effort was made to be as accurate as possible under these conditions.

There are several items regarding the latter that require discussion. The term "legal" weight generally refers to the original legal statutory weight and not the "legal permitted" weight. Another point is that most states charge additional fees for "grossly overweight" or "super" loads as defined by each state. These additional fees are for special route reviews and escorts and have not been included in the tables. There may also be other fees or taxes associated with overweight vehicles that are not the responsibility of the permit-issuing office. These fees and taxes were included in the descriptions if they were made known to the author.

Legislation concerning special interest items, such as raw agricultural products, forest products, and garbage, is common. The states treat these commodities in different ways, but to keep the descriptions and phone surveys as simple as possible, questions regarding these items were not explicitly incorporated. The initial survey provided general information about these "special treatments" and these are reported in the companion volume to this report.

Vehicle registration has an important role in impact of permits and fines. Vehicles must be registered to specified weights in order to obtain a permit in most states and occasionally in-state vs. out-of-state registration has some bearing on the permit fees and fines that are issued. Although the relationship between registration and overweight vehicles is recognized, this area was not the focus of this research. There may be other fees and taxes not assessed by a state's permit unit; these are not included in these descriptions.

Many states have legal or working weight limits for permitted loads, divisible and non-divisible. These limits were included in most cases where divisible load permits are issued, but they are not usually included for non-divisible load permits.

Fees

There is a great deal of interrelationship between the fee structures and the cost of fees. Fees are determined in three basic ways: a flat fee, weight-based, and mileage-based. A large number of states use a combinations of these fee types. Single trip permits will be discussed primarily as they are the most frequently issued permits among the states.

A flat fee is the most common type of permit fee. Twenty-one states assess a flat fee. Fees range from \$5 to \$40. Two states charge a basic fee or processing charge and then add other fees according to the number of axles on the vehicle.

It is rare for a state to base fees on mileage alone. There are only two states that do so. Vehicle/load weight is a more common determinant of a permit fee. Of the nine states that use this type, some base the fee on gross vehicle weight while others base the fee on the amount of excess weight.

Combinations of these three fee types are used by the balance of the states. They are combined in a variety of ways. The most common is a basic fee with additional fees assessed for the number of ton-miles. Others have flat fees for specific weight or mileage categories or a combination of the two. Several states have separate fees for gross and axle weight overloads. Examples of states that have combinations of fees are West Virginia, Minnesota, Louisiana, Illinois, Oregon, and South Dakota.

There are states, such as South Dakota, that differentiate between in-state and out-of-state registered vehicles in the permitting process. In these cases, the vehicle has already accounted for having excess weight in the registration process.

Fines

States categorize overweight violations in different ways. In some a weight violation is a civil offense; in others it is a traffic violation or criminal misdemeanor. Several states issue both civil and criminal penalties.

Nearly all states use excess weight categories to determine fines. There may be flat fines for a given category, a per pound fine, or a combination of the two. In addition, states have base fines, court costs, and other surcharges and costs intended for a variety of purposes. These additional costs and surcharges are either flat fees or are a percentage of the weight penalty. In some cases these extra fines can be quite high; one state has a 37 percent surcharge on its overweight penalties.

One difficulty encountered in collecting and comparing data on penalties is the variability caused by the flexibility courts and counties have in issuing and determining fines. In several cases, there are guidelines for the issuance of penalties, but the discretion

of a judge or magistrate is the determining factor. Court costs and surcharges are also the judge's responsibility, which can lead to a great deal of variation in the magnitude of penalties within the same state.

Interpretation of the law also has an impact on the amount of overweight fines. For instance, in Ohio the law states there is a minimum \$100 fine for gross weight violations. In some sections of the state this has been interpreted to mean the fine is \$100. This example seems to reveal how the interests and philosophies in different regions have an effect on the manner in which laws are implemented.

An interesting contrast between states is the emphasis put upon different types of weight violations. There are states that have different overweight fines for axle and gross violations while others treat all violations the same. As for the states that differentiate between the two types of violations, there are states that issue higher fines for gross weight violations than for axle violations and states that do the opposite.

In some states weight tolerances can make the issuance of a fine complicated and time consuming. An example of this is Maine which offers many weight allowances, especially for specialty items. In addition, there are several ways to calculate tolerances and there are different fines depending on the amount of the overload. Related to weight tolerances is the ability of some courts in some states to totally forgive fines.

Several states have legislation that dictate fines must vary with the number of convictions. However the difficulty of keeping track of convictions was mentioned by many sources. Their present information systems are not adequate for tracking or making readily available records of past convictions, making it difficult to implement this type of law.

Another interesting point that came out in the many phone interviews in this research effort was the number of states that have recently or are currently considering new legislation to increase penalties for overweight vehicles. Most do not seem to want major changes in their weight laws, but do want to increase their current fine structures. One state has circumvented legislative change, at least to a certain extent, by multiplying a basic fine schedule by a factor to account for changes in inflation.

ALABAMA

Permits and Fees

Source: Randy Braden, Permits Section, Alabama Highway Department, 1407 Colosseum Blvd., Montgomery, Alabama 36130 F106 Permits. Ph: (205) 242-6626

Non-Divisible Load - Single trip and annual permits are issued. Permits are issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

	<u>Gross Vehicle Weight</u>	<u>Fee</u>
Trip	80,000 - 100,000 lbs	\$ 10
	100,001 - 125,000 lbs	\$ 30
	125,001 - 150,000 lbs	\$ 60
	> 150,000 lbs	\$100
Annual		\$100/yr

NOTE: Maximum legal weights differ for interstate and state highways.

Fines

Source: Cpl. Chuck Burns, Motor Carrier Safety Unit, Alabama Dept. of Public Safety, 1708 Congressman Dickinson Dr., Montgomery, Alabama 36109. Ph: (205) 242-4395

\$100 - \$500 and or jail for 30 - 60 days

NOTES:

- 1) The actual fine depends on the discretion of each judge. Judges may take into account the amount of the overload and whether the overload is intentional. They also determine court costs (\$1 to \$12).
- 2) When there is more than one weight violation, a gross violation is cited.

ALASKA

Permits and Fees

Source: Robert Simpson, Permits Section, Dept. of Commerce and Economic Development, Div. of Measurement Standards, 12050 Industry Way, Bldg O, Anchorage, Alaska 99515. Ph: (907) 345-7750

Non-Divisible Load - Single trip and extended period permits are issued. Permits are issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

Trip \$20 plus \$10 if GVW is > 150,000

Extended Period	<u>Period</u>	<u>Fee</u>
	30 day	\$ 40
	90 day	120
	6 months	200
	7 months	240
	8 months	280
	12 months	360

NOTE: A single trip is one way.

Fines

Source: Dave Howard, Dept. of Commerce and Economic Development, Div. of Measures and Standards, P.O. Box 111686, Anchorage, Alaska 99511. Ph: (907) 269-5641

5¢/lb for all types of overweight violations, axle and gross

NOTES:

- 1) When there is more than one weight violation, the fine depends on the type of offenses. More than one axle violation may be cited. However if an axle and GVW are overloaded, only one violation is cited.
- 2) Fines and penalties do not vary with the number of convictions.
- 3) When a permitted weight is violated, the fine is based on the permit.
- 4) When an axle(s) is overloaded with a legal GVW, the excess weight may be shifted and even off-loaded without a fine. Equipment cannot be changed.

ARIZONA

Permits and Fees

Source: Jack Head, Manager, Motor Vehicle Division, Oversize Permits Section, 1801 W. Jefferson, Phoenix, Arizona 85007. Ph: (602) 255-7732

Non-Divisible Load - Single trip and annual permits are issued. Permits are issued for overweight axles.

Divisible Load - Permits are not issued.

There are three classes of overweight permits.

Class A - They are issued for overdimensional and overweight loads up to 250,000 lbs. They are for a single trip and one load or for multiple trips of specified fixed loads, 30 days or less.

Class C - They are issued for overdimensional and overweight exceeding the limits of other classes; for single trips only.

Class D - They are issued for specialized equipment such as cranes; for multiple trips up to one year.

Fees

Trip	\$ 25
30-day	\$ 30
Annual	\$600

Fines

Source: Arnold Kennedy, Oversize Permits, Box 524M, 1801 W. Jefferson, Phoenix, Arizona 85007. Ph: (602) 255-7346

Civil sanction - 1st offense with 1,001 to 2,500 lbs excess weight.

Class 2 misdemeanor - 2nd offense within 6 months with 1,001 to 2,500 lbs excess weight.

Class 1 misdemeanor - 3rd offense within one year or over 2,500 lbs of excess weight.

ARIZONA - cont.

<u>Excess weight (lbs)</u>	Minimum fine or sanction is:		
	<u>Sanction</u>	<u>Class 2</u>	<u>Class 1</u>
1,001 - 1,250	\$ 50	\$ 75	\$ 100
1,251 - 1,500	100	150	200
1,501 - 2,000	150	225	300
2,001 - 2,500	200	300	400
2,501 - 3,000			500
3,001 - 3,500			600
3,501 - 4,000			700
4,001 - 4,500			800
4,501 - 4,750			900
> 4,751			1,000

NOTES:

- 1) When there is more than one weight violation, more than one can be cited. However, the court may convict and issue a fine for only one.
- 2) When any part of a permit is violated, the permit becomes void. The fine is based on legal weight. As with 1), the court may alter the fine.

ARKANSAS

Permits and Fees

Source: T. A. Nanney, Permit Officer, Arkansas Highway and Transportation Dept., Permit Section, 10324 I-30, P.O. Box 2261, Little Rock, Arkansas 72203. Ph: (501) 569-2387

Non-Divisible Load - Single trip permits are issued. Permits are issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

Fees include a \$12 base fee plus the following:

<u>Mileage</u>	<u>Fee</u>
1 - 100	\$ 8/ton
101 - 150	10/ton
151 - 200	12/ton
201 - 250	14/ton
> 250	16/ton

NOTE: A single trip is one way.

Fines

Source: Lt. Brown, Arkansas Highway Police, Box 3779, Little Rock, Arkansas 72203. Ph: (501) 569-2421

Each court determines penalties and court costs; the following schedule is a guideline. Arkansas has a fine schedule for GVW only. There is no schedule for overweight axles.

<u>Excess Weight (lbs)</u>	<u>Fine</u>
up to 1,000	1¢/lb
1,000 - 2,000	2¢/lb
2,001 - 3,000	3¢/lb
3,001 - 4,000	4¢/lb
> 4,000	5¢/lb

NOTES:

- 1) When a permitted weight is violated, the fine is based on legal GVW.
- 2) Legislation states that fines vary with the number of convictions, but in practice it is left to the discretion of the court.
- 3) When an axle is overloaded with a legal GVW, there is no penalty. However the load must be reduced.
- 4) Legislation was introduced to increase fines, but it failed to pass in early May.

CALIFORNIA

Permits and Fees

Source: Diane Wingerd or Fred Hight, California DOT, Permits, Rm 4104, 1120 N Street, Sacramento, California 95814. Ph: (916) 327-2253

Non-Divisible Load - Single trip, annual (blanket), and repetitive permits are issued.* When an axle is overweight, issuance of a permit depends on the configuration of the vehicle. If a single axle is overweight, more axles may be required.

Divisible Load - Permits are not issued.

Fees

Single trip - \$15

Annual - \$85

Repetitive - \$85

* Blanket permits are issued for specialized types of equipment including construction equipment. Repetitive permits are for a series of more than ten loads from Point A to Point B, (esp. construction sites). A reasonable effort must be made to stay within the orange weight classification (a bridge rating). Repetitive permits are not very common.

NOTE: A single trip is one way with an unladen return or with the same type of load, if requested.

CALIFORNIA - cont.

Fines

Source: Sgt. Larry Cox, Commercial Section, CA Highway Patrol, 2555 First Ave., P.O. Box 898, Sacramento, California 95804. Ph: (916) 445-1865

<u>Excess Weight (lbs)</u>	<u>Fine</u>
0 - 1,000	\$ 20
1,001 - 1,500	30
1,501 - 2,000	40
2,001 - 2,500	55
2,501 - 3,000	85
3,001 - 3,500	105
3,501 - 4,000	125
4,001 - 4,500	145
4,501 - 5,000	175
5,001 - 6,000	4¢/lb
6,001 - 7,000	6¢/lb
7,001 - 8,000	8¢/lb
8,001 - 10,000	15¢/lb
> 10,000	20¢/lb

NOTES:

- 1) There is also a penalty assessment, but the amount is not known.
- 2) All weight violations are assessed according to this schedule. If there is more than one violation, the most serious violation is generally cited.
- 3) Fees do not vary with the number of convictions. However a court can assess additional penalties.
- 4) When a permitted weight is exceeded, a permit violation can be cited in addition to fines based on the permit weight. There may be a bond schedule for permit violations, but courts vary a great deal in the fines assessed.
- 5) When an axle(s) is overweight there is an automatic fine and the excess weight must be shifted or off-loaded.

COLORADO

Permits and Fees

*Source: Dept. of Highways, 4201 E. Arkansas Ave., Denver, Colorado 80222.
Ph: (303) 757-9539*

Non-Divisible Load - Single trip and annual permits are issued. Permits are issued for overweight axles.

Divisible Load - Single trip and annual permits are issued. Three conditions must be satisfied. 1) Observe legal axle limits; 2) Only on interstate; and 3) A weight formula (not federal). $[\text{length (1st to last axles)} + 40] * 800 = \text{GVW}$. Up to 110,000 lbs depending on vehicle configuration.

Fees

Trip	\$ 15 + \$5/axle
Annual	\$400
Special permit	\$125 (for superloads, one-way)

NOTES:

- 1) A single trip is one-way, loaded.
- 2) Maximum legal weights and weight formulas differ for interstate and state highways.

Fines

Source: Randy Curtis, Deputy Chief, Port of Entry Division, 516 Acoma St., Denver, Colorado 80204. Ph: (303) 572-5690

There is a graduated penalty plus a 37% surcharge (generally rounded down to nearest dollar). This table does not apply to violations of a permit weight.

<u>Overweight (lbs)</u>	<u>Penalty</u>	<u>Overweight (lbs)</u>	<u>Penalty</u>
1 - 3,000	\$ 15	7,251 - 7,500	\$215
3,001 - 4,250	25	7,501 - 7,750	245
4,251 - 4,500	50	7,751 - 8,000	275
4,501 - 4,750	55	8,001 - 8,250	305
4,751 - 5,000	60	8,251 - 8,500	345
5,001 - 5,250	65	8,501 - 8,750	385
5,251 - 5,500	75	8,751 - 9,000	425
5,501 - 5,750	85	9,001 - 9,250	465
5,751 - 6,000	95	9,251 - 9,500	515
6,001 - 6,250	105	9,501 - 9,750	565
6,251 - 6,500	125	9,751 - 10,000	615
6,501 - 6,750	145	10,001 - 10,250	665
6,751 - 7,000	165	over 10,250 lbs	\$665 plus
7,001 - 7,250	185		\$30/each add'l 250 lbs. ovrwt.

COLORADO - cont.

When a permitted axle or gross weight is violated, penalties are as follows for excess weight over maximum permitted plus a 37% surcharge.

<u>Overweight (lbs)</u>	<u>Penalty</u>
1 - 2,500	\$ 50
2,501 - 5,000	100
5,001 - 7,500	200
7,501 - 10,000	400
> 10,000	\$400 plus \$150/each add'l 1,000 lbs

NOTES:

- 1) When there is more than one weight violation, more than one can be cited.
- 2) Fines and penalties do not vary with the number of convictions.

CONNECTICUT

Permits and Fees

Source: Linda Hope, DOT, Motor Transport Services, Oversize/Overweight, P.O. Box 310 998, Newington, Connecticut, 06131-0998. Ph: (203) 667-4185

Non-Divisible Load - Single trip permits are issued for construction purposes.

Permits are issued for overweight axles.

Divisible Load - Annual permits are issued only for the Infrastructure Program and is expected to end this year.

Fees

Trip - \$15

Annual - 30% of registration fee

Fines

Source: Sgt. John Leony, Traffic Coordinator, Conn State Police, P.O. Box 711, Norwich, Connecticut, 06360. Ph: (203) 566-8037 [Or Sgt. Tom Brown, Ph: (203) 566-4440]

The following schedule applies to all weight violations. All the fines given below must be multiplied by 1.625. A fine increase percentage is used instead of changing the schedule. Example: a vehicle that is 3,000 lbs over 80,000 lbs is 4% overweight. The fine will be \$3 per hundredweight multiplied by 1.625 ($\$3 * 30 * 1.625 = \text{total fine}$). Minimum fines are also multiplied by the factor.

<u>% Overweight</u>	<u>Fine</u>
5% or less	\$3/100 lbs or fraction
> 5% to 10%	\$5/100 lbs or fraction OR \$50 minimum
> 10% to 15%	\$6/100 lbs or fraction OR \$100 minimum
> 15% to 20%	\$7/100 lbs or fraction OR \$200 minimum
> 20% to 25%	\$10/100 lbs or fraction OR \$300 minimum
> 25% to 30%	\$12/100 lbs or fraction OR \$500 minimum
> 30%	\$15/100 lbs or fraction OR \$1,000 minimum

NOTES:

- 1) If a vehicle weighs less than 80,000 lbs it is given a 2% tolerance on GVW and the axles. If it weighs over 80,000 lbs, there is no tolerance.
- 2) When there is more than one weight violation the fine depends upon the court system. Some will issue fines for all violations while others for one only.
- 3) Fines and penalties do not vary with the number of convictions.
- 4) A permit violation can be assessed a \$78 fine and an overweight fine based on the permit.

DISTRICT OF COLUMBIA

Permits and Fees*Source: Unable to verify information*

Non-Divisible Load - Single trip and annual permits are issued.

Divisible Load - Annual permits are issued.

- Type A Single-trip special hauling permits for all types of self-propelled and tractor-drawn equipment.
- Type B Annual special hauling permit for single-unit self-unloading motor vehicles with 3 or more axles (for weight up to 65,000 lbs.).
- Type C Annual special hauling permit for tractor-trailer combinations. Issued for non-divisible loads up to 86,000 lbs. (for 5 axles or more).

Fees

- Type A \$ 19
- Type B \$917 (If vehicle was placed in service after 7/2/70).
- Type C \$ 81 (Or prorated with \$27 base fee plus \$4.50/month)

Fines*Source: Unable to verify information.*

- | | |
|--------------------------------|---|
| up to 5,000 lbs. excess weight | \$100 |
| > 5,000 lbs. excess weight | \$100 + \$.06 for each additional lb. over 5,000 lbs. excess weight |

DELAWARE

Permits and Fees

Source: Bruce Littleton, Bureau of Traffic, Sign Shop, DOT, P.O. Box 778, Dover, Delaware 19903. Ph: (302) 739-4366

Non-Divisible Load - Single trip permits are issued. Permits are not issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

Trip \$10 + \$5 per each 3,000 lbs or fraction over licensed weight

NOTES:

- 1) A single trip is one way.
- 2) There was a per ton-mile fee in the past but it too difficult to calculate. They may go back to it now with computers.

Fines

Source: Sgt. Stafford, Truck Weight Enforcement, Delaware State Police, P.O. Box 430, Dover, Delaware 19903. Ph: (302) 739-5933

1st offense base fine is \$28.75, up to \$230

2nd and subsequent
offenses base fine is \$115, up to \$575

Plus the following:

	<u>Excess Weight (lbs)</u>	<u>Fine</u>
1st offense	0 - 5,000	2.30¢/lb
	> 5,000	5.75¢/lb
Each subsequent offense	0 - 5,000	5.75¢/lb
	> 5,000	11.50¢/lb

NOTES:

- 1) There are victim's compensation surcharge of 18% and court costs of \$8.50.
- 2) When there is more than one violation, only one is cited.
- 3) When a permitted weight is exceeded, the fine is based on legal weight.
- 4) When an axle(s) is overweight with a legal GVW, a fine is automatically issued.
- 5) Axle and inner bridge limits are enforced on interstate highways only.

GEORGIA

Permits and Fees

Source: Ms. Ginger Williams, Permits Section, DOT, 276 Memorial Dr. SW, Atlanta, Georgia 30303. Ph: (404) 656-5435

Non-Divisible Load - Single trip and annual permits are issued for heavy equipment. Permits are not issued for overweight axles.

Divisible Load - Single trip permits are issued for containers with an international bill of freight. Multiple trip (annual) permits are issued for cotton, tobacco, concrete pipe, and plywood on state highways. Weights must fall within the bridge formula.

Fees

Trip	\$5
Annual	\$100

NOTE: A single trip is one way.

Fines

Source: Gloria Davis, Supervisor, (or Connie Brown), Overweight Citation Assessment, Permits and Enforcement, 276 Memorial Dr. SW, Atlanta, Georgia 30303. Ph: (404) 656-0480

The following schedule applies to GVW and the sum of the loads on an axle or axles.

<u>Excess Weight (lbs)</u>	<u>Fine</u>
1st 1,000	.8¢/lb
Next 2,000 (to 3,000)	1.5¢/lb
Next 2,000 (to 5,000)	3¢/lb
Next 3,000 (to 8,000)	4¢/lb
For weight > 8,000	5¢/lb

NOTES:

- 1) If there is more than one weight violation, the one with the largest penalty is cited.
- 2) Fines and penalties do not vary with the number of convictions.
- 3) When a permitted weight is exceeded, fines are assessed at 125% of the above schedule. They are based on the permit weight.
- 4) If the load on an overweight axle can be shifted by hand there is no fine; if not, a citation is issued. Gross overloads of 6,000 lbs or more are required to be unloaded.

HAWAII

Permits and Fees

Source: Michael Pho, *Overweight Vehicle Permits, DOT, 727 Kakoi St., Honolulu, Hawaii 06819. Ph: (808) 548-2596*

Non-Divisible Load - Single trip permits are issued. Permits are issued for overweight axles. (Continuous permits are issued primarily for military vehicles.)
Divisible Load - Single trip and annual permits are issued for ag. products.

Fees

Single trip permits for loads less than 1.35 times the allowable load \$ 5

Overweight permit in excess of 1.35 times the allowable load \$25

NOTE: A single trip is a round trip.

Fines

Source: *Motor Vehicle Safety, 79 South Nimitz, Honolulu, Hawaii 96813. Ph: (808) 548-5485*

<u>Excess Pounds</u>	<u>Min Fine</u>	<u>Excess Pounds</u>	<u>Min Fine</u>
100 - 1,500	\$125	6,001 - 6,500	\$330
1,501 - 2,000	130	6,501 - 7,000	360
2,001 - 2,500	140	7,001 - 7,500	390
2,501 - 3,000	160	7,501 - 8,000	420
3,001 - 3,500	180	8,001 - 8,500	455
3,501 - 4,000	200	8,501 - 9,000	490
4,001 - 4,500	225	9,001 - 9,500	525
4,501 - 5,000	250	9,501 - 10,000	560
5,001 - 5,500	275	> 10,000	580
5,501 - 6,000	300		

2nd violation within one year: the fine is not less than twice the fines listed in table above and not more than \$1,200.

3rd and subsequent violations within one year: the fine is not less than triple the fines listed in the table above and not more than \$1,800.

NOTES:

- 1) When there is more than one weight violation, only one is fined.
- 2) When a permitted weight is exceeded, the fine is based on the permit.
- 3) There is a 5% weight tolerance on state highways only.

IDAHO

Permits and Fees

Source: Ms. Reggie Phipps, Vehicle Size And Weight, Transportation Dept., Div. of Highways, P.O. Box 7129, Boise, Idaho 83707. Ph: (208) 334-8418

Non-Divisible Load - Single trip and annual permits are issued. Permits are issued for overweight axles.

Divisible Load - Annual permits are issued for interstate travel, Legal axle weights must be observed with GVW up to 105,500 lbs. Permits are not required for non-interstate travel, but the bridge formula must be satisfied.

Fees

Annual overweight (non-divisible) - \$40¹

Single trip overweight (non-divisible) - \$15 plus fee based on weight and distance²

Excess weight (divisible loads up to 105,500 lbs) - \$25

¹Vehicles register to 80,000 lbs, then permits are given for additional weight. Every three months mileage is reported to registration. The weight and distance formula is:

$$[(\text{permitted GVW} - 80,000)/2,000] * .0021 * \text{miles traveled.}$$

²The weight and distance formula is: $[(\text{GVW} - 80,000)/2,000] * .0021 * \text{miles traveled.}$

Fines

Source: Mark Young, Port of Entry Manager, P.O. Box 7129, Boise, Idaho 83707-1129. Ph: (208) 334-8688

The maximum fine is \$100. A gross weight violation is generally considered a registration violation. Axle and bridge formula fines are given in the following table.

<u>Overweight (lbs)</u>	<u>Fines</u>
1 - 2,000	\$ 10
2,001 - 4,000	25
4,001 - 6,000	40
6,001 - 8,000	60
8,001 - 10,000	80
> 10,000	100

NOTES:

- 1) There is a \$12.50 surcharge.
- 2) The court generally fines a registration violation \$10 even though the bond schedule states \$50.
- 3) When there is more than one weight violation, the one with the higher fine is probably assessed.
- 4) A \$100 fine may be assessed for violating a non-divisible load permit.

IDAHO - cont.

Legislation has been introduced to increase fines. The new fine schedule is expected to pass and go into effect January 2, 1992.

Expected fines are as follows:

<u>Overweight (lbs)</u>	<u>Fines</u>
1 - 1,000	\$ 5
1,001 - 2,000	15
2,001 - 4,000	25
4,001 - 15,000	\$ 25 + 13.41¢/lb for each lb over 4,000
15,001 - 20,000	\$1,500 + 20¢/lb for each lb over 15,000
> 20,000	\$2,500 + 30¢/lb for each lb over 20,000

NOTE: An overload is assumed to be unintentional up to 4,000 lbs.

ILLINOIS

Permits and Fees

Source: Stan Paulis, Permit Office, Bureau of Traffic, 2300 S. Dirksen Parkway, Rm 117, Springfield, Illinois 62764. Ph: (217) 782-7984

Non-Divisible Load - Single trip permits are issued. Permits are issued for overweight axles.

Divisible Loads - Permits are not issued.

NOTE: A single trip is one way. A round trip can be requested, but the mileage is doubled.

Fees

A. Overweight-axle Loads (with a legal GVW) - for each overweight single axle or tandem axle group, the flat rate fees for increments of 45 miles or fraction thereof including issuance fee predicated upon an 18,000 lb single axle equivalency. Single trip permits only.

NOTE: This table is rarely used; vehicles are normally over both gross and axle weights.

<u>Pounds over legal</u>	<u>Single</u>	<u>2-Axle Tandem</u>	<u>3-Axle Tandem</u>
1 - 6000	\$5	\$5	\$5
6001 - 11000	8	7	6
11001 - 17000	N/A	8	7
17001 - 22000	N/A	N/A	9
22001 - 29000	N/A	N/A	11

B. Overweight-gross Loads - overweight-gross loads shall be paid at the flat rate fees for weights in excess of legal gross weights. Single trip permits only. If a load has both an overweight axle and gross, only one fee is charged, whichever is greater.

<u>Total Axles</u>	<u>6+</u>	<u>6+</u>	<u>6+</u>	<u>6+</u>
<u>Gross Weight (max)</u>	88,000	100,000	110,000	120,000
<u>Distance (miles)</u>				
0 - 45	\$ 10	\$ 15	\$ 20	\$ 30
46 - 90	12.50	25	32.50	55
91 - 135	15	35	45	80
136 - 180	17.50	45	57.50	105
181 - 225	20	55	70	130
226 - 270	22.50 ^a	65 ^b	82.50 ^c	155 ^d

ILLINOIS - cont.

^aFor each additional 45 miles or fraction in excess of 225 miles the fee is an additional \$2.50.

^bFor each additional 45 miles or fraction in excess of 225 miles the fee is an additional \$10.

^cFor each additional 45 miles or fraction in excess of 225 miles the fee is an additional \$12.50.

^dFor each additional 45 miles or fraction in excess of 225 miles the fee is an additional \$25.

Total Axles	5	5
Gross Weight (max)	88,000	100,000
<u>Distance (miles)</u>		
0 - 45	\$ 20	\$ 30
46 - 90	32.50	55
91 - 135	45	80
136 - 180	57.50	105
181 - 225	70	130
226 - 270	82.50 ^e	155 ^f

^eFor each additional 45 miles or fraction in excess of 225 miles the fee is an additional \$12.50.

^fFor each additional 45 miles or fraction in excess of 225 miles the fee is an additional \$25.

NOTE: There are six additional categories for axle mobile cranes and water well-drilling equipment.

Fines

Source: Trooper Grundy, Illinois State Police, Vehicle Enforcement Section, Suite 200, 201 E. Adams, Springfield, Illinois 62701. Ph: (217) 782-6267

A.	<u>Excess Weight (lbs)</u>	<u>Fine</u>
	up to 2,000	\$ 50
	2,001 - 2,500	135
	2,501 - 3,000	165
	3,001 - 3,500	260
	3,501 - 4,000	300
	4,001 - 4,500	425
	4,501 - 5,000	475
	> 5,000	\$750 for the first 5,000 lbs overweight and \$75 per each additional 500 lb increments overweight or fraction thereof

ILLINOIS - cont.

B. Exceeding Axle Weights of a Permit - guilty of a business offense

<u>Excess Weight (lbs)</u>	<u>Penalty</u>
up to 1,000	2¢/lb to 5¢/lb
1,001 - 2,000	5¢/lb to 10¢/lb
2,001 - 3,000	10¢/lb to 15¢/lb
> 3,000	15¢/lb to 20¢/lb

C. Exceeding Gross Weight of a Permit - guilty of a business offense

<u>Excess Weight (lbs)</u>	<u>Penalty</u>
up to 1,000	2¢/lb to 5¢/lb
1,001 - 2,000	4¢/lb to 7¢/lb
2,001 - 3,000	7¢/lb to 10¢/lb
3,001 - 4,000	10¢/lb to 15¢/lb
4,001 - 5,000	15¢/lb to 20¢/lb
> 5,000	17¢/lb to 25¢/lb

NOTES:

- 1) Court costs and county fees vary by county (\$50 to \$500).
- 2) A \$50 fine can be assessed for violation of a permit.
- 3) Legislation states that fines and penalties vary with the number of convictions. However it is difficult to enforce.
- 4) If there is more than one weight violation, the one with the highest fine is cited.
- 5) A 1,000 lbs tolerance is allowed on GVW and 2,000 lbs on axles. The vehicle weight must be made legal before continuing.

INDIANA

Permits and Fees

Source: Connie McQuern, Permit Coordinator, Indiana DOT, State Office Bldg, 100 N. Senate Avenue, Indianapolis, Indiana 46204-2249. Ph: (317) 232-5553

Non-Divisible Load - Single trip permits are issued. Permits are issued for overweight axles.

Divisible Load - **Special Weight Permits** are issued for both single trips and annually. They are issued for extra heavy duty designated highways located in the northwest portion of the state for the purpose of transporting steel into Michigan. **Toll Road Gate Permits** are issued annually for use of state roads. They permit overweight trucks to get off the toll roads either to deliver or to unload down to legal weight.

Fees

Trip (non-divisible)

\$20 plus a mileage fee of:	80,001 - 108,000 lbs	35¢/mile
	108,001 - 150,000 lbs	60¢/mile
	> 150,000 lbs	\$1/mile

Fees for an overweight axle would be based on same weight increments, most likely 35¢/lb.

Special Weight Permit

\$42.50 per trip (both annual and single), payable by quarter

Toll Road Gate Permits

\$20 per gate If one gate is used to exit the toll road and another to enter, the fee is \$40.

Fines

Source: Maj. John Hill, Motor Carrier, 1810 S. Lynhurst, Suite Q, Indianapolis, Indiana 46241. Ph: (317) 241-5069

<u>Excess pounds</u>	<u>Fine</u>
0 - 2,000	2¢/lb
2,001 - 3,000	4¢/lb
3,001 - 4,000	6¢/lb
4,001 - 5,000	8¢/lb
> 5,000	10¢/lb

NOTE: Fines vary a great deal between counties. Two phone contacts stated there were no guidelines. The fines given above were recommended on a previous occasion by a source that is not listed.

IOWA

Permits and Fees

Source: Carol Willard, Supervisor, Overdimensional Permit Section, 5268 NW 2nd Ave., Des Moines, Iowa 50313. Ph: (515) 237-3274

Non-Divisible Load - Single and annual permits are issued. Permits are not generally issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

Trip	\$10
Annual	\$25

NOTE: A single trip is one way.

Fines

Source: Mike Winfrey, Motor Vehicle Enforcement, DOT, 5268 NW 2nd Ave., Des Moines, Iowa 50313. Ph: (515) 237-3247

A. The fine schedule for single axle, tandem axles, and group axles.

<u>Overweight (lbs)</u>	<u>Fines</u>
up to 1,000	\$ 10 + 1/2¢/lb
1,001 - 2,000	\$ 15 + 1/2¢/lb
2,001 - 3,000	\$ 80 + 3¢/lb
3,001 - 4,000	\$100 + 4¢/lb
4,001 - 5,000	\$150 + 5¢/lb
5,001 - 6,000	\$200 + 7¢/lb
> 6,000	\$200 + 10¢/lb

B. The fine schedule for gross vehicle weight is half of the above fines for the same weight increments.

Example: up to 1,000 lbs The fine equals 1/2 of (\$10 + 1/2¢/lb)

NOTES:

- 1) There is a 30% surcharge added to the fines and there are \$10 court costs.
- 2) When there is more than one weight violation, the officer's discretion is used to determine whether all violations are cited. The same is true for repeat offenders.
- 3) When a permitted weight is violated, fines are based on the permit.
- 4) When an axle is overweight with a legal GVW, fines are automatic and loads must be made legal before continuing.

KANSAS

Permits and Fees

Source: Julia Smith, Bureau of Traffic, Special Permit Section, Docking State Office Building, Topeka, Kansas 66612. Ph: (913) 296-7400

Non-Divisible Load - Single trip and continuous permits are issued. Continuous permits are issued for 30 days when hauling the same type of load within a restricted area. Permits are issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

Trip	\$5
Continuous	\$5

NOTE: Interstate and state highways have different legal weight limits.

Fines

Source: Lt. Wade, Kansas Highway Patrol, Troop M, 700 Jackson, Suite 500, Topeka, Kansas 66603. Ph: (913) 296-7900

Fines apply to GVW and axles

1st offense:

<u>Overweight (lbs)</u>	<u>Fine</u>
up to 1,000	\$25
1,001 - 2,000	3¢/lb
2,001 - 5,000	5¢/lb
5,001 - 7,500	7¢/lb
> 7,500	10¢/lb

2nd offense within two years: 1.5 times the schedule above

3rd offense within two years: 2 times the schedule above

4th and successive offenses within two year: 2.5 times the schedule above

NOTES:

- 1) When there is more than one weight violation, the most serious one is cited.
- 2) When a permitted weight is exceeded, the fine is based on the permit.

KENTUCKY

Permits and Fees

Source: Ms. Pat Knoll, Overweight Division, Div. of Motor Carrier, P.O. Box 2007, Frankfurt, Kentucky, 40602. Ph: (502) 564-4540

Non-Divisible Load - Single trip permits are issued. Permits are issued for overweight axles.

Divisible Load - Permits are not issued, although there may be some exceptions.

Fees

Base fee is \$60

Additional fees for 6 or more axles

6 axles - \$40

7 axles - \$50

8 axles - \$60

9+ axles - \$70

NOTE: A single trip is one way.

Fines

Source: Capt. Maffett, Motor Vehicle Enforcement, Rm 804, State Office Bldg., Frankfurt, Kentucky 40622. Ph: (502) 564-7906

<u>Overweight (lbs)</u>	<u>Fine</u>
0 - 2,000	2¢/lb
2,001 - 3,000	3¢/lb
3,001 - 4,000	4¢/lb
4,001 - 5,000	7¢/lb
> 5,000	9¢/lb

NOTES:

- 1) Court costs average from \$42.50 to \$47.50.
- 2) When there is more than one weight violation, only one will be cited, probably the one with the highest fine.
- 3) When a permitted weight is violated, a violation of a permit can be cited with fines from \$10 to \$500. The permit is considered void and overweight fines are based on legal weight.
- 4) When a vehicle is overweight, off-loading is usually not required, because there have been road accidents in the past. The vehicle is fined and off-loading is expected as soon as possible with the possibility of being fined again.

LOUISIANA

Permits and Fees

Source: James Norman, Truck Permit Office, Dept. of Transportation and Development, P.O. Box 94042, Baton Rouge, Louisiana 70804. Ph: (504) 334-0303

Non-Divisible Load - Single trip permits are issued. Permits are issued for overweight axles.

Divisible Load - There are some annual harvest permits.

NOTE: A single trip is generally one way. Round trip permits are offered but fees are based on both ways.

Fees - Trip Permits

A. The following schedule is for vehicles and combinations that do not exceed legal gross weight but do exceed legal axle weight on one to three axles or axle groups (including steering). It is also for vehicles or combinations with 2 or 3 axles total and which exceed both their legal GVW and legal axle weight.

<u>Excess Weight (lbs)</u>	<u>miles</u>				
	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>	<u>> 200</u>
0 - 10,000	\$ 20	\$ 30	\$ 35	\$ 45	\$ 55
10,001 - 20,000	35	65	90	115	140
20,001 - 30,000	55	100	140	185	230
30,001 - 40,000	70	135	195	255	315
40,001 - 50,000	90	170	245	325	405
50,001 - 60,000	105	205	300	395	490
> 60,000	\$10 plus 7¢ per ton-mile				

B. For combinations of vehicles with four axles (including steering axle).

<u>Gross Weight (lbs)</u>	<u>miles</u>				
	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>	<u>> 200</u>
66,001 - 80,000	\$ 20	\$ 35	\$ 45	\$ 60	\$ 70
80,001 - 90,000	45	75	110	145	175

LOUISIANA - cont.

C. For combinations of vehicles with 5 or more axles when GVW exceeds 80,000 lbs.

Gross Weight (lbs)	<u>miles</u>				
	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>	<u>> 200</u>
80,001 - 100,000	\$ 30	\$ 45	\$ 65	\$ 80	\$100
100,001 - 108,000	50	95	135	180	220
108,001 - 120,000	70	130	190	250	310
120,001 - 132,000	90	170	250	330	415
132,001 - 152,000	120	225	335	445	555
152,001 - 172,000	155	295	440	585	730
172,001 - 192,000	190	365	545	725	905
192,001 - 212,000	225	435	650	865	1080
> 212,000	\$10 plus 5¢/ton-mile of weight in excess of 80,000 lbs plus a fee for structural evaluation.				

Fines

Source: Capt. McCall, Weight Enforcement, Dept. of Transportation and Development, P.O. Box 94042, Baton Rouge, Louisiana 70804. Ph: (504) 334-0267

I. Legal Limitations Violations: vehicle and divisible loads can be impounded until the fine has been paid and the vehicle off-loaded to legal.

A. If a vehicle and divisible load exceeds legal or DOTD regulations for axle weight or gross vehicle weight, these schedules will be used.

<u>Overweight (lbs)</u>	<u>Over Gross Weight</u>	<u>Over Axle Weight(s) Only</u>
0 - 3,000	2¢/lb	1¢/lb
3,001 - 5,000	3¢/lb	1.5¢/lb
5,001 - 10,000	4¢/lb	2¢/lb
> 10,000	\$100 + 5¢/lb	\$100 + 5¢/lb

B. Only one overweight penalty is assessed. The penalty assessed is for the violation which gives the greater penalty (gross, axle, or licensed). When two or more single axles or axle groups are overweight, penalties are figured separately for each overweight axle; then all the penalties are added together.

LOUISIANA - cont.

C. If a vehicle exceeds both the legal maximum gross weight and the legal maximum axle weight, both penalties are figured from the Over Gross Weight Schedule, and the greater of the two is assessed as the penalty. When two or more single axle or axle groups are overweight, the sum of the fines of the overweight axles is compared to the fine on the gross weight, and the greater of the two is assessed.

II. Bridge Formula: if the vehicle or combination of vehicles is in violation of the bridge formula axle spacing requirements, the penalty is \$50.

III. Permit Violations: indivisible vehicles or indivisible loads exceeding legal limitations without a permit or violating the restrictions of a permit will be impounded until a permit is purchased or all permit requirements are met.

A. No Permit for Weight: An overweight permit must be purchased. Penalties for over gross vehicle weight only and over axle weight only are the same as in Part I. If both the legal gross vehicle weight and the legal axle weight are exceeded, the Over Gross Vehicle Weight Schedule is used to figure both over gross and over axle penalties. The greater of the two penalties is assessed.

B. Over Permitted Axle Weight Only: No fine is assessed. Additional dismantling, modification of the hauling equipment, or return of the movement to the state or point of origin may be required.

C. Over Permitted Gross Weight Only: A fine is assessed from the Over Gross Weight Schedule in Part I. A fine is based on all pounds in excess of the permit's gross vehicle weight.

D. Over Permitted Gross and Axle Weights: If a vehicle, vehicle combination, or vehicle/load combination exceeds both the GVW and axle weight allowed by a valid permit, one penalty is figured using the pounds in excess of the permit's maximum allowable gross vehicle weight.

E. C and D may require that the permit's weight be increased to the actual weight being carried. A fee would be charged for the difference between the permit fee already paid and that for the new permit.

NOTES:

- 1) Fines and penalties do not vary with the number of convictions.
- 2) When an axle(s) is overloaded with a legal GVW, the opportunity is given to shift the load to reduce or eliminate overweight fines. No part of the load may be off-loaded.

MAINE

Permits and Fees

Source; Sandy Damran or Virginia Jewett, Supervisor, Sec. of State, Motor Vehicle Div., Commercial Vehicle Center, State House Station #29, Augusta, Maine 04333, Ph: (207) 626-8630. Tammy Warren, Commercial Registration, same address. Ph: (207) 626-8604

Non-Divisible Load - Single trip permits are issued^a. Permits are issued for overweight axles.

Divisible Load - A **General Permit** is offered for vehicles registered out-of-state. It allows weight to 90,000 lbs on state highways (Maine's legal limit). A **General Commodity Permit** (called a 100k permit) is issued for divisible loads on the state highway system. 3 axle tractor and triaxle trailer **Special Commodity Permits** gives a 10% weight tolerance for certain commodities (such as raw ore, gravel, wood, grain). In effect, they allow 10% over legal limit (state highways only).

^a **Instant Permits** - Truckers may purchase a book of permits (\$75) and then call the permit office to get a permit number. They write out their own permits, keeping a copy for themselves and sending one to the permit office. They are charged for each move.

FeesNon-Divisible Load Permit Fees^b

<u>Excess Weight (lbs)</u>	<u>Fee</u>
0 - 5,000	\$ 3.00
5,001 - 10,000	4.50
10,001 - 15,000	6.00
15,001 - 20,000	7.50
20,001 - 25,000	9.00
25,001 - 30,000	10.50
30,001 - 35,000	12.00
35,001 - 40,000	13.50
> 40,000	15.00

^b This schedule is for weights in excess of the following: 34,000 lbs on 2 axle vehicle; 54,000 lbs on 3 axle vehicle or combination; 69,000 lbs on 4 axle vehicle or combination; and 80,000 lbs on a 5 axle vehicle or combination.

Divisible Load Permit Fees

90,000 lb General Permit: 3-month minimum for \$9/month or \$105/year

100,000 lbs General Commodity Permit: 3-month minimum for \$75
or if more than 3 months - \$21/month
or \$252/year

MAINE - cont.

Special Commodity Permit: \$2 for a month or year

NOTES:

- 1) A single trip is one way.
- 2) Registration offers a booster that allows an increase in registered gross weight up to 8 months (primarily for short-term jobs).

Fines

Source: Lt. Pearson, Bureau of State Police, Traffic Division, State House Station #20, Augusta, Maine 04333. Ph: (207) 289-1057

A. Excessive Vehicle Weight The minimum fine for any gross or axle violation is \$10. The fine for going over a permitted weight is based on non-permitted weight.

<u>% over allowed weight</u>	<u>Fine</u>	<u>% over allowed weight</u>	<u>Fine</u>
1	\$ 10	26	\$370
2	20	27	390
3	30	28	410
4	40	29	430
5	50	30	450
6	60	31	475
7	70	32	500
8	80	33	525
9	90	34	550
10	100	35	575
11	115	36	600
12	130	37	625
13	145	38	650
14	160	39	675
15	175	40	700
16	190	41	730
17	205	42	760
18	220	43	790
19	235	44	820
20	250	45	850
21	270	46	880
22	290	47	910
23	310	48	940
24	330	49	970
25	350	50	1000
			\$1,000 plus \$10 for each percent over 50%

MAINE - cont.

B. Aggravated Excessive Gross Weight - This is cited when an allowable gross weight, including any commodity permits, is exceeded by 20% or more. The fine imposed for a **first offense** within a 12-month period is 50% more than fines assessed in Part A. The fines for a **second or subsequent offense** is 100% more than the fines assessed in Part A.

C. In the event that a larger fine would be issued for an axle violation, the larger fine is imposed but the person is cited for aggravated excessive vehicle weight. (Example: If the GVW is exceeded by 20% (\$250 + 50% fine) and an axle is overloaded by 40% (a fine of \$700), the fine would be \$700, but aggravated gross violation would be cited in court.)

D. When both gross and axle weights are exceeded, the penalty imposed shall be on the violation that results in the higher fine.

E. Provided that gross, axle and tire limits are not exceeded, vehicles may operate at a gross weight exceeding the current registration by the greater of 2-1/2 percent or 500 lbs.

- F.**
- 1) If **Gross** weight is exceeded by less than 500 lbs * (# axles - 1), the fine is waived.
 - 2) If **Gross** weight is exceeded by less than 1,000 lbs * (# axles - 1), the fine is reduced by 50%.
 - 3) If **Gross** weight is greater than these amounts, the fine schedule applies.

- G.**
- 1) If excess on any **Axle of Group of Axles** is less than 1,000 lbs, the fine is waived.
 - 2) If the excess is less than 1,000 lbs + 500 lbs * (# of axles), the fine is reduced by 2/3.
 - 3) If the excess is less than 1,000 lbs + 1,000 lbs * (# of axles), the fine is reduced by 50%.
 - 4) If the excess is greater than these amounts, the fine schedule applies.

NOTE: Lt. Pearson noted how complicated it can be to calculate fines because there are many exceptions and tolerances.

MARYLAND

Permits and Fees

Source: Dolores Strasser, Chief, State Highway Administration, Hauling Permits Section, 707 N. Calvert St. Baltimore, Maryland 21202.

Ph: (301) 333-6427

Non-Divisible Load - Single trip permits are issued for GVW to 45 tons. **Special Hauling Permits** are single trip permits issued for vehicles weighing over 45 tons. Maryland issues permits for containerized loads going into and out of Maryland ports on an annual basis with no fee. They are not recognized by the federal government as non-divisible.

Divisible Load - Permits are not issued.

NOTES:

- 1) 30-day and annual **Blanket Hauling** permits are issued for non-divisible loads to Maryland-based companies, but GVW may not exceed 40 tons, so they are basically oversize permits.
- 2) A single trip is one way.

Fees

Trip	\$30	(A Book of 10 permits is issued for \$300)
Special Hauling Permit	\$30	for 1st 45 tons GVW + \$5 for each additional ton or part thereof (plus other fees for weights over 55 tons)

Fines

Source: Trooper Ardis or Capt. J.O. Himmelmann, Suite 304, Commercial Vehicle Enforcement Division, 4660 Wilkens Ave., Baltimore, Maryland 21229. Ph: (301) 247-6641

For gross, axles, inner and outer bridge. There is no court discretion. 5¢/lb for 1st 5,000 lbs of excess weight over a registered or statutory weight limit (\$50 minimum). 12¢/lb for each add'l lb of excess weight over 5,000 lbs

NOTES:

- 1) Court costs are \$10.
- 2) When there is more than one weight violation, the one with the highest fine is cited.
- 3) Fines and penalties do not vary with the number of convictions.
- 4) When a permitted weight is exceeded, there is a flat fee for violation of a permit (\$30) or there is a fine for the amount overweight or both. A new permit may also be required.
- 5) When an axle(s) is overweight with a legal GVW, there is an automatic fine.
- 6) There is a loading tolerance of 1,000 lbs. When a GVW overload is 5,000 or less, off-loading is up to officer discretion. When the overload is more than 5,000, off-loading is mandatory.

MASSACHUSETTS

Permits and Fees

Contact: Charlie Aznavoorian, Permit Engineer, Mass. DPW, 10 Park Plaza, Boston, Massachusetts 02116. Ph: (617) 973-7796

Non-Divisible Load - Single trip and annual permits are issued.^a Not certain whether permits are issued for overweight axles.

Divisible Load - Annual permits for 99,000 lbs (99K permits) are issued for specified loads and roads.

Fees

Trip	\$15
Annual (non-reducible)	\$300
Annual (reducible)	up to \$650, depends on configuration

^a Annual permits are issued for vehicles registered in Massachusetts.

NOTE: A single trip is one way.

Fines

Source: Sgt. Gary Burns, State Police, Traffic Section, Rte. 2, West Concord, Massachusetts 01742. Ph: (508) 369-1004

1st 10,000 lbs overweight	\$40/1,000 lbs or fraction thereof
> 10,000 lbs overweight	\$80/1,000 lbs or fraction thereof over 10,000 lbs

NOTES:

- 1) There is a surcharge, but the percentage is unknown.
- 2) When there is more than one weight violation, only one is fined.
- 3) Penalties do not vary with the number of offenses. There is a section in legislation concerning repeat offenders (fine up to \$500). However, records are difficult to obtain with the present system.
- 4) When a 99K permit is violated, there is a 5% grace on weight. Fines are based on the permit unless the vehicle is not registered to 99,000 lbs. In which case, the permit is void and the fine is based on 80,000 lbs.
- 5) When an axle(s) is overloaded, a fine is automatically assessed and the load or the axles must be shifted.

MICHIGAN

Permits and Fees

Source: DOT, Transport Permits, P.O Box 30050, Lansing, Michigan 48909. Ph: (517) 373-2120

Non-Divisible Load - Single trip and annual (extended) permits are issued. Permits are issued for overweight axles.

Divisible Load - Permits are normally not issued.

Fees

Trip	\$5
Extended	\$8

NOTE: A single trip is one way.

Fines

Source: Lt. Murphy, MSPT, 300 N. Clippert, Lansing, Michigan 48913. Ph: (517) 336-6195, FAX: (509) 335-1173

Overweight violations are civil infractions. The fines in the following table are minimum mandatory penalties. The following table is for overweight axles. There is a 1,000 lbs tolerance in practice. There are no fines for being overweight on a gross.

<u>Excess pounds</u>	<u>Fines</u>
1,000 - 2,000	3¢/lb
2,001 - 3,000	6¢/lb
3,001 - 4,000	9¢/lb
4,001 - 5,000	12¢/lb
5,001 - 10,000	15¢/lb
> 10,000	20¢/lb

NOTES:

- 1) Each court has the discretion to determine when an overweight vehicle is a misload (i.e. the gross is legal but weight is not distributed correctly on the axles). If a load could have been made legal, then the fines in the table above are maximum fines. If the load could not be made legal, then the fines are minimum fines.
- 2) Court costs vary a great deal (no estimate was given). There is also a ticket tax of \$5.
- 3) When there is more than one weight violation, more than one can be fined.
- 4) When an axle exceeds a permitted weight, the permit becomes invalid and penalties are based on legal weights.
- 5) If a vehicle consistently carries loads that are overweight by less than 1,000 lbs on its axles, a fine may be issued according to a different section carrying a \$100 maximum penalty and court costs.

MINNESOTA

Permits and Fees

Source: Dennis Lachowitz, Supervisor, Transportation Permits, Administrative Truck Center, 100 Stockyards Road, South St. Paul, Minnesota 55075. Ph: (612) 296-3140

Non-Divisible Load - Single trip, job (up to 2 months), and annual permits are issued.

Permits are issued for overweight axles if it is not possible to shift the load.

Divisible Load - Some permits are issued for "special interest" products (such as agriculture and forestry).

NOTE: A single trip is normally one way. Some permits are issued for a round trip with same load, however, there is a charge for the mileage.

Fees

Trip	\$15 base fee + [damage assessment cost factor (Table A) * miles traveled]
Job	\$36 base fee + [damage assessment cost factor (Table A) * miles traveled * number of moves]

TABLE A. Damage Assessment Cost Factors per Mile

<u>Total Axle Group Weights (lbs)</u>	<u>Two Axles¹</u>	<u>Three Axles²</u>	<u>Four Axles³</u>
0 - 34,000	0.00	0.00	0.00
34,001 - 36,000	0.10	0.00	0.00
36,001 - 38,000	0.124	0.00	0.00
38,001 - 40,000	0.15	0.00	0.00
40,001 - 42,000	N/A	0.00	0.00
42,001 - 44,000	N/A	0.04	0.00
44,001 - 46,000	N/A	0.05	0.00
46,001 - 48,000	N/A	0.062	0.00
48,001 - 50,000	N/A	0.078	0.00
50,001 - 52,000	N/A	0.094	0.036
52,001 - 54,000	N/A	0.116	0.044
54,001 - 56,000	N/A	0.14	0.05
56,001 - 58,000	N/A	0.168	0.056
58,001 - 60,000	N/A	0.20	0.07
60,001 - 62,000	N/A	N/A	0.078
62,001 - 64,000	N/A	N/A	0.094
64,001 - 66,000	N/A	N/A	0.106
66,001 - 68,000	N/A	N/A	0.128
68,001 - 70,000	N/A	N/A	0.14
70,001 - 72,000	N/A	N/A	0.168
72,001 - 80,000	This Axle Group Combination Weight N/A		

¹ Spaced within 8' or less; ² Spaced within 9' or less; ³ Spaced within 14' or less.

MINNESOTA - cont.

TABLE A. Cont.

- NOTES: a) N/A = Not Available;
 b) Single axle weighing 20,000 lbs, no fee;
 c) Cost factors are cumulative for total vehicle group weights. Three tandem axle groups at 40,000 lbs have a factor of 0.45.

TABLE B. Fees for annual permits available to transport construction equipment, materials, and supplies.

<u>Total GVW (lbs)</u>	<u>Annual Fee</u>
up to 90,000	\$200
90,001 - 100,000	300
100,001 - 110,000	400
110,001 - 120,000	500
120,001 - 130,000	600
130,001 - 140,000	700
140,001 - 145,000	800
> 145,000	Always a single trip permit

Fines

Source: Lt. Brian Erikson, Commercial Vehicle Enforcement Section, State Patrol, Rm 252, 100 Stockyard Rd., South St. Paul, Minnesota 55075. Ph: (612) 296-5949

There are two types of penalties and fines: criminal and civil.

- I. Criminal - a misdemeanor for over axle, axle group, interior axles and GVW. Legislation presents the following fine structure. Actual fines may be subject to the discretion of the court.

<u>Overweight (lbs)</u>	<u>Fine</u>
1,000 - 2,999	\$100
3,000 - 3,999	200
4,000 - 4,999	300
5,000 - 5,999	400
6,000 - 6,999	500
7,000 - 8,999	600
> 9,000	700

NOTE: If a vehicle's GVW exceeds its registered weight, it must be reregistered to the higher weight even if that weight is not legal.

MINNESOTA - cont.

II. Civil - charges for damages to state highways

<u>Overweight (lbs)</u>	<u>Fines</u>
0 - 1,000	1¢/lb
1,001 - 3,000	\$ 10 + 5¢/lb in excess of 1,000 lbs
3,001 - 5,000	110 + 10¢/lb in excess of 3,000 lbs
5,001 - 7,000	310 + 15¢/lb in excess of 5,000 lbs
> 7,000	610 + 20¢/lb in excess of 7,000 lbs

NOTE: Credit is given for the criminal portion of overweight violations (not for registration violations). The survey stated there is multiple liability for GVW violations only.

Minnesota has a **Relevant Evidence Law**. Records at the Grain Exchange and grain elevators in each district are checked for vehicles that were overweight within the past 30 days. Weight tickets are used as evidence that a vehicle was overweight and owners/operators can be charged for that extra weight (civil penalty). Letters are sent to demand payment and the owners/operators are given a chance to pay within a certain period at a lower cost. If they refuse to pay, the matter can go all the way to a Conciliation Court (a civil proceeding with no lawyer) after which they have to pay full fine.

NOTES:

- 1) When there is more than one weight violation, the one with the greatest fine is cited.
- 2) The court may take into consideration the number of convictions in a given period when determining the criminal penalty. With regards to civil penalties (Relevant Evidence), if records show a vehicle has been overweight several times in a 30-day period, the violations are figured separately and then summed for a total charge.
- 3) When a permitted weight is exceeded, there is a criminal penalty of 5¢/lb based on the permit weight. There is a criminal penalty if the vehicle is not registered to that weight. (The penalty is about \$100 for violation of permit weight.)
- 4) When a vehicle is actually stopped and weighed, the criminal fine is issued immediately and then a letter is sent for payment of civil penalties.

MISSISSIPPI

Permits and Fees

Source: Lt. Ford, State Tax Commission, Law Enforcement Division, P.O. Box 1033, Jackson, Mississippi 39215 (OR Major Willis Richardson, Director, Truck and Weight Enforcement). Ph: (601) 359-1082

Non-Divisible Load - Single trip permits are issued. Permits are issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

5¢ per 1,000 lbs excess weight, or fraction thereof, for each mile traveled. The minimum fee is \$10.

NOTE: A single trip is one way.

Permits

Source: Same as above.

The penalties for exceeding Gross Vehicle Weight Limits are given below. The penalties for exceeding an axle or axle grouping limit are half of these penalties.

<u>Excess Weight (lbs)</u>	<u>Penalty</u>
1 - 999	\$10 minimum
1,000 - 1,999	1¢/lb
2,000 - 2,999	2¢/lb
3,000 - 3,999	3¢/lb
4,000 - 4,999	4¢/lb
5,000 - 5,999	5¢/lb
6,000 - 6,999	6¢/lb
7,000 - 7,999	7¢/lb
8,000 - 8,999	8¢/lb
9,000 - 9,999	9¢/lb
10,000 - 10,999	10¢/lb
> 11,000	11¢/lb

NOTES:

- 1) Legislation states that if there is more than one weight violation, the fine is for either excess gross or the total of the penalties for all overloaded axles, whichever amount is larger.
- 2) Fines and penalties do not vary with the number of convictions.
- 3) Penalties for exceeding a permitted weight are based on the permit.
- 4) When an axle(s) is overloaded wight a legal GVW, the weight may be shifted upon entering the state without any penalty. If it is over when exiting the state, then there is a fine and the load must be shifted. There is no weight tolerance on interstate highways.

MISSOURI

Permits and Fees

Source: Wanda Jett, Permit Section, Division of Maintenance & Traffic, P.O. Box 270, Missouri Highway and Transportation Dept., Jefferson City, Missouri 65102. Ph: (800) 877-8499

Non-Divisible Load - Single trip permits are issued. Permits are not issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

Trip \$12 base fee + \$15 per each 10,000 lbs or part thereof over legal

NOTE: A single trip is one way.

Fines

Source: Capt. John Sartor, Commercial Vehicle Enforcement Division, Highway Patrol, P.O. Box 568, Jefferson City, Missouri 65102. Ph: (314) 751-3313

<u>Excess Weight (lbs)</u>	<u>Fine</u>
1 - 500	2¢/lb
501 - 1,000	5¢/lb
> 1,000	10¢/lb

NOTES:

- 1) Court costs vary by county, from \$30 to \$40.
- 2) When there is more than one weight violation, the one with the largest fine is cited.
- 3) Fines and penalties do not vary with the number of convictions.
- 4) When a permitted weight is exceeded, the fine is based on the permit.
- 5) When an axle(s) is overweight with a legal GVW, there is an automatic fine on interstates. On a state highway, if the load can be made legal, there is no fine.
- 6) Exceeding a registered weight is a Class B misdemeanor. Fines vary by county, (\$5 to \$500).

MONTANA

Permits and Fees

Source: Carolyn Knuckles, Supervisor, Special Permit Section, P.O. Box 4639, Helena, Montana 59604. Ph: (406) 444-6130

Non-Divisible Load - Single trip permits are issued. Permits are issued for overweight axles.

Divisible Load - Permits are not issued.

Additional tonnage is offered with a **Restricted Route Load Permit** (routes are not actually restricted). Axle loads must be legal and the GVW must fall within the bridge formula. The permits are generally issued for divisible commodities. There are two parts to getting additional tonnage: vehicles must be registered to the weight they will carry and then a permit is purchased.

Fees

Trip	\$10 plus the following:	
	<u>Distance (miles)</u>	<u>Fee</u>
	0 - 100	\$10
	101 - 199	30
	> 200	50
Restricted Route	\$100/year	

NOTE: A single trip is one way.

Fines

Source: Ed Hudson, Compliance, Gross Vehicle Weight Div., P.O. Box 4639, Helena, Montana 59604. Ph: (406) 444-6130

<u>Excess pounds</u>	<u>Fine</u>
1 - 2,000	\$ 30
2,001 - 4,000	50
4,001 - 6,000	70
6,001 - 8,000	100
8,001 - 10,000	160
10,001 - 12,000	220
12,001 - 14,000	300
14,001 - 16,000	400
16,001 - 18,000	500
18,001 - 20,000	600
20,001 - 25,000	1,000
> 25,000	2,000

MONTANA - cont.

NOTES:

- 1) When there is more than one weight violation, the court is notified of all violations. Only the most serious one is cited and fined.
- 2) If an overweight vehicle has no permit, but is eligible for one, the fine is \$100 and a permit must be purchased. If the vehicle has no permit and is not eligible for one, the fine is based on the schedule above for weight over legal.
- 3) If a permit is knowingly and willfully violated, a fine of \$500 to \$1,000 can be assessed.
- 4) There is no fine if an overload is within 5% of legal (axle, group, gross, bridge), but the weight must be shifted. If the load is more than 5% overweight, the vehicle is automatically fined. It is possible to buy a permit (\$10) to get somewhere to shift weight safely.

NEBRASKA

Permits and Fees

Source: Marian Sexton, Motor Carrier Permit Manager, Nebraska Dept. of Roads, Permit Office, Rm 151, P.O. Box 94759, Lincoln, Nebraska 68509.

Ph: (402) 479-4536

- Non-Divisible Load - Interstate:** single trip permits are issued to go over 80,000 lbs. Axle weights must be within legal limits and the GVW within the bridge formula.
- State:** single trip and continuous operation permits are issued for specialized equipment weighing over 95,000 lbs.
- Divisible Load - Interstate:** single trip permits are issued for weights up to 95,000 lbs. (They are not called overweight permits.) **State:** continuing permits are issued for garbage and for seasonal harvests.

NOTES:

- 1) Legal weight limits on interstate and state highways differ. The limit is 95,000 lbs on state highways.
- 2) A single trip is usually one way, but round-trips are allowed.

Fees

Trip (non-divisible state and interstate)	\$10
Continuous operation	\$25/3 months
	\$50/6 months
Trip (divisible interstate)	\$10
Continuing permit	\$100/yr (garbage)
	\$25/30 days (grain)

Fines

Source: Lt. Tim Doggett or Lt. Ronald Krolkowski, Carrier Enforcement, State Patrol, 3920 NW 39th St., Lincoln Nebraska 68524. Ph: (402) 471-0105

Schedule A. For axle and inner bridge.

<u>Above Maximum Legal</u>	<u>Fine</u>
up to 5%	\$ 25
over 5% - 10%	75
over 10% - 15%	150
over 15% - 20%	325
over 20% - 25%	500
over 25% - 30%	750
over 30% - 35%	950
over 35% - 40%	1,150
over 40% - 45%	1,500
over 45% - 50%	2,000
over 50%	2,500

NEBRASKA - cont.

Schedule B. For exterior bridge violations (this schedule is generally not used)

<u>Above Maximum Legal</u>	<u>Fine</u>
up to 5%	\$ 25
over 5% - 10%	100
over 10% - 15%	200
over 15% - 20%	350
over 20% - 25%	600
over 25%	1,000

Schedule C. For exceeding a permitted weight when the permit is reissued*

<u>Overweight (lbs)</u>	<u>Fine</u>
100 - 500	\$ 25
501 - 1,000	50
1,001 - 2,000	75
2,001 - 3,000	100
3,001 - 4,000	150
4,001 - 5,000	200
5,001 - 6,000	300
6,001 - 7,000	400
> 7,000	500

* 3) When a permitted weight is exceeded, the permit is void and may or may not be reissued. The decision to reissue a permit to the actual weight is made by the Dept. of Roads. If a permit is not reissued, the fine is based on Schedules A or B.

NOTES:

- 1) When there is more than one weight violation, the fine depends on the types of violations. Two sets of axles can be fined, but an axle and GVW cannot.
- 2) Fine and penalties do not vary with the number of convictions.
- 3) Nebraska has a 5% shift law which allows an overload of 5% on an axle(s) to be shifted without a penalty when GVW is within legal limits. If the overload is more than 5% there is an automatic fine. (This finding does not correspond with the 1988 survey which stated there were no tolerances.)

NEVADA

Permits and Fees

Source: Sharon Reed, Program Asst., Overdimensional Permits, DOT, 1263 S. Stewart, Carson City, Nevada 89712. Ph: (702) 687-5410

Non-Divisible Load - Single trip and annual permits are issued. Permits are issued for overweight axles.

Divisible Load - Single trip and annual permits are issued. The vehicle/load must have legal axles and be within the bridge formula.

Fees

Trip	\$ 7.50
Annual	\$25.00

NOTE: A single trip is one way.

Fines

*Source: Capt. Bill Goddard, Headquarters, Nevada Highway Patrol, Dept. of Motor Vehicles, 555 Wright Way, Carson City 89711. Ph: (702) 687-5300
[Or Sgt. Wolf with the Commercial Unit, at (702) 688-2500]*

<u>Excess Weight (lbs)</u>	<u>Fine</u>
1 - 1,500	\$10
1,501 - 2,500	1¢/lb
2,501 - 5,000	2¢/lb
5,001 - 7,500	4¢/lb
7,501 - 10,000	6¢/lb
over 10,000	8¢/lb

NOTES:

- 1) When there is more than one weight violation, only one is cited.
- 2) Fines/penalties do not vary with the number of offenses.
- 3) When a permitted weight is violated, the fine is based on the permit weight. Violation of a permit may also be cited with fines that vary by court (\$100 to \$1,000). These fines are in the process of becoming more uniform between courts.
- 4) When an axle(s) is overweight with a legal GVW, there is an automatic fine and the weight must be shifted.

NEW HAMPSHIRE

Permits and Fees

Source: Donna Harnum, Permit Supervisor, OS/OW Permit Office, DOT, P.O. Box 483, Concord, New Hampshire 03302-0481. Ph: (603) 271-2691

Non-Divisible Load - Single trip permits are issued. Books of **Instant Permits** are issued which are used in conjunction with annual all-state and 100 mile radius permits.¹ Permits are rarely issued for overweight axles.

Divisible Load - Permits are not generally issued.

¹ Annual, all-state, permits and 100 mile radius permits are issued for overdimensional loads. It is unusual to be only overweight. Instant permits (book of 25) are essentially used to keep track of where loads are going. 100 mile radius permits are issued to vehicles registered in New Hampshire and allow trips within 100 miles of the home location.

NOTES:

- 1) The weight limits for state and interstate highways differ.
- 2) Registration offers additional certification up to 99,000 lbs (for 6 axles) on state highways. It is used primarily for divisible loads.
- 3) A single trip is usually one way, but a round trip may be issued.

Fees

Trip

For vehicle and load over registered weight but not exceeding

50,000 lbs GVW	\$ 5
50,001 - 60,000 lbs	6
60,001 - 70,000 lbs	7
70,001 - 80,000 lbs	8
80,001 - 90,000 lbs	9
90,001 - 100,000 lbs	10
> 100,000 lbs	\$10 + \$2/10,000 lbs or fraction thereof of excess weight over 100,000 lbs

Book of Instant Permits	\$ 5
All-State Annual Permits	\$100
100 Mile Radius Annual Permits	\$ 50

NEW HAMPSHIRE - cont.

Fines

Source: Cpl. Kelly-Todd, Div. of Enforcement, NH Dept. of Safety, 10 Hazen Dr., Concord, New Hampshire 03301. Ph: (603) 271-3339

There are three parts to the overweight fine statute: federal, state, and permitted.

Federal Highways - \$100 for any overweight violation

State Highways - \$100 to \$500 (normally 2¢/lb overweight or \$100, whichever is greater)

Permit Violation - 2¢/lb overweight (based on permit weight)

NOTES:

- 1) There is a penalty assessment (surcharge) of 20%.
- 2) The fine for a vehicle being over its registered weight by 20% or more is \$100 to \$500. The average fine is \$144.
- 3) When there is more than one weight violation, only one is cited.
- 4) When an axle(s) is overweight with legal GVW, a fine is issued and the weight must be shifted.

NEW JERSEY

Permits and Fees

Source: Mrs. Scheideler, Division of Motor Vehicle, Bureau of Motor Carrier, (CN133), 25 S. Montgomery St., Trenton, New Jersey 08666.

Ph: (609) 588-3600

Non-Divisible Load - Single trip permits are issued. Permits are issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

Trip	\$10 base fee + \$5 for each 2,000 lbs or fraction thereof over legal axle or gross weight limits
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NOTE: A single trip is one way.

Fines

Source: SFC J. Ballas, NJ Dept. of Law & Public Safety, Div. of State Police, Box 7068, West Trenton, New Jersey 08625. Ph: (609) 882-2000 ext. 2582

The following fine schedule is for violations of axle, gross, and the bridge formula.

<u>Excess Weight (lbs)</u>	<u>Fine</u>
up to 10,000	2¢/lb
over 10,000	3¢/lb

NOTES:

- 1) Fines for the violation of a registered weight are \$500 plus \$100 for each 1,000 lbs or fraction thereof in excess of registered gross weight. An excess weight violation may also be cited.
- 2) When there is more than one weight violation (excluding registered weight), the one with the largest fine is cited.
- 3) Fines and penalties do not vary with the number of convictions.
- 4) When a permitted weight is exceeded the permit becomes void and the fine is probably based on legal weight.
- 5) When an axle(s) is overweight with a legal GVW, the weight may be shifted with no fine.
- 6) Legislation has been introduced to increase fines to 10¢/lb and 12¢/lb for the same weight categories as above.

NEW MEXICO

Permits and Fees

Source: Ted Trujill, NM Highway Dept., Box 1149, Santa Fe, New Mexico 87504. Ph: (505) 827-5564 [This office issues permits for over 140,000 lbs. Motor Transportation issues other permits, Ph: (505) 827-0375.]

Non-Divisible Load - Single trip and annual permits are issued. Permits are issued when axles are overweight only if the load cannot be redistributed.

Divisible Load - Permits are not issued.

Fees

Trip	\$15
Multi-trip	\$60

NOTE: A single trip is one way.

Fines

Source: Charlie Daniels, or Robert Salazar, Enforcement Bureau, Motor Transportation Division, Santa Fe, New Mexico 87504. Ph: (505) 827-0365

<u>Excess Weight (lbs)</u>	<u>Fines</u>
1,000 - 3,000	\$ 25
3,001 - 4,000	40
4,001 - 5,000	75
5,001 - 6,000	125
6,001 - 7,000	200
7,001 - 8,000	275
8,001 - 9,000	350
9,001 - 10,000	425
> 10,000	500

NOTES:

- 1) Court costs may be up to county magistrates.
- 2) When there is more than one weight violation, more than one can be cited. However, fines and convictions are ultimately up to magistrates.
- 3) Magistrates may take into consideration the number of previous convictions.
- 4) There is no set fine for exceeding a permitted weight. Legislation states a permit is void under these circumstances. Fines would probably be based on legal weight.
- 5) When an axle(s) is overweight with a legal GVW, a citation is automatically issued in most situations.

NEW YORK

Permits and Fees

Source: Raymond DeRocco, NY State Dept. of Transportation, Permit Section, State Campus - Bldg 5, Albany, New York 12232. Ph: (518) 457-1155

Non-Divisible Load - Single trip and annual permits are issued. Special hauling permits are issued for either a 25 or 50 mile radius. Blanket permits are issued for statewide. Permits are issued for overweight axle.

Divisible Load - Annual permits are issued. Permits differ between upstate and downstate. Permits for up-state highways allow 135% of legal gross and axles. Permits for down-state highways allow about 50% over legal gross and axles.

Fees

Trip	\$ 40
Annual (non-divisible)	\$360
Annual (divisible)	\$350 - \$750 based on vehicle configuration

NOTE: A single trip can be round trip when carrying the same load or unladen.

Fines

Source: Sgt. Caban, New York State Police, State Office Bldg Campus, Albany, New York 12226-0001. Ph: (518) 457-3258.

Gross Vehicle or Axle Group Weights

<u>Excess Weight (lbs)</u>	<u>Fine</u>
1 - 2,000	\$ 50
2,001 - 3,000	75
3,001 - 4,000	100
4,001 - 5,000	200
5,001 - 6,000	300
6,001 - 7,000	400
7,001 - 8,000	500
8,001 - 9,000	600
9,001 - 10,000	700
10,001 - 15,000	1,200
15,001 - 20,000	1,700
20,000 - 25,000	2,200
25,000 - 30,000	2,700
> 30,000	2,700 + 6¢/lb over 30,000 excess weight

NEW YORK - cont.

Excess Axle or Consecutive Axle Weight

<u>Percentage</u>	<u>Fine</u>	<u>Percentage</u>	<u>Fine</u>
> 0 - 5	\$ 100	> 20 - 25	1,000
> 5 - 10	200	> 25 - 30	1,600
> 10 - 15	350	> 30	2,450
> 15 - 20	600		

NOTES:

- 1) When there is more than one weight violation, department policy is to cite only one.
- 2) Fines and penalties do not vary with the number of convictions.
- 3) When a permitted weight is exceeded, the permit becomes void and the fine is based on legal weight.

NORTH CAROLINA

Permits and Fees

Source: L. F. (Frank) Pace, State Road Maintenance Engineer, P.O. Box 25201, Raleigh, North Carolina 272611. Ph: (919) 733-3722

Non-Divisible Load - Single trip and annual permits are issued. Permits may be issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

Trip	\$ 5
Annual	\$ 25

NOTE: A single trip includes a return.

Fines

Source: Tammy Dennig, Division of Motor Vehicles, Enforcement, 1100 Newberren Ave., Raleigh, North Carolina 27697. Ph: (919) 733-2426

A. The schedule of civil penalties for single-axle or tandem-axle weight violations follows. The schedule applies separately to each weight limit violated.

1st 1,000 lbs or part thereof	4¢/lb
Next 1,000 lbs or part thereof	6¢/lb
Weight over 2,000 lbs	10¢/lb

B. The schedule of penalties for axle-groups, license, road weight, and over permit weight follows. The schedule applies separately to each axle-group weight limit violated.

1st 2,000 lbs or part thereof	2¢/lb
Next 3,000 lbs or part thereof	4¢/lb
Weight over 5,000 lbs	10¢/lb

NOTES:

- 1) When there is more than one weight violation, more than one may be fined.
- 2) Fines and penalties do not vary with the number of convictions.
- 3) When a permitted weight is exceeded, the fine is based on the permit.
- 4) When there is an axle(s) violation with a legal GVW, the weight may be shifted without penalty if: a) a single axle if not more than 1,000 lbs. overweight and b) a tandem is not more than 2,000 lbs overweight (for tandems weighing up to 40,000 lbs).

NORTH DAKOTA

Permits and Fees

Source: Sgt. Dennis Erikson, Motor Carrier Division, Highway Patrol, 600 E. Boulevard Ave., Bismarck, North Dakota 58505-0241. Ph: (701) 224-2621

Non-Divisible Load - Single trip permits are issued.^a Permits are issued for overweight axles if necessary.

Divisible Load - A single trip **Interstate Only** permit is issued for weights over 80,000 lbs and up to 105,500 (following the bridge formula).^b

^a The legal weight limit on state highways is 105,500 lbs. There is a **Heavyweight Fee**, a type of registration fee, for weights over 105,000 lbs and up to 200,000 lbs. The fees are not necessary if the vehicle is registered in North Dakota. They are purchased on an annual basis or prorated by the month. There are ton-mile fees for all vehicles weighing over 200,000 lbs GVW.

^b Interstate Only permits can also be used for non-divisible loads that are not over on axle(s) or bridge formula.

NOTE: A single trip is one way.

Fees

Interstate permit: \$5 (unless a \$10 overweight permit has already been purchased)

Overweight trip permit (for non-divisible loads on the interstate and over 105,500 on state highways): \$10

Trip (out-of-state vehicles, up to 200,000 lbs): overweight trip permit plus Heavyweight Fee of \$70/ton per year or prorated on monthly basis.

Trip (all vehicles, over 200,000 lbs): fees are based on the following schedule for the portion of GVW exceeding the maximum legal GVW of 105,500 lbs. Out-of-state vehicles pay this in addition to Heavyweight Fees for 200,000 lbs. An overweight permit must also be purchased.

NORTH DAKOTA - cont.

The fee schedule for all vehicles weighing over 200,000 lbs.

<u>GVW</u>	<u>ton-mile fee</u>	<u>Minimum</u>
200,001 - 210,000	\$.05	\$ 50
210,001 - 220,000	.10	50
220,001 - 230,000	.15	50
230,001 - 240,000	.20	50
240,001 - 250,000	.25	50
250,001 - 275,000	.50	100
275,001 - 300,000	2.00	200
300,001 - 325,000	3.00	350
325,001 - 350,000	4.00	500
350,001 - 400,000	7.00	1,000
400,001 - 450,000	10.00	2,000
450,001 - 500,000	15.00	3,000
500,001 - 550,000	20.00	5,000
550,001 - 600,000	30.00	7,500
600,001 - 650,000	40.00	10,000
650,001 - 700,000	50.00	15,000
700,001 - 750,000	75.00	25,000
> 750,000	100.00	Minimum one mile

Fines

Source: Same as above.

<u>Excess weight (lbs)</u>	<u>Fine</u>
1 - 3,000	1¢/lb
3,001 - 5,000	4¢/lb
5,001 - 10,000	8¢/lb
10,001 - 20,000	10¢/lb
> 20,000	20¢/lb

NOTES:

- 1) In cases where the driver of the vehicle does not wish to appear in court, an immediate settlement may be made. Instead of being "fined", **Extra Ordinary Road Use Fees** are paid. They are based on the same excess weight schedule above.
- 2) When there is more than one weight violation, fines depend on the types of violations. If two axles are overweight, both axles may be cited. If two axles and the gross are overweight, the two axles would probably be cited.
- 3) Fines and penalties do not vary with the number of convictions.
- 4) When a permitted weight is exceeded, the permit can be adjusted if the actual weight is within permit limitations. If actual weight does not fall within those limits, a fine will be issued according to the schedule above.
- 5) When an axle is overweight with a legal GVW, the vehicle is immediately fined. Excess weight must be shifted or off-loaded.

OHIO

Permits and Fees

Source: Jeri Scurlock, Bureau of Permits and Communications, DOT, 1809 O'Brien Rd., Columbus, Ohio 43228-3866. Ph: (614) 777-0224

Non-Divisible Load - Single trip and continuing permits are issued. Permits are issued for overweight axles.

Divisible Load - Annual permits issued for port areas between Michigan and Toledo.

Fees

Trip	\$10 processing charge + \$5 for overweight
90-day	\$20 processing charge + \$5 for overweight
Annual	\$50 processing charge + \$5 for overweight

NOTE: A single trip is generally one way although it can be a round trip, (esp. between construction sites).

Fines

Source: Sgt. Jeff May, Office of Field Operations, Ohio State Highway Patrol, 660 E. Main, Columbus, Ohio 43205-0037. Ph: (614) 466-2300

Axle Weight Violations: consist of a minimum fine + poundage fine + court costs (\$35 - \$60).

<u>Overweight (lbs)</u>	<u>Fine</u>
up to 2,000	\$ 80
2,001 - 5,000	\$100 + \$1 per 100 lbs or jail up to 30 days
5,001 - 10,000	\$130 + \$2 per 100 lbs or jail up to 30 days
> 10,000	\$160 + \$3 per 100 lbs or jail up to 30 days

Gross Weight Violations: legislation states fines shall not be less than \$100. This has been interpreted to mean the fine is \$100, especially in sections of the state that depend on coal mining. Some counties fine according to the overweight axle schedule.

NOTES:

- 1) When there is more than one weight violation, the most serious one is cited depending on the officer's discretion.
- 2) Fines and penalties do not vary with the number of convictions.
- 3) When a permitted weight is violated, an improper permit may be cited with a fine of \$75. Overloaded axles can be fined based on legal weight.
- 4) When an axle(s) is overloaded with a legal GVW, there is a 1,000 lb tolerance and the weight must be shifted. If the overload is greater than 1,000 lbs, a fine is automatic.

OKLAHOMA

Permits and Fees

Source: George Day, Administrative Director, Size and Weight Permit Division, Dept. of Public Safety, P.O. Box 11415, Oklahoma City, Oklahoma 73136. Ph: (405) 425-2210

Non-Divisible Load - Single trip permits are issued. Permits are not issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

Trip \$10 base fee + \$5 per each 1,000 lbs.

NOTES:

- 1) Maximum legal weights differ for interstate (80,000 lbs) and state highways (90,000 lbs). An **Annual Interstate Permit** allows loads weighing more than 80,000 lbs and up to 90,000 lbs on the interstate, provided all axle requirements are met. The permits cost \$10.
- 2) An Application Permit Book is available to firms that establish a charge account. It consists of 25 single trip permits for \$25.
- 3) A single trip is one way.

Fines

Source: Lt. Allen, OK Highway Patrol, Dept of Public Safety, P.O. Box 11415. Oklahoma City, Oklahoma 73136. Ph: (405) 521-6103

Fines for an overload of any axle or gross weight.

<u>Overweight (lbs)</u>	<u>Fine</u>
700 - 2,000	\$104
2,001 - 3,000	154
3,001 - 4,000	204
4,001 - 5,000	254
5,001 - 6,000	304
6,001 - 7,000	354
7,001 - 8,000	404
8,001 - 9,000	454
9,001 - 10,000	504
> 10,000	524

OKLAHOMA - cont.

NOTES:

- 1) When there is more than one weight violation, one is normally cited, but it depends on the officer's discretion.
- 2) Exceeding a Permit Weight has an additional \$100 fine. The overweight fine is based on the permit.
- 3) Fines and penalties do not vary with the number of convictions. The state does not have the means to keep track of them.
- 4) When an axle is overloaded with a legal gross, a citation is automatic and the weight must be shifted or off-loaded.

OREGON

Permits and Fees

Source: Tom Bradd, Oregon State Highway Div., Transportation Permits Unit, P.O. Box 14030, Salem, Oregon 97310. Ph: (503) 378-2568

Non-Divisible Load - Single trip and annual (Heavy Haul) permits are issued. Annual permits are issued for weights up to 98,000 lbs.

Divisible Load - Annual (Extended Weight) permits are issued. The allowed weight is based on the bridge formula (to 105,500 lbs).

Fees

Trip	\$8 <u>plus</u> Weight Mileage Taxes (Table A) for loaded vehicles weighing under 98,000 lbs or Road Use Fees (Table B) for loads over 98,000 lbs
Annual	\$8 <u>plus</u> Weight Mileage Taxes

NOTE: Road Use Fees are collected by the Permits Unit and based on a table for Equivalent Single Axle Load (ESAL). The Public Utility Commission collects highway use taxes for vehicles weighing over 80,000. Taxes are based on GVW and the number of axles. Weight and mileage is reported monthly or quarterly.

Fines

Source: Tom Bradd or Julie Eavy, same address and phone as above. Or the Weighmaster Unit, Ph: (503) 373-1550

The following schedule applies to axles, gross, etc.

<u>Excess pounds</u>	<u>Fine</u>
1 - 1,000	\$ 2
1,001 - 2,000	\$15 minimum
2,001 - 3,000	1¢/lb maximum
3,001 - 5,000	3¢/lb
5,001 - 7,500	7¢/lb
7,501 - 10,000	8¢/lb
10,001 - 12,500	10¢/lb
> 12,500	13¢/lb

The following schedule is for a violation of a weight permit.

<u>Excess pounds</u>	<u>Fine</u>
100 - 5,000	\$100 + 10¢/lb
5,001 - 10,000	250 + 15¢/lb
> 10,000	500 + 30¢/lb

NOTE: When there is more than one weight violation, the one with the highest fine is cited.

OREGON -cont.

Table A. Weight Mileage Tax Rates

Declared Combined Weight Groups (Pounds)	Number of Axles				
	5	6	7 (MLLS)	8	9 or more
80,001 to 82,000	139.0	125.0	117.0	113.0	108.0
82,001 to 84,000	145.0	128.0	120.0	115.0	110.0
84,001 to 86,000	152.0	132.0	123.0	118.0	112.0
86,001 to 88,000	160.0	136.0	126.0	121.0	114.0
88,001 to 90,000	170.0	141.0	129.0	124.0	116.0
90,001 to 92,000	181.0	148.0	133.0	126.0	118.0
92,001 to 94,000	193.0	156.0	137.0	129.0	121.0
94,001 to 96,000	206.0	165.0	142.0	133.0	124.0
96,001 to 98,000		175.0	147.0	137.0	127.0
98,001 to 100,000		187.0	153.0	142.0	130.0
100,001 to 102,000			159.0	147.0	133.0
102,001 to 104,000			166.0	152.0	136.0
104,001 to 105,500			174.0	157.0	140.0

NOTE: These rates apply to motor vehicles that are issued, or required to obtain an annual highway variance permit to operate with a combined weight of 80,000 pounds or more (extended weight or heavy haul).

NOTE: To convert mills per mile into dollars per mile, move the decimal point three places to the left. Multiply dollars per mile by taxable miles to get the amount of tax due.

OREGON - cont.

Table B. Road Use Assessment Fees

Weight (Thousands)	Single Axle	Tandem Axle	Group of Axles 18' or Less Spacing
6	\$ --	\$ --	\$ --
7	--	--	--
8	--	--	--
9	--	--	--
10	0.01	--	--
11	0.01	--	--
12	0.01	--	--
13	0.01	--	--
14	0.02	--	--
15	0.02	--	--
16	0.03	--	--
17	0.04	--	--
18	0.05	0.01	--
19	0.06	0.01	--
20	0.07	0.01	--
21	0.09	0.01	--
21.5	0.10	--	--
22	0.10	0.01	--
23	0.13	0.01	--
24	0.15	0.02	0.01
25	.018	0.02	0.01
26	0.21	0.02	0.01
27	0.24	0.03	0.01
28	0.28	0.03	0.01
29	0.32	0.03	0.01
30	0.37	0.04	0.01
31	0.42	0.04	0.01
32	0.48	0.05	0.01
33	0.54	0.06	0.02
34	0.61	0.06	0.02
35	0.69	0.07	0.02

OREGON - cont.

Table B. (cont.)

<u>Weight (Thousands)</u>	Single Axle	Tandem Axle	Group of Axles 18' or Less Spacing
36	\$ 0.77	\$ 0.08	\$ 0.02
37	--	0.09	0.03
38	--	0.10	0.03
39	--	0.11	0.03
40	--	0.11	0.03
41	--	0.14	0.04
42	--	0.15	0.04
43	--	0.16	0.05
44	--	0.18	0.05
45	--	0.20	0.06
46	--	0.21	0.06
47	--	0.23	0.07
48	--	0.25	0.07
49	--	0.28	0.08
50	--	0.30	0.08
51	--	0.33	0.09
52	--	0.35	0.10
53	--	0.38	0.11
54	--	0.41	0.11
55	--	0.44	0.12
56	--	0.47	0.13
57	--	0.51	0.14
58	--	0.55	0.15
59	--	0.59	0.16
60	--	0.63	0.18
61	--	--	0.19
62	--	--	0.20
63	--	--	0.21
64	--	--	0.23
65	--	--	0.24
66	--	--	0.26

OREGON - cont.

Table B. (Cont.)

Weight (Thousands)

	Single Axle	Tandem Axle	Group of Axles 18' or Less Spacing
67	--	--	\$ 0.27
68	--	--	0.29
69	--	--	0.31
70	--	--	0.33
71	--	--	0.35
72	--	--	0.37
73	--	--	0.39
74	--	--	0.41
75	--	--	0.43
76	--	--	0.45
77	--	--	0.48
78	--	--	0.50
79	--	--	0.53
80	--	--	0.56
81	--	--	0.59
82	--	--	0.62
83	--	--	0.65
84	--	--	0.68
85	--	--	0.71
86	--	--	0.75
87	--	--	0.78
88	--	--	0.82
89	--	--	0.86
90	--	--	0.90

PENNSYLVANIA

Permits and Fees

Source - Walter Knerr, Permit Manager, DOT, Room 1014, T & S Bldg, Harrisburg, Pennsylvania. Ph: (717) 787-5367

Non-Divisible Load - Single trip and annual permits are issued, however 99% of permits are singles. Annuals are for highway crossings. Permits are generally not issued for overweight axles, more axles are required.

Divisible Load - Permits are generally not issued. Some single permits are issued for radioactive waste and some annuals for construction trucks.

Fees

Trip \$15/trip + 3¢/ton-mile of excess weight

NOTES:

- 1) Legislation has been introduced to increase fees to 6¢/ton-mile.
- 2) A single trip is one way unless a return is requested when applying for the permit. It may not be approved.

Fines

Source: Cpl. Warren van Buskirk, Bureau of Patrol, Motor Carrier Safety Section, PA State Police, 1800 Elmerton Ave., Harrisburg, Pennsylvania 17110. Ph: (717) 783-5517

Axle weight violations

1st 2,000 lbs over legal	\$100
Each add'l 500 lbs or part thereof over 2,000 lbs	\$100

GVW violations^a (for over registered and truck configuration)

1st 3,000 lbs over legal	\$ 75
Each add'l 500 lbs or part thereof over 3,000 lbs	\$ 75

^a When the GVW of a combination vehicle exceeds 80,000 lbs, the penalties are doubled.

Posted bridge or road: 1st 3,000 lbs	\$150
Each add'l 500 lbs	\$150

NOTES:

- 1) Additional surcharges and costs: \$10 EMS fine (Emergency Medical Service); \$150 CAT fine; \$17 court costs; \$1.50 JCP (Judicial Computer Program).
- 2) When there is more than one weight violation, the largest one is cited.
- 3) When a permitted weight is violated, the fine is based on permit weight.
- 4) When an axle is overweight, four hours are given to shift the load. If it is not made legal, the fine is based on the weight after the shift.

RHODE ISLAND

Permits and Fees

Source: Stanley Jendzejek, Chief, Permits Section, Registry of State Motor Vehicles, State Office Building, Providence, Rhode Island 02903. Ph: (401) 277-2986

Non-Divisible Load - Single trip permits are issued. Blanket (6 month) permits are issued for intra-state travel

Divisible Load - Annual permits are issued. The maximum weight allowed is 104,800 lbs. and it must fall within the bridge formula. There are no fees if registered in-state. "Must show good cause."

Fees

Trip	\$20
Blanket	\$100
Annual	\$10 - \$300

NOTES:

- 1) Annual fees are paid for out-of-state vehicles only. If the vehicle is registered in-state, it can register to 104,800 lbs. Licensing and registration fees reflect the greater weight.
- 2) A single trip is either one way or a round trip. A permit with a return must state "AND RETURN".

Fines

Source: Cpl. McQueeney, RI State Police, Commercial Enforcement, P.O. Box 185, North Scituate, Rhode Island 02857. Ph: (401) 647-3311 ext. 273 or 246

A. Overweight penalties for vehicles exceeding 10,000 lbs GVW are as follows:

<u>Excess Weight (lbs)</u>	<u>Fine</u>
1 - 500	None
501 - 5,000	15¢/lb of excess weight over 500 lbs.
> 5,000	\$1/lb of excess weight over 5,000 lbs.

An additional \$1,000 penalty is assessed for vehicles operated over 104,800 lbs gross vehicle weight.

B. Penalty for an overload on an axle(s) or bridge is \$100 regardless of the amount of excess weight.

RHODE ISLAND - cont.**NOTE:**

- 1) When there is more than one weight violation, the one with the highest fine is usually cited (gross).
- 2) There is a \$100 fine for violation of a permit. The permit is automatically invalidated and overweight fines are based on legal weight.
- 3) When an axle is overweight with a legal GVW, a fine is automatically cited and the load must be shifted.

SOUTH CAROLINA

Permits and Fees

Source: Kim Michon, Permit Section, Dept. of Highways and Public Transportation, Rm 325, P.O. Box 191, Columbia, South Carolina 29202.

Ph: (803) 737-1279

Non-Divisible Load - Single trip permits are issued. Annual permits for ocean-going containers are also issued (up to 90,000 lbs). Permits are issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

Trip	\$10
Annual	\$50

NOTE: A single trip is one way. A return trip can be requested but is actually two single trip permits issued together.

Fines

Source: Lt. Trakas, Highway Patrol, P.O. Box 191, Columbia, South Carolina 29202. Ph: (803) 737-1069

I. Gross Weight Violation

A. Civil Penalty

The following schedule is currently in effect

<u>Excess Pounds</u>	<u>Fine</u>
1 - 7,500	1¢/lb
7,501 - 10,500	2¢/lb
10,501 - 15,000	3¢/lb
> 15,000	5¢/lb

The following schedule will go into effect by end of May 1991.

<u>Excess Weight (lbs)</u>	<u>Fine</u>
500 - 1,500	\$ 25
1,501 - 2,500	45
2,501 - 3,500	60
3,501 - 4,250	135
4,251 - 5,250	180
5,251 - 6,250	300
6,251 - 7,250	460
7,251 - 8,250	600
8,251 - 10,250	700
> 10,250	800

SOUTH CAROLINA - cont.

B. Criminal Penalty: \$45 - \$100

II. Axle Weight Violation: \$100 maximum penalty with no poundage penalty.

NOTES:

- 1) When there is more than one weight violation, the one with the largest penalty is cited (the gross).**
- 2) When a permitted weight is violated, the fine is based on the permit.**
- 3) When an axle(s) is overweight with a legal GVW, a citation is automatically issued on the interstate.**

SOUTH DAKOTA

Permits and Fees

Source: Mike Young, DOT, Operations Bridge Engineer, Division of Operations, Transportation Bldg., 700 East Broadway, Pierre, South Dakota 57501. Ph: (601) 773-3571

Non-Divisible Load - Single trip permits are issued. Permits are issued for overweight axles if the weight cannot be redistributed.

Divisible Load - Single trip permits are issued for interstate travel. Weight must fall within the bridge formula and the vehicle must be licensed to the desired weight.

NOTES:

- 1) Interstate and state highways have different legal weights. The legal gross weight for state highways is based on the bridge formula.
- 2) A single trip is one way.

Fees

Trip	\$20 base fee <u>plus</u> a fee based on GVW
	2¢/ton-mile over 40,000 lbs - 2 axles
	60,000 lbs - 3 axles
	80,000 lbs - 4 axles
	85,000 lbs - 5 axles
	90,000 lbs - 6 axles
	95,000 lbs - 7 + axles

Books of 10 permits are offered to in-state contractors - \$200

Fines

Source: Sgt. Hall, Motor Carrier Enforcement Section, Motor Carrier Division, SD Highway Patrol, State Capital Bldg., 500 E. Capital, Pierre, South Dakota 57501. Ph: (605) 773-3105

A Class 2 misdemeanor - \$100. (In effect, the fine for the 1st 1,000 lbs is \$100.)

<u>Excess pounds</u>	<u>Fine</u>
1,001 - 3,000	5¢/lb
3,001 - 4,000	10¢/lb
4,001 - 5,000	15¢/lb
> 5,000	25¢/lb

NOTES:

- 1) When there is more than one weight violation, the one with the largest fine is cited.
- 2) Fines and penalties do not vary with the number of convictions.
- 3) When a permitted weight is violated: 1) the permit is void; 2) another permit is sold for the correct weight; and 3) a fine is based on legal weight.
- 4) When an axle(s) is overweight with a legal GVW, there is no fine if the load can be made legal.

TENNESSEE

Permits and Fees

Source: Carlos Downey, Permit Officer, or Jerry W. Smith, Supervisor, Special Hauling Permits, Suite 300, DOT, James K. Polk Bldg, 505 Deaderick St., Nashville, Tennessee 37243-0331. Ph: (615) 741-5196

Non-Divisible Load - Single trip permits are issued. There are some annual permits issued to contractors. Permits are issued for overweight axles.

Divisible Load - Permits are not issued.

Fees

Trip	\$15 + 5¢/ton-mile	
Annual	up to 120,000 lbs	\$ 500
	over 120,000 lbs	\$1,000
	over 150,000 lbs	requires a special permit - \$15 + 5¢/ton-mile for all weight in excess of 150,000 lbs

NOTE: A single trip is one way.

Fines

Source: Trooper Lawson, Highway Patrol, Commercial Vehicle Enforcement, Rm 2-100, 1150 Foster Ave, Nashville, Tennessee 37210. Ph: (615) 251-5191

Total Fine = Base fine + court costs + tax assessment

- A. Minimum base fine is \$25, some counties go up to \$500.
- B. Court costs range from \$60 to \$86.
- C. Tax assessment is based on legal weight:
 - 3¢/lb for first 3% of weight over legal
 - 5¢/lb on balance of excess weight

NOTES:

- 1) There is no fee for poundage on bridge citations.
- 2) When there is more than one weight violation, the heaviest overload is cited.
- 3) Courts may take the number of previous convictions into consideration, but it is not legislated.
- 4) When a permitted weight is violated, fines are based on the permit.
- 5) When an axle(s) is overweight with a legal GVW, there is an automatic fine.

TEXAS

Permits and Fees

Source: Curtis Wagner, Supervisor, Central Permits Office, SDHPT (State Dept. of Highways Public Transportation), 125 E. 11th St., Austin, Texas 78701-2483. Ph: (512) 465-1791

Non-Divisible Load - Single trip permits are issued. Permits are issued for overweight axles.

Divisible Load - Annual permits are issued. The weight that is allowed is based on a percentage over legal (axle - 10%; gross - 5%).

Fees

Trip	\$30
Annual	\$75

NOTE: A single trip is normally one way.

Fines

Source: Capt. Walsmith, Dept. of Public Safety, Box 4087, Austin, Texas 78773. Ph: (512) 465-2116

The following are guidelines for overweight vehicle convictions. The courts set the actual fines.

1st conviction	\$100 - \$150
2nd conviction within 12 months	\$150 - \$200
3rd conviction within 12 months of 2nd	\$200 - \$500

Permit violation - Class A misdemeanor

1st conviction	up to \$200
2nd conviction	up to \$500 or up to 60 days or Both
3rd conviction	up to \$1,000 or up to 6 months or Both

NOTE: When an axle(s) is overweight with a legal GVW, a fine is automatically issued.

UTAH

Permits and Fees

Source: Ms. Sidney Ring, Headquarters, Port of Entry, DOT, 4501 South 2700 West, Salt Lake City, Utah 84119. Ph: (801) 965-4528

Non-Divisible Load - Single trip (t), quarterly (q), and annual (a) permits are issued. Permits are issued for overweight axles.

Category V: t,q,a (up to 100,000 lbs GVW with axle limits)

Category VI: t,q (up to 125,000 lbs GVW with axle limits)

Category VII: t (over 125,000 lbs; requires a trip review)

Category VIII: t,q (for special mobile equipment, i.e. drill rigs)

Divisible Load - Single trip (t), quarterly (q), and annual (a) permits are issued. GVW is based on federal bridge table B with legal axle weights.

Category I: t,q,a (up to 84,000 lbs, 4 axles or less)

Category III: t,q,a (Federal Bridge Table B, 5 axles or more)

Category IV: a (requires special authority & routing; for Rocky Mountain doubles and triples)

Fees

<u>Category</u>	<u>single</u>	<u>quarter</u>	<u>annual</u>
Category I:	\$15	\$ 25	\$100
Category III:	\$25	\$100	\$100
Category IV:	NA	NA	\$300
Category V:	\$15	\$ 25	\$100
Category VI:	^a	\$100	NA
Category VII:	^a	NA	NA
Category VIII:	\$15	\$ 50	NA

^a - single trip based on mileage.

1 - 10 miles \$15

11 - 25 miles \$20

26 - 50 miles \$30

> 50 miles \$50

NA - Not Applicable

NOTE: A single trip is one way.

UTAH - cont.

Fines

Source: Glen Goodrich, Administrator, Ports of Entry, Utah DOT, 4501 South 2700 West, Salt Lake City, Utah 84119. Ph: (801) 965-4156

An overweight violation is a Class B misdemeanor. The violator shall pay the largest minimum mandatory fine of either:

- 1) \$50 plus the sum of overweight axle fines
- or 2) \$50 plus the gross vehicle fine

Axle and GVW violations are calculated according to the following schedule:

<u>Overweight (lbs)</u>	<u>Axle Fine^a</u>	<u>GVW Fine^b</u>
1 - 2,000	0	0
2,001 - 5,000	4	5
5,001 - 8,000	5	5
8,001 - 12,000	6	5
12,001 - 16,000	7	5
16,001 - 20,000	9	5
20,001 - 25,000	11	5
> 25,000	13	5

^a - In cents per lb for each overweight axle

^b - In cents per lb

NOTES:

- 1) When there is more than one weight violation, the one with the highest fine is cited.
- 2) Fines and penalties do not vary with the number of convictions.
- 3) Permit weight violations are fined according to the schedule above and are based on the permit weight.
- 4) When an axle is overweight with a legal GVW, a fine is automatically issued and the weight must be shifted.

VERMONT

Permits and Fees

Source: Janice Bell, Overweight/Oversize Permits, Commercial Vehicle Section, Dept. of Motor Vehicles, 120 State St., Montpelier, Vermont 05603-0001. Ph: (802) 828-2075

Non-Divisible Load - Single trip and annual (blanket) permits are issued. Uncertain if permits are issued for overweight axles.

Divisible Load - Special annual permits for excess weight are issued for state highways.¹

Fees

Single \$20
Annual \$70 (for a single vehicle)

¹ - Excess Weight allowances and fees

<u>registered</u>	<u>permitted</u>	<u>axles</u>	<u>fee</u>
55,000 lbs	60,000 lbs	3	\$72.50
60,000 lbs	69,000 lbs	4	\$165
80,000 lbs	90,000 lbs	5	\$200
80,000 lbs	99,000 lbs	6	\$350

The first two categories are for all products. The last two are for unprocessed quarry and forest products and for milk (for different sized vehicles).

NOTE: A single trip is one way unless a return is requested in advance for the same item, same fee.

Fines

Source: Inspector McAllister, Dept. of Motor Vehicles, Commercial Vehicle Enforcement, 120 State St., Montpelier, Vermont 05603. Ph: (802) 828-2078

<u>Excess pounds</u>	<u>Fine</u>
0 - 5,000	\$ 10 per 1,000 lbs or fraction thereof
5,001 - 10,000	20 per 1,000 lbs or fraction thereof
10,001 - 15,000	30 per 1,000 lbs or fraction thereof
15,001 - 20,000	40 per 1,000 lbs or fraction thereof
20,001 - 25,000	60 per 1,000 lbs or fraction thereof
> 25,000	100 per 1,000 lbs or fraction thereof
2nd conviction within one year	add 5%
3rd conviction within one year	add 10%
4th and subsequent convictions within one year	add 15%

VERMONT - cont.

NOTES:

- 1) There is a surcharge of \$8.
- 2) When there is more than one weight violation, the one with the largest fine is usually cited.
- 3) When a permitted weight is exceeded, the fine is based on the permit weight for an annual permit and on the federal bridge allowance for single trip permits.
- 4) When an axle is overweight with a legal GVW, there is a 10% tolerance on an axle and 5% on GVW for state roads.

VIRGINIA

Permits and Fees

Source: Hester Fore, Hauling Permits Supervisor, Virginia DOT, Maintenance Division, 1221 E. Broad St., Richmond Virginia 23219. Ph: (814) 371-8033

Non-Divisible Load - Single trip and annual (blanket) permits are issued. Blanket permits are issued up to 90,000 lbs. If weight is greater than 90,000 lbs, a trip permit may be purchased. Permits are issued for overweight axles if there is no way to reduce the load.

Divisible - Blanket (annual) permits are issued for sealed containers with no fee, to contractors.

Fees

Single trip	\$10 + 10¢ per mile
Blanket	option of \$30 for one year or \$60 for two years and a monthly log is kept to pay for mileage - 10¢/mile

NOTE: A single trip is one way. A return trip may be requested, but at double the mileage.

Permits

Source: Lt. H. D. Bridges, Motor Carrier, Safety Unit, Dept. of State Police, Box 27472, Richmond, Virginia 23261. Ph: (801) 674-2018

A. Over Axle Weight

<u>Excess Weight (lbs)</u>	<u>Fine</u>
1 - 2,000	1¢/lb
2,001 - 5,000	2¢/lb
> 5,000	5¢/lb

B. Over Gross Vehicle Weight

<u>Excess Weight (lbs)</u>	<u>Fine</u>
0 - 5,000	2¢/lb
> 5,000	5¢/lb

C. Over Permitted Weight

1. Gross: 10¢/lb for all overloads
2. Axle: the same schedule as in Part A and based on the permit weight

D. A citation may also be issued for a civil offense with a penalty of \$25; There is a processing fee of \$20 and a weighing fee of \$2.

WASHINGTON

Permits and Fees

Source - Motor Carrier Services, Washington State DOT, Centennial Plaza, 4511 Woodview Dr. S.E., Lacey, Washington 98504-5200. Ph: (206) 459-6426

Non-Divisible Load - Single trip permits are issued.

Divisible Load - Additional tonnage permits may be purchased on an annual basis.

Temporary tonnage permits are also issued but they are rare because of cost. Vehicles must have legal axles and follow a weight table.

Fees

A. The following fees, in addition to the regular license and tonnage fees, shall be paid for all movements under special permit made upon state highways. (This schedule includes exceeding additional tonnage weights.)

<u>Overweight (lbs)</u>	<u>Fee per mile</u>
1 - 5,999	\$.07
6,000 - 11,999	.14
12,000 - 17,999	.21
18,000 - 23,999	.35
24,000 - 29,999	.49
30,000 - 35,999	.63
36,000 - 41,999	.84
42,000 - 47,999	1.05
48,000 - 53,999	1.26
54,000 - 59,999	1.47
60,000 - 65,999	1.68
66,000 - 71,999	2.03
72,000 - 79,999	2.38
> 80,000	2.80

The minimum fee for any overweight permit shall be \$14.

B. Additional Tonnage Permits

\$52.50 per year per 1,000 lbs or fraction thereof

C. Temporary Additional Tonnage Permits (rare)

\$2.80 per day per ton or fraction thereof

Must purchase a minimum of 5 days

WASHINGTON - cont.

Fines

Overweight violations including over permitted weight

1st conviction	Basic penalty not less than \$50
2nd conviction	Basic penalty not less than \$75
3rd or subsequent	Basic penalty not less than \$100

Plus 3¢/lb of excess weight is assessed.

NOTES:

- 1) However, for the 1st violation in calendar year, a court may suspend the penalty for 500 lbs of excess weight for each axle, for not more than 2,000 lbs total. The basic penalty will not be suspended.
- 2) When there are two violations in a 12-month period, a court may suspend license registration of a vehicle for not less than 30 days. Upon a third and successive violations in 12 months, a court shall suspend license registration for not less than 30 days.
- 3) A violation of a posted limit is assessed a penalty of not less than \$150. The license registration shall be suspended for not less than 30 days for a 2nd violation in a 12-month period.

WISCONSIN

Permits and Fees

Source: Kay Morrison, Permit Representative, Motor Carrier Service Section, DOT, P.O. Box 7980, Madison, Wisconsin 53707-7980. Ph: (608) 266-7320

Non-Divisible Load - Single trip and multiple trip^a permits are issued. Permits are issued for overweight axles.

Divisible Load - Single trip permits are issued for state roads only. Annual permits are issued for all highways. Axle weights are not required to be legal and they differ for single and annual permits.^b

^a Multiple trip permits are called consecutive month permits. They are issued for 3 months to a year.

^b Legal axle weights are the same for non-divisible and divisible loads. Single trip permits: single 20,000 lbs; tandem 65,000 lbs; tri 81,000 lbs; and quad 90,000 lbs. Annual permits: single 20,000 lbs; tandem 55,000 lbs; tri 70,000 lbs; and quad 80,000 lbs.

Fees

Annual

up to 90,000 lbs	\$200	
90,001 - 100,000 lbs	\$350	
> 100,000 lbs	\$350	+ \$100/10,000 lb increments over 100,000 lbs

Single

up to 90,000 lbs	\$20
90,001 - 100,000 lbs	\$35
> 100,000	\$35 + \$10/10,000 lb increments

Consecutive Month Permit

1/12 of annual fees * no. of months + \$15 base fee

NOTE: A single trip is one way.

WISCONSIN - cont.

Fines

Source: Capt. Marsha Wiley, Division of State Patrol, DOT, P.O. Box 7908, Madison, Wisconsin 53707. Ph: (608) 267-9522

A. Up to 1,000 lbs of excess weight over legal or permitted weight is fined according to the following:

1st conviction	\$ 50 - \$100
2nd & subsequent convictions within a 12-month period	\$100 - \$200

B. More than 1,000 lbs. of excess weight.

1st conviction

The basic penalty is \$50 plus the following poundage penalty.

<u>Overload (lbs)</u>	<u>Penalty</u>
1,000 - 2,000	1¢/lb
2,001 - 3,000	2¢/lb
3,001 - 4,000	3¢/lb
4,001 - 5,000	5¢/lb
> 5,000	7¢/lb

2nd and consecutive convictions in 12 months

The basic penalty is \$100 plus the following poundage penalty.

<u>Overload (lbs)</u>	<u>Penalty</u>
1,000 - 2,000	2¢/lb
2,001 - 3,000	4¢/lb
3,001 - 4,000	6¢/lb
4,001 - 5,000	8¢/lb
> 5,000	10¢/lb

NOTES:

- 1) a) A 20% penalty assessment is based on the basic and poundage penalties.
 b) Other costs include a \$1 automation fee, \$20 court costs, and a jail assessment of \$10 (or 1% or penalty if > \$1,000).
 c) TOTAL PENALTY = basic penalty + poundage penalty + penalty assessment + other costs
- 2) When there is more than one weight violation, the largest overload and fine is cited.
- 3) When a permitted weight is violated, the fine is based on the permit.
- 4) If the load on an axle or axle group exceeds legal weight by 1,000 lbs or less, and if load can be made legal, there is no fine. If the vehicle continues on without making the load legal, the fine is \$50. (Total fine is \$91 including penalty assessment and other costs.)

WYOMING

Permits and Fees

Source: Russ Howe or Walt Parhul, Office of Overweight Loads, Wyoming State Highway Department, P.O. Box 1708, Cheyenne, Wyoming 82002-9019.

Ph: (307) 777-4376

Non-Divisible Load - Single trip permits are issued. Annual permits are issued for limited areas and times (mostly agriculture). Permits are issued for overweight axles.

Divisible Load - Permits are not issued.

Class A permits exceed Class B/C limits and require special approval.

Class B permits are issued for single movements, not over 135,000 lbs.

Class C permits are self-issuing permits for single movements, not over 135,000 lbs. They are for Wyoming businesses, same-day round trip.

Fees

Class A, B, C 4¢/each ton or fraction thereof in excess of statutory limits for each mile traveled; minimum fee of \$15 and maximum fee of \$200

NOTES:

- 1) A single trip is one way.
- 2) Interstate and state highways have different weight limits.

Fines

Source: Diane Meese, Highway Patrol, Motor Carrier Division, P.O. Box 1208, Cheyenne, Wyoming 82002-9019. Ph: (307) 777-4319

<u>Excess weight (lbs)</u>	<u>Fine</u>	<u>Excess weight (lbs)</u>	<u>Fine</u>
0 - 4,000	\$ 35	12,001 - 14,000	260
4,001 - 6,000	60	14,001 - 16,000	310
6,001 - 8,000	110	16,001 - 18,000	410
8,001 - 10,000	160	18,001 - 20,000	510
10,001 - 12,000	210	> 20,000	760

NOTES:

- 1) Courts costs are about \$20.
- 2) When there is more than one weight violation, the one with the highest fine is cited.
- 3) Fines and penalties do not vary with the number of convictions.
- 4) When a permitted weight is violated, an improper permit may be cited with a fine of \$110. The fine for excess weight is based on legal weight.
- 5) When an axle(s) is overloaded, the weight may be shifted without a fine.