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Legislative Document

No. 1498

S.P. 460

In Senate, April 4, 2019

An Act To Provide Equity for Commercial Vehicles on Roads and Bridges in Maine

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by President JACKSON of Aroostook.
Cosponsored by Representative McLEAN of Gorham and
Senator: FARRIN of Somerset.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 29-A MRSA §504, sub-§1, ¶DD**, as enacted by PL 1999, c. 580, §2 and
3 affected by §14, is amended to read:

4 DD. For gross weight from 94,001 to ~~100,000~~ 137,700 pounds, the fee is \$1,234.

5 **Sec. 2. 29-A MRSA §2352, sub-§1**, as amended by PL 1999, c. 580, §4 and
6 affected by §14, is further amended to read:

7 **1. Maximum.** A gross vehicle weight of ~~100,000~~ 137,700 pounds;

8 **Sec. 3. 29-A MRSA §2353, sub-§1, ¶E**, as enacted by PL 1999, c. 580, §6, is
9 amended to read:

10 E. For a combination of 3-axle truck tractor and tri-axle semitrailer, ~~100,000~~ 108,900
11 pounds.

12 **Sec. 4. 29-A MRSA §2354, sub-§2**, as amended by PL 2001, c. 267, §1 and
13 affected by §16, is further amended to read:

14 **2. 108,900 pounds.** One hundred eight thousand nine hundred pounds, as long as
15 the vehicle meets these requirements:

16 A. The distance between the extreme axles, excluding the steering axle, is not less
17 than 36 feet as measured to the nearest foot. The maximum gross vehicle weight
18 permitted is reduced by 2,000 pounds for each foot the distance is less than 36 feet
19 between the extreme axles, excluding the steering axle, measured to the nearest foot;

20 B. The minimum distance between the steering axle and the first axle of the
21 tandem-axle group is at least 10 feet as measured to the nearest foot; and

22 C. ~~The maximum individual weight on the:~~ distribution maximum limits are as
23 follows: for the steering axle, 12,375 pounds; for the drive axles, 40,500 pounds; and
24 for the semitrailer axles, 58,500 pounds, but in no case may the total of these values
25 exceed 108,900 pounds.

26 ~~(1) Tandem axle does not exceed 41,000 pounds; and~~

27 ~~(2) Tri-axle does not exceed 50,000 pounds.~~

28 Nothing contained in this subsection applies to vehicles using the Interstate Highway
29 System as defined in the Federal Aid Highway Act of 1956.

30 Except as provided in section 2360, subsections 4 and 5, for vehicles operating under this
31 subsection, gross vehicle weight violations are fined in accordance with the following
32 schedule:

33 Percent over 100,000 <u>108,900</u>	Fine for
34 pounds	each percent
35 1-10%	\$100 + \$20
36	for each

1		percent over 1%
2	11-20%	\$280 + \$125
3		for each
4		percent over 10%
5	21-30%	\$1,530 + \$135
6		for each
7		percent over 20%
8	31-40%	\$2,880 + \$150
9		for each
10		percent over 30%
11	41% or more	\$4,380 +
12		\$175 for each
13		percent over 40%

14 For all vehicles manufactured, modified or retrofitted with liftable or variable load
15 suspension axles after October 30, 1991, liftable or variable load suspension axles are
16 permitted only under the following conditions: only one liftable or variable load axle
17 may be present on the truck tractor and only one liftable or variable load axle may be
18 present on the semitrailer; liftable or variable load axles must be located on the vehicle so
19 that they are legally part of the tandem axle group or tri-axle group as appropriate; and
20 the axle weight rating of liftable or variable load axles must conform to the expected
21 loading of the suspension and must be 20,000 pounds or more.

22 **Sec. 5. 29-A MRSA §2354-C**, as amended by PL 2015, c. 119, §§1 and 2 and
23 corrected by RR 2015, c. 1, §34, is repealed.

24 **Sec. 6. 29-A MRSA §2354-F** is enacted to read:

25 **§2354-F. Eight-axle limits**

26 **1. Definition.** As used in this section, unless the context otherwise indicates, "B-
27 train double" means a truck tractor-semitrailer-semitrailer combination vehicle in which
28 the 2 trailing units are connected with a B-train assembly. The B-train assembly is a rigid
29 frame extension attached to the rear frame of a first semitrailer that allows for a 5th wheel
30 connection point for a 2nd semitrailer. This combination has one less articulation point
31 than the conventional A-dolly-connected truck tractor-semitrailer-trailer combination.

32 **2. Operation permitted.** Notwithstanding any provision of this subchapter other
33 than section 2354-D, a combination vehicle consisting of a 3-axle truck tractor with a
34 semitrailer-semitrailer combination configured as a B-train double with 8 axles total may
35 be operated with a gross vehicle weight of 137,700 pounds. The weight of the 2nd
36 semitrailer may not exceed the weight of the first semitrailer.

37 The overall length limit for a B-train double is 82.02 feet.

38 **3. Fines.** Except as provided in section 2360, subsections 4 and 5, for vehicles
39 operating under this subsection, gross vehicle weight violations are fined in accordance
40 with the following schedule:

1	<u>Percent over 137,700</u>	<u>Fine for</u>
2	<u>pounds</u>	<u>each percent</u>
3	<u>1-10%</u>	<u>\$100 + \$20</u>
4		<u>for each</u>
5		<u>percent over 1%</u>
6	<u>11-20%</u>	<u>\$280 + \$125</u>
7		<u>for each</u>
8		<u>percent over 10%</u>
9	<u>21-30%</u>	<u>\$1,530 + \$135</u>
10		<u>for each</u>
11		<u>percent over 20%</u>
12	<u>31-40%</u>	<u>\$2,880 + \$150</u>
13		<u>for each</u>
14		<u>percent over 30%</u>
15	<u>41% or more</u>	<u>\$4,380 +</u>
16		<u>\$175 for each</u>
17		<u>percent over 40%</u>

18 **Sec. 7. 29-A MRSA §2355-A, first ¶**, as enacted by PL 2009, c. 469, §1 and
19 affected by §2, is amended to read:

20 Notwithstanding any other provision of this subchapter to the contrary, for as long as
21 the provisions of 23 United States Code, Section 127 (a) (11) affording an exemption
22 from the federal vehicle weight limitations for vehicles operating on all portions of the
23 interstate system are in effect, a 6-axle combination vehicle consisting of a 3-axle truck
24 tractor with a tri-axle semitrailer having a maximum gross vehicle weight of ~~400,000~~
25 108,900 pounds may be operated on any portion of the interstate system consistent with
26 this subchapter as it applies to the Maine Turnpike.

27 **Sec. 8. 29-A MRSA §2357, sub-§4**, as amended by PL 2003, c. 166, §12, is
28 further amended to read:

29 **4. Six-axle combination.** Notwithstanding subsection 2, a 6-axle combination
30 vehicle consisting of a 3-axle truck tractor operating in combination with a tri-axle
31 semitrailer may not exceed ~~400,000~~ 108,900 pounds. The distance between the extreme
32 axles of a vehicle under this subsection, excluding the steering axle, must be at least 32
33 feet and the vehicle must be registered for at least 90,000 pounds. The maximum gross
34 vehicle weight permitted is reduced by 2,000 pounds for each foot the distance is less
35 than 32 feet between the extreme axles, excluding the steering axle, measured to the
36 nearest foot.

37 **Sec. 9. 29-A MRSA §2357, sub-§7**, as amended by PL 2005, c. 426, §1 and
38 affected by PL 2007, c. 453, §2, is further amended to read:

39 **7. Penalty calculation; fine base and fine schedule.** When a weight tolerance
40 established in this section is exceeded, the difference between the actual weight and the
41 fine base for the tolerance must be used as the basis for determining the percentage of
42 overload in the appropriate fine schedule and the tolerance must be disregarded. For a 6-

1 axle combination vehicle described in subsection 4 that is registered for ~~400,000~~ 108,900
2 pounds, the fine base for the gross vehicle weight is ~~400,000~~ 108,900 pounds and the fine
3 schedule in section 2354 applies. For a 6-axle combination vehicle described in
4 subsection 4 that is registered for less than ~~400,000~~ 108,900 pounds, the fine base for
5 gross vehicle weight is 90,000 pounds and the fine schedule in section 2360 applies. For
6 all other vehicles operating under the gross vehicle weight tolerances in subsection 2,
7 except as provided in subsection 9, and for all vehicles operating under the axle unit
8 weight tolerances in subsection 2, the fine base is the appropriate limit in section 2353
9 and the fine schedule in section 2360 applies.

10 **Sec. 10. 29-A MRSA §2357, sub-§9**, as enacted by PL 2005, c. 426, §2 and
11 affected by PL 2007, c. 453, §2, is amended to read:

12 **9. Penalty calculation; tandem axle fine base for 6-axle special commodity**
13 **vehicles registered for 108,900 pounds gross weight.** For a 6-axle tractor-semitrailer
14 vehicle registered for ~~400,000~~ 108,900 pounds gross weight hauling special commodities
15 with a tandem axle weight for which a Violation Summons and Complaint may be issued,
16 the tandem axle weight fine provided by section 2360 must be based on the difference
17 between the tandem axle weight and 41,000 pounds.

18 **Sec. 11. 29-A MRSA §2360, sub-§3**, as amended by PL 2001, c. 267, §6 and
19 affected by §16, is further amended to read:

20 **3. Schedule of fines.** Except as provided in section 2354, subsection 2 and section
21 2354-F, subsection 3, the fine must be based on the amount of gross vehicle weight or
22 axle weight in excess of the limits prescribed in sections 2352 to 2355, 2357 or 2365, as
23 appropriate.

24 This schedule is cumulative:

Percent over allowed basic weight	Fine for each percent
25 1-10%	\$10 for each percent
26 11-20%	\$100 + \$65 for each percent over 10%
27 21-30%	\$750 + \$75 for each percent over 20%
28 31-40%	\$1,500 + \$105 for each percent over 30%
29 41-50%	\$2,550 + \$140 for each percent over 40%
30 more than 50%	\$3,950 + \$180 for each percent over 50%
31	

32 SUMMARY

33 Current law allows certain commercial vehicles at Canadian weight limits that are
34 higher than those in this State to travel from the United States-Canada border to certain
35 points in this State.

36 This bill repeals that law and allows certain commercial vehicles to be operated in
37 this State at those higher weight limits. A combination vehicle consisting of a 3-axle
38 truck tractor with a tri-axle semitrailer may be operated with a maximum gross vehicle
39 weight of 108,900 pounds. A combination vehicle consisting of a 3-axle truck tractor

- 1 with a semitrailer-semitrailer combination configured as a B-train double with 8 axles
- 2 total may be operated with a gross vehicle weight of 137,700 pounds.