

Section 14

Weight and Dimension of Vehicles

Vehicles: Controlling the size and weight of vehicles using the town highway system (excluding the Class 1 highways) is a responsibility of the Department of Motor Vehicles (DMV) (see 23 V.S.A. Section 1400(c)) and municipal officials (19 V.S.A. Section 304(6) and 23 V.S.A. Section 1400a). "Blanket permits" to operate certain over-dimension vehicles are issued by the DMV; when a proposed load exceeds the blanket permit standards, special permits must be obtained from either the DMV or the municipality. The DMV issues overweight permits for the state system and the Class 1 town highways, while municipalities regulate weight on Class 2, 3, and 4 roads. Contact DMV – Commercial Vehicle Operations at 120 State Street, Montpelier, VT 05603-001 or call 802-828-2064

Weight: Maximum allowable gross weight of vehicles (road limits) are prescribed by statute for the four classes of town highways or bridges (23 V.S.A. Section 1392 and 1393) in any town, incorporated village, or city, unless established otherwise by municipal officials. Municipalities may designate state highway limits on specific highways, where approved by VTrans (23 V.S.A. Section 1393). Contact the DTA for forms and guidance on these procedures.

Municipal officials may prescribe different allowable weight limits on different segments of highways and certain bridges based upon their judgment of the best interests of their municipality (23 V.S.A. Section 1396). VTrans engineers are available to provide advice on allowable limits, upon request of municipal officials. Contact the DTA for assistance. Consult with the municipal attorney regarding the procedures, hearings and recordings requirements, signs, etc.

Overweight permits may be granted by municipal officials for exceeding the prescribed limits of Class 2, 3, and 4 town highways, under whatever conditions of maximum weight, weather conditions, season, and compensation that a municipality may decide to be appropriate (23 V.S.A. Section 1400a). The standard Excess Weight Permit form (pg 14-3) must be used. Contact DMV at 802-828-2064 with questions regarding overweight permit conditions.

When a municipality decides that special weight limits other than the statutory legal limits are appropriate, special weight limits must be filed with the DMV no later than **February 10 of each year** (23 V.S.A. Section 1400b). Failure to file with the DMV makes the limitations unenforceable. See Town Highway and Bridge Weight Restriction Filing form (pg 14-5).

Spring Posting: Seasonal restrictions (posting) may be placed on highways to prevent damage during periods when spring-time breakup makes the highway structure susceptible to damage. Posting of highways is accomplished by placing signs at each end of a highway or segment of it. Posting *signs* are available from the DTA. Also available from the DTA are posting *notices* on which the municipality is to indicate the roads to which the notice applies, along with proper validation. Ensure notices and signs have the current date and the current Secretary of Transportation's name on them. Notices and rules are to be posted in at least two

public places in the municipality (19 V.S.A. Section 1110(a)). To be enforceable, posting information must be filed with the DMV within three working days of the date of posting (23 V.S.A. Section 1400b(b)). Filing posting conditions in advance is considered good practice. Access to a current listing of posted town highways is available through the DMV web site <http://dmv.vermont.gov/commercialtrucking/oversize> or upon request with the required fee.

Dimensions:

Limiting dimensions in size are set by statute for both state and town highways (23 V.S.A. Sections 1431 through 1433). The DMV issues over-dimension permits for exceeding statutory length, width and height limits, under whatever conditions of time of day, police protection, weather conditions, season, and compensation required (23 V.S.A. Section 1400(a)). Municipalities, however, provide permits on Class 2, 3, and 4 roads when loads are in excess of the blanket permit criteria (23 V.S.A. Section 1400(c)).

Compensation due to a municipality for use by an overweight or over-dimension vehicle is to be related to at least these factors (23 V.S.A. Section 1400a(c)):

- (1) the amount of permitted weight over the prescribed limit
- (2) the axles on the vehicle
- (3) the number and length of the trips
- (4) the condition of the highway before and after the use, and costs to repair

VTrans recommends municipalities have in place *written compensation guidelines* that it intends to apply, so that all permit requests are handled uniformly.

Damage caused by vehicles operated in excess of legal or permitted weight may be recovered by civil action (23 V.S.A. Section 1492 and 19 V.S.A. Section 1110(b)), provided that proper filings, posting notices and signs are in place. Municipalities may enforce road limits on its highways, or contract to have enforcement done. Municipalities may keep a portion of the fines received from illegal operations (see 23 V.S.A. Section 1391a(d) and 12 V.S.A. Section 7251), but the filing must be made with the DMV in accordance with 23 V.S.A. Section 1400b and as described above.

VTrans DMV UNIFORM MUNICIPAL EXCESS WEIGHT PERMIT

(Municipality)

FLEET

SINGLE VEHICLE

Approval is hereby given for the granting of a fleet permit under the provisions of V.S.A. Title 23, Section 1400(a), and any amendments thereto, covering the operations of motor vehicles over local highways and bridges with gross loads as follows:

Owner: _____

Address: _____

Contact: _____ Phone: _____

Type(s) of Vehicle(s)	No. of Axles	Product Carried	Maximum Weight Requested	Maximum Weight Approved

Approved for the following highways (list may be attached): _____

The following restrictions apply (list may be attached) : _____

This approval shall be effective for no more than a one year period ending March 31, 20 . This approval covers all vehicles bearing the company name. If permit is to cover unmarked company trucks, please attach a list to this form giving year and make of truck, VIN #, maximum weight and registration #.

The holder of a permit shall be liable for any damage to highways or bridges per V.S.A. Title 23, Section 1400(a)(c) and is **required to furnish the Municipality a valid Certificate of Insurance** in the following amounts: a minimum of \$100,000/\$300,000 Personal Injury Liability Coverage and \$100,000 Property Damage Coverage.

Approved: Title: _____ Date: _____ (Duly authorized agent)

INSTRUCTIONS FOR APPLICANT

1. Permit is valid for up to one year, expiring on March 31.
2. Please include an administrative fee of \$5.00 for each single vehicle application, or \$10.00 for a fleet permit:
 - a. A municipal permit fee of _____.
3. Single vehicle permits must be carried in the permitted truck. Fleet permits are not required to be carried in the trucks.

INSTRUCTIONS FOR MUNICIPALITY

1. You may attach a copy of approved highways and/or restrictions to this form.
2. Effective July 1, 1994, a Vermont blanket permit is not required for issuance of Municipal Excess Weight permits.
3. Special weight limits which are higher or lower than legal limits for highways or bridges within your jurisdiction must be on file with the Vermont Department of Motor Vehicles.