



# A Review of Kentucky's Extended-Weight Hauling Programs

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Kentucky Transportation Center  
College of Engineering, University of Kentucky, Lexington, Kentucky

in cooperation with  
Kentucky Transportation Cabinet  
Commonwealth of Kentucky

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**Research Report**  
KTC-21-22/SPR20-589-1F

**A Review of Kentucky's Extended-Weight Hauling Programs**

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<b>16. Abstract</b> Kentucky established its Extended Weight Coal or Coal By-products Haul Road System (EWCHRS) to increase the state's competitiveness within the coal industry and reduce financial burdens on coal haulers. A new extended-weight haul system for unrefined petroleum products will come online in 2022. To facilitate enforcement of weight limits throughout Kentucky, this report surveys literature on how overweight vehicles affect roads and bridges, describes statutes and regulations governing weight limits in the state, discusses policies and strategies used throughout the US to handle overweight vehicles, and makes recommendations for improving extended-weight policies in Kentucky. It is apparent that pavements and bridges repeatedly exposed to overweight vehicles have shorter life-cycles, but methods for quantifying deterioration rates are lacking. In both Kentucky and throughout the US, agency personnel find that not enough revenues are collected from permitting fees to offset damage caused by overweight trucks. The enforcement landscape is made complex by exemptions that apply to specific industries and commodities. Without adequate staffing and weigh station operations, robust enforcement of weight limits is very challenging. Some of the recommendations for Kentucky to improve its extended-weight policies include studying the feasibility of a statewide long-haul network that accommodates all commodities, modifying the EWCHRS fee structure to generate enough funds to repair damage inflicted by overweight vehicles, strengthen enforcement of weight limits on the EWCHRS, mandate installation of GPS systems on vehicles that travel the EWCHRS to streamline mileage reporting and improve driver awareness of prohibited routes, and eliminate inconsistencies, ambiguities, and redundancies in regulatory and statutory language.			
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## Executive Summary

In 1986, Kentucky's Extended Weight Coal or Coal By-products Haul Road System (EWCHRS) was established to increase the state's competitiveness within the coal industry and reduce the cost of transporting coal. The system includes roads on which over 50,000 tons of coal or coal byproducts were transported by motor vehicles during the previous calendar year. In 2019, the legislature introduced a new extended-weight route for vehicles transporting unrefined petroleum. With the possibility of the further expansion of extended-weight hauling, the Kentucky Transportation Cabinet (KYTC) commissioned this study from the Kentucky Transportation Center (KTC) to understand current laws and strategies related to vehicle weight limits and identify methods for improving the state's extended-weight limit policies. Researchers undertook a comprehensive review of previous research studies, as well as Kentucky Revised Statutes (KRSs) and Kentucky Administrative Regulations (KARs), to document how overweight vehicles impact roads and bridges and the laws and policies that govern weight limits in the state. Although it is clear that repeated exposure to overweight vehicles shortens pavement and bridge life-cycles and increases the amount spent on maintenance, rehabilitation, and replacement, methodologies for quantifying precise deterioration rates are still lacking.

To situate Kentucky's experience within the national context, KTC surveyed personnel at other state transportation agencies (STAs) about challenges related to weight limit policies and regulations. Respondents commented that overweight loads are getting heavier, likely increasing damage to roads and bridges as well as safety hazards. Despite higher registration and permitting fees, STAs do not collect enough revenues to offset damage to infrastructure repeatedly exposed to heavy loads. In fact, some vehicle owners are inclined to run overweight because even if they are stopped by law enforcement the resulting fines and fees can be less expensive than obtaining a permit. Raising weight limits and exempting some commodities from existing weight limits are frequently debated by state legislatures, however, agency staff noted that carveouts for particular industries or commodities complicate attempts at enforcement. And with most transportation agencies facing resource constraints, weigh stations are often closed to operate intermittently, further hampering enforcement. A survey of KYTC staff revealed they share the concerns of their colleagues throughout the US. Some worry that Kentucky's roads are not equipped to routinely handle even 80,000-lb. vehicles. A few respondents have observed damage inflicted by commodity hauling on Class A and AA routes. Staff expressed a strong belief that all cargo types should be treated the same and that permit fees for overweight vehicles are not sufficient to repair the damage they cause. Although unsure about the utility of cooperative agreements, staff argue they are potentially valuable tools as long as enforcement activities are robust.

Based on the literature review, examination of Kentucky statutes and regulations, and the survey of STA personnel, KTC developed several action items that may be used to strengthen the state's extended-weight policies. Some of these can be pursued by the Cabinet, but others will require the General Assembly take legislative action. They are summarized below:

- Investigate the practicality and benefits of establishing a statewide long-haul network with GVW limits based on axle weight and wheelbases. This network should accommodate all types of commodities.
- Revisit the EWCHRS's fee structure. Decal fees have not increased since the system was created 35 years ago. Options include a higher flat rate based on truck configuration, a weight- and distance-based fee structure such as Kentucky's Weight Distance tax to account for weights carried over longer distances, or alternative payment methods (e.g., road usage charges).
- Strengthen the enforcement of EWCHRS weight limits through the imposition of more stringent penalties.
- Consider mandating the installation of GPS systems on vehicles using the EWCHRS. This is a requirement for trucks on the new extended-weight unrefined petroleum haul network. Collecting data using GPS is more efficient, and the systems can be integrated with KYTC routing and mapping information to help drivers avoid roads that cannot accommodate their vehicles.



- Establish a centralized, readily searchable database for state and local data asset management that provides more information on routes, networks, and construction lettings. This will clarify how funding is used for maintenance activities.
- Review how EWCHRS routes are displayed/characterized on parkways that end at interstates. On some routes, it is impossible for vehicles to not briefly travel highway segments on which they are considered overweight.
- Eliminate inconsistencies between statutes and regulations. Clarify ambiguous language that complicates their interpretation. Chapter 5 catalogues issues that need to be resolved.
- Establish regulations to address: (1) administration of the extended-weight unrefined petroleum products haul system, (2) publication of a directory that designates the system and defines reporting requirements for haulers, (3) oversight of metal commodities and steel-to-river port permits, and (4) inconsistencies in laws related to vehicles transporting livestock or poultry.

## Chapter 1 Introduction and Background

### 1.1 Background

In 1976 Kentucky's General Assembly codified in Kentucky Revised Statute (KRS) 175.640 legislative findings that attested to the dependence of Kentucky's economy on coal and the inadequacy of transportation infrastructure to support coal hauling:

*The General Assembly of the Commonwealth of Kentucky determines as a legislative finding of fact that the economy of the Commonwealth is, to a major degree, dependent upon the severance and production of coal, which is the most abundant and valuable mineral resource of Kentucky; that there is a serious shortage of transportation facilities for the transportation of coal from mines to market; that many of the roads, bridges and highways situated in the coal-producing areas of the Commonwealth are obsolete and inadequate for the uses to which they are subjected, and have, in many cases deteriorated to the point where their use is hazardous and represents a potential threat to the safety and welfare of the traveling public; and that the shortage of modern, heavy-duty road systems in such areas is seriously retarding the continued economic growth of the Commonwealth.<sup>1</sup>*

The legislature determined that resource recovery roads should be built using revenue bonds backed by coal severance tax allocations. Legislators concluded that building these roads would enhance the economy, safety, health, convenience, and welfare of the travelling public. KRS 175.650(4) defines a resource recovery road project as any "express highway or superhighway...designed and constructed to serve as a modern, heavy-duty motorway facility capable of carrying in normal operations vehicles designed for the transportation of coal severed and produced in the Commonwealth of Kentucky, which road shall also be designed to serve the traveling public." These legislative findings paved the way for Kentucky's Coal Haul Highway System, which is intended for trucks carrying coal at normal operating weight limits. This system encompasses all public highways on which coal was transported during the previous calendar year.

The Extended Weight Coal or Coal By-products Haul Road System (EWCHRS) was established in 1986 to increase Kentucky's competitiveness in coal production and reduce costs incurred by coal haulers. The EWCHRS remains in place today along with an extended-weight route for unrefined petroleum. EWCHRS routes are delineated using information gathered from coal transporters. The system includes roads on which more than 50,000 tons of coal or coal byproducts were transported by motor vehicles during the previous calendar year. The Kentucky Transportation Cabinet (KYTC) reports information on coal haul routes pursuant to KRS 177.977 and KRS 42.455. Appendix A contains a detailed listing of relevant statutes and regulations; Appendix B includes maps of the current extended-weight networks.

Trucks travelling on the Coal Haul Highway System must abide by normal operating weight limits, whereas vehicles registered with an EWCHRS decal may exceed limits. Because of the many exceptions in Kentucky regulations, the Federal Highway Administration (FHWA) requires KYTC to maintain load ratings for all bridges. Due to the number of permits issued and regulatory exceptions/exemptions, policies are challenging to interpret.

Only recently have new laws been passed to afford metal commodities (KRS 189.2713) and unrefined petroleum (see KRS 177.985) exemptions as well. The unrefined petroleum products law creates an Extended Weight Unrefined Petroleum Products Haul Road System that allows gross vehicle weight (GVW) limits of 120,000 lbs. It is possible that extended-weight hauling for commodities may continue to gain momentum. As such, KYTC will benefit from understanding current laws and strategies for developing future laws, protecting roads and bridges, and ensuring compliance with current laws.

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<sup>1</sup> <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=5097>

## 1.2 Research Objectives

Kentucky Transportation Center (KTC) researchers scrutinized current laws, policies, and procedures related to extended-weight hauling in Kentucky. This document reviews KRSs and Kentucky Administrative Regulations (KARs) which apply to extended weight limits and outlines funding mechanisms for extended-weight systems, including overweight (OW) decal/permit fees and registration fees. Inconsistencies and ambiguities in current laws and regulations are discussed as well. The study also evaluates literature and financial reports detailing the costs and benefits of extended-weight systems. Using a national survey, researchers looked at how other state transportation agencies (STAs), motor carriers, and law enforcement approach extended weights. The report identifies methods for streamlining extended weight hauling in Kentucky.

## 1.3 Report Structure

The report is divided into four additional chapters. Table 1.1 summarizes the contents of each.

**Table 1.1** Report Summary

Chapter	Contents
2	<ul style="list-style-type: none"><li>• Describes normal weight limit regulations in the United States (US) and proposals to increase limits</li><li>• Summarizes research on the impacts and costs of increased GVWs on infrastructure</li><li>• Reviews overweight/overdimensional (OW/OD) permitting fee structures</li></ul>
3	<ul style="list-style-type: none"><li>• Reviews Kentucky statutes and regulations on extended weight limits and permitting</li><li>• Details revenue and expenditures for the EWCHRS Energy Recovery Fund</li></ul>
4	<ul style="list-style-type: none"><li>• Presents the results of a national survey on extended weight limit policies</li></ul>
5	<ul style="list-style-type: none"><li>• Proposes best practices and recommendations for improving KYTC's policies on extended-weight limits</li></ul>

## Chapter 2 Literature Review

### 2.1 Background

Vehicle weight limits in the United States are governed by a complex tapestry of federal, state, and local laws and regulations. Federal law sets the maximum allowable GVW on interstates at 80,000 lbs. The Federal Bridge Formula (FBF) limits the weight-to-length ratio of vehicles crossing bridges. This formula calculates the maximum allowable weight based on the number of vehicle axles and the distance between two or more consecutive outer axles. In general, states must abide by federal weight limits on interstates or risk losing federal appropriations. But some states can exceed federal limits if they have grandfathered weight limit laws. Both federal and state laws prohibit vehicles from exceeding weight limits on posted structures. States establish weight limits for roads and bridges under their authority, and to some degree let local jurisdictions set limits within their boundaries. Most state weight limit laws are based on maximum GVW although some states establish restrictions based on axle weight and wheelbase lengths. Some vehicles can exceed legal limits by obtaining OW permits or through exemptions.

In 2016 the FHWA completed the *Compilation of Existing State Truck Size and Weight Limit Laws*, which catalogues each state's regular operating weight limits and exceptions to federal and state weight limits or special operations, including permits for OW vehicles. For Kentucky, Marks et al. (2021) discuss vehicle weight limit laws and review KRSs and KARs pertaining to regular operating weight limits and exceptions to those limits.

Heavier trucks shorten pavement and bridge design lives as detailed in Section 2.5. At the same time, funding constraints across all levels of government make it difficult to keep repairs on pace with damage inflicted by these vehicles. Although the number of heavy commercial vehicles on US roads has declined, these vehicles apply a disproportionate amount of stress to pavements and bridges. In concept, vehicles are expected to pay for the roads they use or consume. States set permitting fees for heavy vehicles to pay for the damage they inflict. In practice, states report that permitting fees are insufficient to cover the costs of damage. In some states permitting fees have not increased in over 30 years, even as infrastructure repair costs have risen steadily.

### 2.2 Proposed Federal Weight Limit Increases: Impact Studies

Several attempts have been made over the years to increase federal weight limits. Proponents of higher weight limits contend heavier trucks improve freight efficiency by transporting more cargo at one time on fewer vehicles. Fewer trucks on the road theoretically enhances safety by minimizing traffic congestion, potentially reducing crash numbers and emissions (National Research Council (US), 1990; Luskin and Walton 2001; Adams et al. 2009; Ali et al. 2020). Data on the impact of raising truck weight limits is still limited, especially the relationship between the weight of different truck configurations and crashes, costs to enforcement, and costs to infrastructure, particularly bridges.

Several studies have investigated the implications of raising federal limits. A recent FHWA study (2015) did not make regulatory recommendations, stating there were not enough data to conclusively determine how heavier trucks impact public safety and infrastructure costs — particularly bridges. FHWA studied the potential impacts of increasing size and weight limits, however, the agency found that predicting market responses to changes in size and weight laws is challenging even with robust data. As part of the study, FHWA found that increased weights shifted freight away from rail toward trucks and reduced logistics costs (and rail revenue) and temporarily reduced vehicle miles travelled (VMT), although the agency claimed that as freight demands increase the reductions will dissipate. The temporary reduction in VMT reduced emissions and energy costs yet these were also deemed temporary. Highway safety data were limited, too, but indicated higher crash rates and longer braking distances for trucks over 80,000 lbs.

Analysis of 490 steel and concrete bridges listed in the National Bridge Inventory using the AASHTOWare Bridge Rating program (ABrR) required numerous assumptions and had several limitations, including limited cost data availability. FHWA could not identify a widely used tool or model to estimate the impact of heavy trucks on bridge decks. Models that have been used to estimate these impacts have drawn criticism (FHWA 2015; TRB 2018). The study excluded local bridges since their design, construction, and management vary across the US. Even with limited

cost data for sample bridges, the increased size and weight configurations required more postings on National Highway System (NHS) bridges. Strengthening or replacing these structures would cost billions of dollars.

The study also analyzed pavement in four climate zones (wet freeze, dry freeze, wet no-freeze and dry no-freeze zones) with three traffic levels (high, moderate, and low truck volumes). Some limitations with the pavement data hampered analysis. Pavement ME Design software was used to extrapolate from small sample sizes data to the national level, and models could not be applied to different axle loads. Local roads were excluded from the analysis due to a lack of information about pavement layers and traffic at local levels. Pavement costs increased with all truck configurations analyzed, except for a slight reduction with six-axle configurations. Because of limited safety and cost data on the effects of raising tuck limits, Congress has declined to increase federal limits.

### **2.3 Permitting and Fee Structures**

Many states have attempted to quantify the cost of pavement and bridge damage caused by heavy vehicles and then based on this information allocate damage costs proportionally to trucks through OW permit fees. One concern that often arises during discussions about increasing permitting fees is the potential reduction in demands for OW loads. Fewer OW loads could translate to large loads being divided into smaller loads, therefore increasing vehicle congestion, reducing freight efficiency, and potentially forcing shippers to route materials through other states (Bowlby et al. 2001). Dunning et al. (2016) looked at OW permitting practices at STAs and stakeholder perspectives on permitting practices. They found that policymakers — rather than engineers and economists — typically set fees. They found no consistent policies related to cost setting.

Methods for evaluating damage and apportioning equitable permit fees require numerous assumptions, which results in considerable variance. Long-term damage assessments are particularly fraught. Road user fees do not adequately cover the cost to repair the roads, while the owners of heavier vehicles do not pay for an equitable share of damages (Ahmed et al. 2012; Dunning et al. 2016). Although no method captures the impact of OW trucks on bridges, Ahmed et al. (2012) found bridge damage costs are a function of GVW, axle spacing, and axle loads. As such, permit structures based on GVW alone will result in some vehicle classes paying less than 10% of their contribution to bridge damages.

States have used several permit fee structures for OW vehicles: flat rate, weight-based, axle-based, distance-based, and a combination weight- and distance-based (Dunning et al. 2016). Flat rates are easy to administer but tend to favor heavy loading since no added costs are incurred for heavier loads. Weight-based fees are calculated based on tonnage over the legal limit. They do not account for distance of roadway used and repeat exposure. Thus, two trucks of the same weight may pay the same fee irrespective of route length, despite one potentially damaging roads more than the other. Distance-based permit fees are based on distance alone. They are difficult to enforce, so states no longer use this structure by itself. Some states levy fees based on axle weight, although this is usually done at toll bridges. Finally, a combination of weight and distance account for vehicle tonnage over legal limits and distance travelled.

Kentucky's OW permitting structure primarily uses flat fees except for the weight-based fee option on EWCHRS decals for trucks with five or more axles (up to 20,000 lbs. per axle). Dunning et al. (2016) argued that permitting structures focused on GVW and axle loads help STAs recover infrastructure deterioration costs.

### **2.4 Variance in Permitting Types and Fees**

Adams et al. (2013) looked at carrier fees, agency costs and escort fees across eight Mid America Association of State Transportation Officials (MAASTO) states, including Kentucky. They focused on the transport of large, heavy cargo: a steel bridge girder, combine, generator, mobile home, wind turbine blade, and wind tower component. Iowa had not increased its fees in 30 years and charged fees that were among the lowest in the nation while other states reported they had not adjusted fees at least 10 years. Multiple fee types — and calculations — complicate fee structures. Each state reported having a fixed or flat plus supplemental fee. For example, Minnesota had an equivalent single axle load (ESAL) mile fee, Missouri a per-ton fee, and Illinois a categorical weight/dimension and distance matrix. Illinois, Indiana, Ohio, and Wisconsin had a per-ton-mile fee. Adams et al. observed that equity of the fees affects carrier behavior and recommended a sliding scale for issuing OW/OD permits, especially due to the

costs required for engineering analysis and field verification. Schaefer and Todd (2018) concluded that as more agencies shift to automatic permitting to assess higher threshold weight loads, they become more efficient and costs decline. But, if the number of permit seekers continues to rise for heavy loads above threshold weight loads agency costs for special analysis may increase as well.

Dey et al. (2015) investigated 10 OW fee options and tradeoffs for four damage recovery fee types in South Carolina: flat, axle-based, weight-based, weight-distance based. The study only looked at pavement replacement costs. Increasing the flat and axle-based fees by just \$1 each recovered \$4.2 and \$3.8 million, respectively, each year in unpaid damages. Dey et al. (2014) used multiple methods to estimate cost recovery for pavement and bridge damage caused by OW vehicles. Depending on the damage cost model used for permitting, different truck axle configurations benefit. They recommended a sensitivity study of cost parameters on OW truck damage costs.

Ahmed et al. (2012) reviewed pavement damage cost estimation methods and limitations, finding that cost estimates are highly sensitive; depending on the calculation methods used, costs may be underestimated by over 80% if a study omits reconstruction or maintenance costs (Ahmed et al. 2012). The same logic likely holds for bridge costs. Studies on OW fees lack estimates of bridge damage costs based on different bridge attributes (e.g., bridge functional class, material type, length, age) (Agbelie et al. 2016). Using the same method to estimate per-trip damage in Ohio, Virginia, and Texas, Prozzi et al. (2012) determined that OW damage in Texas was about \$30 more per trip than the other states (Dey et al. 2015). This was attributed to differences in pavement and bridge cost estimation methods, variation in traffic characteristics, pavement and bridge characteristics and design methods, and state-specific OW axle and GVW limits. Ghosn et al. (2015) quantified damages attributable to different categories of trucks on New York State Department of Transportation (DOT) pavement and bridges. Annual costs for divisible load permits were \$50 million for pavements and \$145 million for bridges. For special hauling permits the costs for bridges and pavements were \$2 million and \$78 million, respectively, and for illegally OW vehicles the costs were \$43 million and \$63 million, respectively.

In 2009, Ohio (ODOT 2009) studied how permitted trucking and associated pavement and bridge costs impact the state's transportation system and economy. OW permitting fees resulted in a \$45 million annual shortfall compared to damages on the state highway system. In 2005, Louisiana examined whether it should accept a proposed 100,000 lbs. permit, an increase from an 86,600 lbs. permit limit. Pavement overlay costs doubled under the proposed increase, with bridge repair costs exceeding \$3,560 per year per truck. Life-cycle cost analysis in New Jersey also concluded that the current New Jersey DOT overweight permit fee structure is insufficient to recover the cost from damage inflicted by OW vehicles.

## **2.5 Pavement and Bridge Damage**

Pavement deteriorates over time when exposed to heavy loads. Pavement thickness and materials differ based on road type and geography. For example, heavy traffic gradually deteriorates interstates but can significantly damage local roads with thinner pavement layers. Roads designers select a pavement thickness based on anticipated vehicle traffic during the pavement's service life, but roadways designed years ago may not be able to accommodate contemporary traffic volumes. Many factors influence pavement service life: asphalt thickness and composition, temperature, subgrade condition, the number of vehicles travelling, GVW and number of vehicle axles, whether vehicles travel on segments simultaneously (in the case of a bridge), and the speed of traffic. These factors result in different kinds of pavement distress (Ahn et al. 2011; Li et al. 2012; Qiao et al. 2013; Hajek et al. 1998; Dunning, et al. 2016; Ali et al. 2020).

Adding weight increases the load magnitude. Axle configuration and axle load influence pavement deterioration, with damage increasing exponentially with axle load (Luskin and Walton 2001). Axle load concentrations produce different types of pavement distress. Pavement damage shows several types of distress occur because of OW vehicles. Trucks with single or tandem axles crack pavement by transferring loads onto a small surface area while trucks with multiple axles spread damage over larger surface areas, resulting in rutting (Salama et al. 2006; Chatti et al. 2004; FHWA 2000; Dunning et al. 2016).

Two methods are common for evaluating pavement damage: the ESAL approach (based on AASHTO's 1993 Pavement Design Guide) and the mechanistic-empirical method (using fatigue and rutting life) (Ali et al. 2020). One ESAL represents the pavement damage caused by one pass of 18,000 lbs. on a single axle with dual tires inflated to 110 psi (Ali et al. 2020). The mechanistic-empirical method relates cumulative damage to observed pavement distress (AASHTO 2008).

Energy production booms in some regions result in OD/OW vehicles operating beyond infrastructure capacities. For example, Ashtiani et al. (2019) described how an explosion in crude oil and natural gas production in the Permian Basin and Eagle Ford Shale region delayed maintenance and repair in several Texas counties where local and state agencies could not meet the unexpected demands of heavy equipment. In response, Ashtiani et al. (2019) proposed a mechanistic approach for quantifying pavement damage from OW trucks that is tailored to this road network. Its application demonstrated significant reductions in pavement life due to increased traffic, especially on local Farm-to-Market (FM) roads with thin bases and surface layers.

## **2.6 Pavement Damage Cost Methodologies**

Researchers have generally adopted two methods to study pavement damage costs: (1) highway cost allocation (HCA) and (2) pavement damage cost estimation. HCA assigns highway repair costs (including highway widening and pavement strengthening projects) to different vehicle classes to compare pavement damage costs across users (and user fees). HCA studies examine cost factors associated with vehicle operations; pavement maintenance, rehabilitation, and reconstruction (MR&R); congestion; crashes; and the environment. Pavement damage cost estimation studies look at pavement consumption by different vehicle classes and estimate either the full cost of pavement recovery or incremental costs that should be charged to each vehicle class.

Previous cost analysis studies have several limitations. Many did not use pavement reconstruction costs, only maintenance and rehabilitation costs. Studies using the empirical approach have not adequately addressed the inconsistencies of MR&R schedules. Past studies have generally not used MR&R schedules that reflect actual practice and limited schedules to 10-15 year intervals. Traffic data have typically been collected from just one or a few weight-in-motion (WIM) locations, with these data generalized across entire states even when they were not representative of traffic counts or loads. (Ahmed et al., 2012). McIlmoil et al. (2010) compared ESALs for 6-axle 80,000 lbs. trucks (1.24 ESALs) to 120,000 lbs. trucks (6.87 ESALs). They found that although using lighter trucks required twice as many trips to haul the same amount of coal as heavier trucks, the heavier trucks placed greater strain on roads than lighter trucks, suggesting a net negative impact from their use.

## **2.7 Type of Damage to Bridges**

Due to grandfathered weight limit laws under 23 USC 127, standards for maximum loads vary among states. These variations — along with the ambiguous relationship between weight limits and infrastructure damage — has made it challenging to generalize findings about the impacts of OW vehicles on bridges (Dey et al. 2014). Another complicating factor is the absence of a linear relationship between bridge damage and truck weight. Concrete bridge decks deteriorate faster than steel girder bridges. Attributing bridge fatigue to overstressing caused by OW vehicles is a fraught task because micro-cracking may take time to affect the bridge service life. Accumulated damage (fatigue wear) is not often studied due to a lack of reliable models for concrete decks (Ali et al. 2020). However, a National Bridge Maintenance Database (NBMD) is being developed to track bridge performance, along with inspection and maintenance reports, to better understand the impact of OW trucks (Ali et al. 2020).

## Chapter 3 Weight Limits and Extended Weight Hauling

### 3.1 Debating State-Level Vehicle Weight Increases

Despite the uncertain consequences of raising truck weight limits, legislatures continue to debate new laws to increase limits and carve out weight limit exemptions for some commodities and issue OW permits. In addition to commodity-specific exemptions, some states have road segments that allow heavy haul vehicles to travel short distances irrespective of the goods they carry. STAs claim legislatures are often slow to address weight limit issues. Legislative bodies are influenced by industry lobbying for new exemptions. Although federal weight limits remain unchanged, the number of OW/OD trucks on the roads are increasing and states are issuing more OW/OD permits (FHWA 2018; Adams et al. 2013).

Most states have introduced automated self-issuance permitting software that checks vehicle weight, height, width, and axle configuration against the proposed route to determine whether it will exceed posted limits on bridges and other structures. Kentucky fully implemented Bentley Systems for permit issuance in 2019. If vehicle weight exceeds a predefined threshold, states generally require structural engineering analysis to determine infrastructure capacity. The number of requests to exceed thresholds — and thus demanding special analysis — have increased dramatically and is taxing agency staff. Simply put, trucks are getting heavier. States encounter several challenges from heavier vehicles (Marks et al., 2021):

- Difficulty enforcing weight limits when many commodity-based exemptions and special permits exist
- Posting requirements at structures that cannot hold the maximum weight capacity (increasing agency costs for engineering inspections and signage)
- Pavement and bridge deterioration on state and locally maintained roads, especially on thinner pavements not designed to accommodate heavy loads

### 3.2 Standard Weight Limits in Kentucky

Standard operating weight limits on state-maintained highways are established through KRS 189.221 and KRS 189.222. KRS 189.221 sets a basic GVW on highways of 36,000 lbs. for trucks, semi-trailers, and truck-trailer units, except those designated under KRS 189.222 or local cooperative agreements (KRS 189.230(4)). KRS 189.222 allows the Secretary of Transportation to increase weight limits and authorizes the legislature to create KARs to establish a road classification system in the state with different weight limits for each class. 603 KAR 5:066 establishes GVW limits for trucks on state-maintained highways. Maximum GVW on all state-maintained highways are as follows:

- Interstates and AAA: 80,000 lbs.
- AAA: 80,000 lbs. with a 5% tolerance except on interstates
- AA: 62,000 lbs.
- A: 44,000 lbs.
- Local/County: 36,000 lbs.

Truck weights are restricted based on the number axles and axle spacing. KRS 189.222 stipulates the maximum axle weight and axle spacing on state-maintained highways as follows:

- 20,000 lbs. per single axle, with axles less than 42" apart
- 34,000 lbs. on 2 axles in tandem axles spaced 42" apart
- 48,000 lbs. on 3 axles spaced 42" or more apart and less than 102" apart
- No single axle in any arrangement may exceed 20,000 lbs. **or** 700 lbs. per inch of the aggregate width of all tires on a single axle, whichever is less



603 KAR 5:066 defines four truck types and defines the weight limit for each (Table 3.1).<sup>2</sup> Appendix A provides a comprehensive review of KRSs and KARs.

**Table 3.1** Kentucky Truck Types and Weight Limits (Tons)

Truck Type	Axles	Roadway Classification			
		County	A	AA	AAA
Type 1	Single unit truck with 2 single axles	18	20	20	20
Type 2	Single unit truck with 1 steering axle; 2 axles in tandem	18	22	27	27
Type 3	1 steering axle; 3 axles in tridem	18	22	31	34
Type 4	Tractor-trailer combination consisting of 5 or more axles	18	22	31	40

Several permits allow vehicles to exceed normal weight limits, however, in 2019 the General Assembly froze the creation of new OW/OD permits or new OW/OD tolerances (KRS 189.269). Kentucky, however, is relatively unique in having established commodity-specific extended-weight road systems (e.g., EWCHRS).

### 3.3 The Extended Weight Coal or Coal By-products Haul Road System (EWCHRS)

The EWCHRS was established by KRS 177.9771 and consists of segments of the Coal Haul Highway System. It includes all public highways on which at least 50,000 tons of coal or coal byproducts were transported in the past year. Coal byproducts encompass fly ash, bottom ash, wet bottom boiler slag, scrubber sludge, burned coal waste (red dog), coal slag, or coal cinders (603 KAR 5:230).

KRS 177.977(1) and KRS 42.455 (7) direct KYTC to publish a directory that delineates the official coal road system in coal-impact and coal-producing counties. Coal-producing counties are as those in which coal originates. Coal-impact counties are those in which coal is transported by truck but it did not originate (KYTC 2019). The Cabinet must also publish the total county mileage of the official EWCHRS and total ton-miles for each county in the preceding year. Coal producers or processors that ship or transport coal must report the total quantity of coal transported so KYTC can calculate total ton-miles in each county — 603 KAR 5:115 outlines reporting procedures and requirements. The Cabinet submits this information to the Energy and Environment Cabinet (pursuant to provisions of KRS 350.0285) and Department of Natural Resources (pursuant to the provisions of KRS 351.070 and 352.420)(KRS 177.977(2)). The Energy and Environment Cabinet notifies the Secretary of Transportation every six months of permits issued for mine openings and mine closings under its authority (KRS 350.0285). The system is intended to eliminate the perceived need for coal haulers to overload trucks illegally to maintain competitiveness (Pigman et al. 1995).

Pigman et al.'s (1995) study found that the system had partially met its objective of enhancing the competitiveness and economic viability of coal in Kentucky. Coal production increased for many years after the system was established. In 1995 Kentucky was the number two coal-producing state. Despite the number of coal mines in the state falling between 1985 and 1990, annual coal production increased from 152.3 to 173.3 million tons. Over the last 30 years production has declined steadily, dropping nearly 80% between 1990 and 2019. In 2019 Kentucky ranked fifth in the nation in coal production, contributing about 5% (36 million tons) of the U.S. coal production with neighboring West Virginia coming in second at 13.2% (93.3 million tons) behind Wyoming with 39.2% (276.9 million tons) (U.S. Energy Information Administration).

<sup>2</sup> KYTC's Division of Planning provides maps of these trucking classifications at: <http://transportation.ky.gov/Planning/Pages/Truck-Weight-Classification.aspx>.

A portion of revenues from Kentucky's severance tax on coal supports economic development and infrastructure in coal-producing counties. As coal production and employment in the coal industry decline, so too do the severance tax revenues.

### **3.3.1 EWCHRS Limitations and Challenges**

Two studies done in the 1990s (Deacon et al. 1994; Pigman et al. 1995) highlighted limitations and challenges associated the EWCHRS — these remain today. First, the legislation did not create an interconnected system, but rather a collection of roads. The system requires annual certification, with roads added and removed based on the tonnage of coal and coal byproducts hauled. Redefining the system each year is time-consuming and demands cooperation from multiple entities. Deacon et al. (1994) contended the EWCHRS has been difficult to manage because:

The method of defining the system (based on tons of coal transported each year) has resulted in a system that lacks sufficient access provisions and connectivity and does not properly consider the adequacy of route geometry and structural components. The fact that the system changes from year to year interferes with effective budgeting and programming, management, and enforcement. The decal system is designed primarily to collect fees, thus missing the opportunity to control the characteristics and operation of permit vehicles that impact highway safety. Further clouding the management issue is the fact that the extended-weight system includes non-state-maintained roads.

Pigman et al. (1995) found that decal sales began a downward trend only two years after the system was created, unpermitted OW trucks continued to operate illegally, and that heavier payloads on coal decal trucks significantly increased annual pavement overlay costs. Decal purchases fell 15% between 1987 and 1992. Analysis of pavement resurfacing data and decal and registration fees indicated that other road users were subsidizing the EWCHRS and coal movements. They recommended creating a permanent connected continuous statewide network with limited mileage to promote efficient management and contain costs.

### **3.3.2 Previous Studies of EWCHRS Costs**

Pigman et al. (1995) found that most decal purchases were made in five eastern Kentucky counties (accounting for over half of decal fee revenues) and that the magnitude of cost reductions to coal haulers at least equaled the cost of decal fees. That coal haulers were willing to purchase decals was cited as evidence for cost reductions. Decal fee revenues totaled approximately \$1 million during the study period, and vehicle registration costs brought in another \$900,000. Pigman et al. concluded that extended weight limits reduced truck registrations and therefore registration fees remitted to the Road Fund (nearly \$2 million per year). Decal fees go into a special fund dedicated for expenditures on the EWCHRS; registration fees do not. Forty percent of revenue from the sale of decals go to counties to maintain county portions of the EWCHRS (about 8% of the EWCHRS was county roads at the time). An assessment of coal haul and state-maintained roads (or base system) was done for select years prior to and after establishment of EWCHRS. Data indicated greater surface maintenance expenditures to the coal haul system than the base system, but did not document whether the system necessitated more maintenance. Additional money spent on the system translated into slightly better pavement rideability than comparable base-system roads in Eastern coal-producing counties. Although roads in Western Kentucky reportedly had increased pavement damage due to heavy loads, rideability data did not support that perception.

While Pigman et al. found that significantly more of the EWCHRS was resurfaced than the base system (14.4% vs. 6%) and at a greater cost (\$42,100 per mile vs. \$25,700 per mile), they could not attribute this difference solely to heavier trucks since the EWCHRS carried nearly twice the traffic volume of base highways, and pavements were maintained to slightly better condition during the analysis period. Analysis found that extended weight trucks added about \$9.08 million annually to resurfacing costs across 75 EWCHRS counties, with a third of the added expenses accommodating overweight trucks on the base system (whether decaled or not).

### **3.3.3 Economic Analysis of the EWCHRS**

Rister et al. (1999) compared the financial benefits of vehicles carrying more weight to the infrastructure expenses incurred from the greater loads. Between 1993 and 1998, an average of \$324 more was spent per centerline mile

for surface maintenance in coal-producing counties than in non-producing and impacted counties. Rideability was also slightly worse in coal-producing counties, averaging 0.07 points less on the rideability index than non-producing and impacted counties. With respect to bridges, structures on the EWCHRS had better deck, superstructure, and substructure ratings than non-coal hauling bridges with similar traffic characteristics. Based on a small sample drawn from a WIM station in eastern Kentucky (n = 19,000 trucks) in fall 1997, Rister et al. found that 88% of trucks were hauling over extended weight decal limits of 126,000 lbs. (with tolerance) — a figure much higher than the 10% overload reported in Pigman et al. (1995). For the calendar year 1996, after accounting for profit and surface maintenance expenditures, Rister et al. (1999) estimated the net economic impact of the entire coal hauling system was approximately \$4.5 million.

### 3.3.4 Resource and Commodity Highway System

Deacon et al. (1994) evaluated the Resource and Commodity Highway System, a proposed statewide long-haul trucking network that would replace the EWCHRS to increase productivity for haulers of all bulk and high-density commodities, and in doing so eliminate the perceived preferential treatment given to the coal industry and coal-producing regions. The idea behind the system would be to improve management by increasing axle and gross weights on state AAA highways and select state-maintained highways and slightly modify the coal-haul system to reduce pavement wear and bridge overstress. All system users would share costs for road consumption based on adequate permitting fees. The system would have more lenient weight limits for commodities other than coal, requiring special permits to operate above normal weight limits. The proposal recommended abandoning GVW-based limits in favor of an approach based on axle weights and wheelbases since the magnitude of infrastructure damage increases when there is greater concentration of weight on axles across shorter bases.

### 3.3.5 Kentucky EWCHRS Costs Compared to West Virginia CRTS

Only West Virginia has an extended-weight system similar to Kentucky's. In 2003 legislation created the CRTS for coal haulers in select counties. Kentucky's fees and weight limits for 3-axle, 4-axle, and 5 axle decals are higher than West Virginia's, however 6-axle permits are cheaper in West Virginia and the weight limit is the same. West Virginia does not have an equivalent to Kentucky's 5 or more axle permit with unlimited weight. West Virginia charges a processing fee of \$100 for the first vehicle registered to each company and \$25 for each additional vehicle. While Kentucky exempts coal haulers from processing fees.

**Table 3.2** Fee Structures of Kentucky and West Virginia<sup>3</sup>

State	3-Axle	4-Axle	5 Axles	6 Axles	5+ Axles (with axle weight limits)	First Vehicle Process. Fee	Processing Fee per Vehicle
Kentucky	\$160	\$260	\$360	\$360	\$840	\$0	\$0
	90,000 lbs.	100,000 lbs.	120,000 lbs.	120,000 lbs.	unlimited		
West Virginia	\$100	\$160	\$300	\$500	N/A	\$100	\$25
	80,000 lbs.	90,000 lbs.	110,000 lbs.	120,000 lbs.	N/A		

Maintaining the EWCHRS requires other costs such as administrative time and materials including expenses counties and fiscal courts incur for their involvement. Costs are also borne by law enforcement (e.g., weighing extended weight trucks, verifying compliance, impounding OW vehicles) and courts. Factors such as public safety and environmental impacts need to be accounted for as well.

Although the EWCHRS studies described above are valuable, data limitations on infrastructure costs prevented each from presenting a full picture of the EWCHRS's economic impact.

<sup>3</sup> West Virginia information obtained at: [www.psc.state.wv.us/CoalTransportation/FAQ.htm](http://www.psc.state.wv.us/CoalTransportation/FAQ.htm).

### 3.4 KYTC Notification of New Mining Operations

Despite KRS 350.0285 requiring the Energy and Environment Cabinet to notify KYTC within six months of issuing a mining permit, it is unclear whether the KYTC should be notified before a mine opens. KYTC district staff surveyed for this report contend that prior notification is necessary to allow for evaluation of pavement conditions before roads are exposed to heavy trucks hauling coal.

Permits are required for surface coal mining and reclamation (KRS 350.060(a)). They are also required prior to transporting coal (KRS 350.060(1)(b)). But the statute does not clearly define transportation by a motor vehicle over public roadways. The Energy and Environment Cabinet must also notify governing bodies and planning agencies in a locality when an applicant requests a permit for new surface coal mining or reclamation operations (KRS 350.055(5)). The statute suggests the Energy and Environment Cabinet should notify KYTC's district office in the mining locality of the proposed mining operation before issuing a permit. The Energy and Environment secretary establishes regulations specifying the manner in which agencies may comment on the application; any comments are made public and forwarded to the applicant.

### 3.5 EWCHRS Transportation Plans

KRS 177.977(2) requires that coal producers or processors shipping or transporting coal on public highways, roads, bridges, and streets obtain a certified transportation plan (see Appendix B). The plan must be updated each year to reflect route changes. Procedures for collecting data from coal shippers and transporters — which are used for the Coal Haul Highway System and the EWCHRS — are prescribed in 601 KAR 35:020. KYTC must certify transportation plans from entities seeking a license to operate a mine (KRS 351.175), seeking a permit for surface coal mining and reclamation operations (KRS 350.060), or that ship or transport coal (per 42.455 and 177.977). Plans are a requirement of coal transportation cooperative agreements (603 KAR 5:220). Entities must apply for a certified transportation plan for each route they propose to transport materials on. Applications must identify the highway on which coal will originate; all the roads, streets, and bridges on which transportation is requested; and include a map of the designated desired route. Separate applications are required for each origin and destination.

The Chief District Engineer in the district where the shipment originates certifies the plan on behalf of the Department of Vehicle Regulation and KYTC. 603 KAR 5:220 contains several incorrect references to statutes or regulations. References to KRS 351.175(6) and KRS 350.060(11) appear to be in error. KRS 351.175(6) refers to the authority to stop production or close a mine for failure to provide worker's compensation, whereas KRS 350.060(11) describes application and permitting fees and bonds for permit applicants. Neither require a transportation plan. 603 KAR 5:220 mandates quarterly reports from those issued a transportation plan per 603 KAR 5:115, however, 603 KAR 5:115 requires only six-month interval reporting. The General Assembly may want to review the language of this regulation.

### 3.6 Coal Tonnage and Mileage Reporting

603 KAR 5:115 specifies procedures and intervals shippers/owners must adhere to when reporting information to KYTC. *Interval* is defined as semiannual reporting. The first interval is January 1 – June 30 and the second interval is July 1 – December 31. Owners must file Form TC59-100 (*Coal Shipment Route and Tonnage Report*) within 30 days of an interval closing, or the six-month period in which coal is shipped over a road or rural secondary road (see Appendix B). The form requires information about coal transported to or from a mine mouth or pit, processing plant, tippie, loading dock, or customer. Owners/shippers must include the origin, destination, tonnage and the specific route used for transporting coal along with approximate mileage. If an owner or shipper does not ship coal during an interval they must inform KYTC on or before the next interval report's due date. An owner that does not have an active coal severance tax number or does not transport coal may be removed from the Cabinet's mailing list temporarily or permanently.

Before completing reports the Division of Planning may reconcile data, however, the party submitting data cannot submit corrections after they have been compiled and submitted to Department of Local Government (DLG) (KRS 42.455). The Cabinet must notify DLG if it has misinterpreted data submitted in a manner that would cause DLG to miscalculate distribution of the coal severance tax. Form TC59-100 is used to designate segments included in the

EWCHRS. If owners fail to submit data on their activity, it may result in road segments being omitted from the EWCHRS.

### 3.7 Department of Local Government, Local Government Economic Assistance Program

Entities shipping or transporting coal, as well as carriers for hire or common carriers hauling coal over public roads and streets, must report to KYTC at the required intervals the roads they hauled on and the amount of coal they hauled (KRS 42.455). The Cabinet compiles this information and provides to DLG maps and supporting documents for the Coal Haul Highway System. DLG’s Local Government Economic Assistance Program funds a system of county-level entitlement grants to improve the environment for new industry and the quality of life. Grant expenditures are required in priority areas, and 30% must be spent on the Coal Haul Highway System, but not exclusively on the EWCHRS. Some funding comes from coal severance and processing taxes. The Department of Revenue provides KYTC with this annual tax data so the agency can verify and supplement information provided from coal transporters, which in turn lets DLG distribute tax revenue fairly.

### 3.8 Weight Limits on the EWCHRS and Bridges

603 KAR 5:230 holds that vehicles cannot operate above GVW limits posted on bridges, including EWCHRS bridges. KYTC must evaluate bridges using *The Manual for Bridge Evaluation* and identify structures that could be damaged or destroyed to the point of catastrophic failure by vehicles operating at weights authorized by KRS 177.9771. The Cabinet sets weight limits for EWCHRS bridges based on these evaluations (KRS 189.230(2)). Weight limits must be posted on EWCHRS bridges. Vehicles with EWCHRS decals or cooperative license plates may not exceed dimensional limits specified in 603 KAR 5:070. OD permits are required on the National Network (NN) for a single semitrailer-towed unit exceeding 102 in. in width or 53 ft. in length and double trailer combinations above 28 ft. in length.

The Secretary of Transportation updates bridges on the EWCHRS each year. A list of bridges with posted weight restrictions due to being at risk for catastrophic failure can be accessed on KYTC’s website or via paper form. If a bridge would be damaged or destroyed by a vehicle exceeding limits, under KRS 189.230(2) KYTC can reduce the allowable GVW on bridges below what is permissible on the EWCHRS pursuant to KRS 177.9771. For the purposes of KRS 177.9771, all bridges must conform with KRS 177.9771(4)(a) to (d) (see below). In making their decision, the Secretary may also consider resolutions from fiscal courts, and city, local, or urban-county governments and, leveraging this information, add or delete roads or road segments in county or city limits when they pose inherent and definite hazards, under special circumstances, or when they significantly impact the economy.

### 3.9 EWCHRS Decals

Transporting coal on the system above legal limits requires a coal haul decal or cooperative agreement. The decal fee is called an extended-weight user tax. Annual decal fees and weight limits per vehicle type are stipulated in KRS 177.9771(4)(a-d). The registration fee for commercial vehicles registered at 80,000 lbs. is \$1,410 (KRS 186.050(3)). Vehicles operating under cooperative agreements are exempt from registration and decal fees. Table 3.3 summarizes decal fees for different truck types. Appendix B includes KYTC’s decal form. Decal fees are paid in addition to other state registration fees, user fees, and other decal fees.

**Table 3.3** Extended Weight Decal Weight Limits and Fees per Truck Type

Vehicle Type	Weight Limit	Annual Decal
Single-unit: one steering axle and two axles in tandem	90,000 lbs. and 5% tolerance	\$160
Single-unit: one steering axle and three axles in tridem	100,000 lbs. and 5% tolerance	\$260

Tractor-semitrailer 5 or more axles	120,000 lbs. and 5% tolerance	\$360
Tractor-semitrailer 5 or more axles; Vehicles allowed to register above 80,000 lbs. operating 20,000 lbs. per axle and 12,000 lbs. for the steering axle	Unlimited	\$840 plus \$10 per 1000 lbs. over 80,000 lbs.

\* Dimensional requirements must conform to appropriate federal laws and regulations

### 3.10 Applications and Placement of EWCHRS Decals

601 KAR 35:060 regulates application procedures for extended coal haul decals and their placement in vehicles. Decals are issued by the Department of Vehicle Regulation (DVR) electronically. DVR will not issue decals for vehicles with registered GVWs below 80,000 lbs. Trucks must have a current Kentucky registration or valid registration in a jurisdiction under the International Registration Plan. Decals are valid from the date of purchase until April 30 and are prorated based on the month in which they are purchased. Decals must be placed on the driver's door and permanently affixed with decal adhesive on the left side of the door below the window glass. Decals for specific axle configurations may only be placed on vehicles with those configurations. If a vehicle is destroyed, stolen or disabled within 30 days of the decal being issued, the unused decal may be returned and the application withdrawn. Decals must remain with the vehicle after the transfer of ownership.

### 3.11 Exemption from Decal Fees

Coal trucks operating under a cooperative agreement pursuant to KRS 177.979 are exempt from the decal fee and registration fee (KRS 186.050(3)) if the truck is driven on cooperative agreement roads while full (KRS 177.9771(4)(g)). KYTC will issue license plates for vehicles under cooperative agreements (see 601 KAR 35:060). A cooperative agreement is not required if a road is added to the EWCHRS by a resolution passed by the Cabinet under special conditions (per KRS 177.9771(9)) on a road with a maximum allowable GVW of 80,000 lbs. As of June 2021, 348 vehicles across 97 coal companies were registered with extended weight decals. No vehicles were registered for more than 120,000 lbs.

### 3.12 Cooperative Agreement License Plates

Owners of vehicles that operate exclusively on roads under a cooperative agreement can apply for an identifying license plate (601 KAR 35:070). The owner applies at the county clerk's office, which verifies all taxes are up-to-date and the vehicle is insured. Next the owner submits an application to DVR with a copy of the cooperative agreement as well as the certificate of registration obtained from the county clerk. Plates may only be placed on vehicles they are issued for. Registration expires on March 31 of the year the plate is issued. If the cooperative agreement is terminated or the vehicle changes ownership, the plate must be returned. Vehicles with cooperative plates may operate on non-cooperative agreement roads only if they are empty and are below the GVW limits of the roads travelled. KYTC does not have a record of any plates processed under this provision.

### 3.13 Cooperative Agreements, Applications, and Bonding

Any person involved in mining, processing, transporting, or sale of coal who transports coal in vehicles that exceed GVW limits on the state-maintained system must enter into a cooperative agreement with KYTC or pay bonds for damages if the road used is not part of the EWCHS (see KRS 177.979(1) and KRS 189.271). 603 KAR 5:220 defines procedures, requirements, and limitations for cooperative agreements. Applications for cooperative agreements must identify the applicant and each segment of state-maintained highway they propose to use. Appendix B includes the form for cooperative agreements.

Applications must include: (1) a copy of the certified transportation plan for the route(s) included in the agreement and (2) a list of all the vehicles that will transport coal under the agreement, which must include the vehicle's owner, current registration number, VIN, vehicle make, year, and type (e.g. tandem, tridem, tractor). Applications are

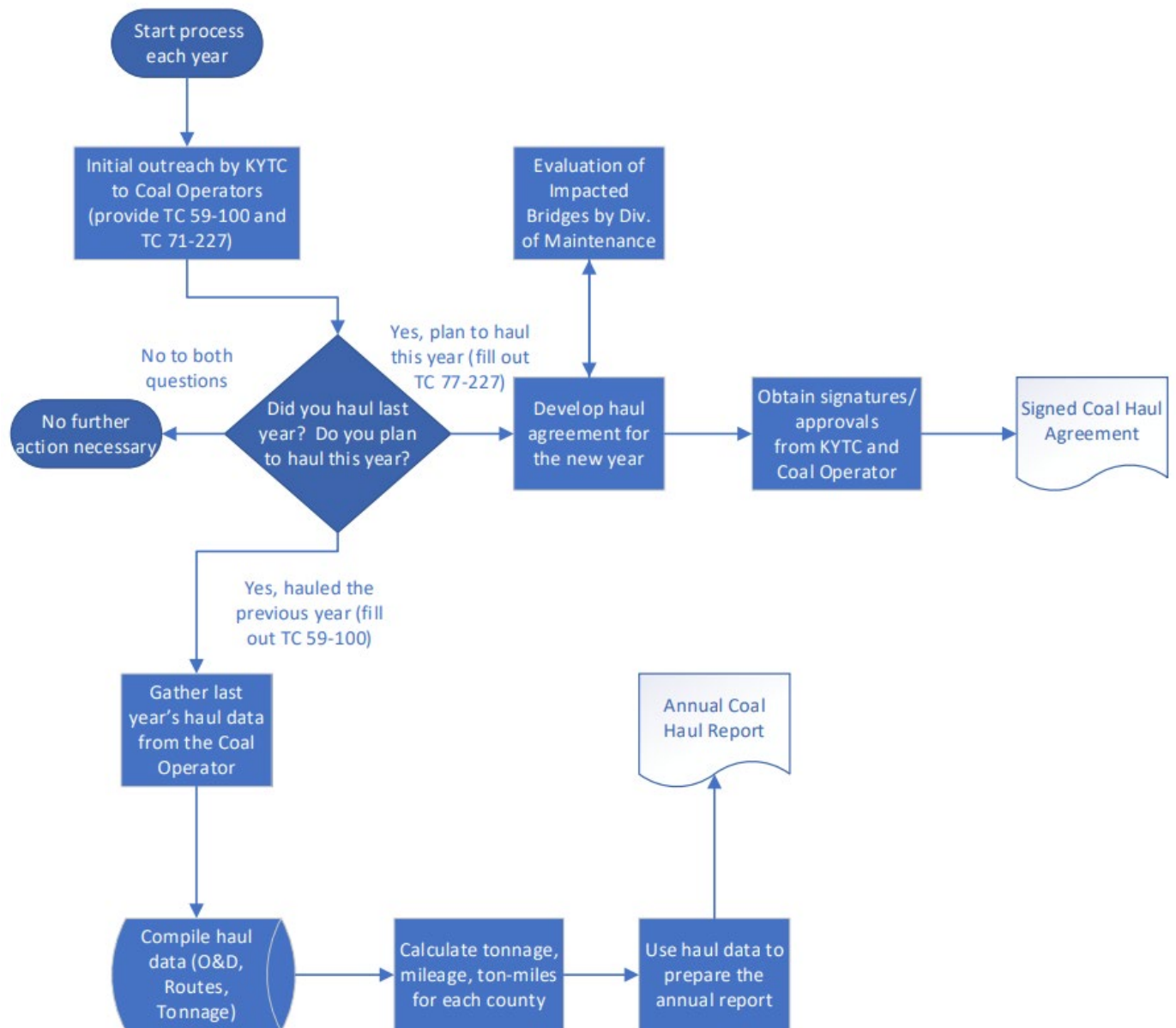
submitted to the chief district engineer for the highway district in which the transportation of coal originates. After receiving application materials, KYTC meets with the applicant to negotiate the cooperative agreement's terms and conditions. Multiple factors are considered to determine the equitable apportionment of incremental costs, including:

(a) The cost of surface design, maintenance, construction and reconstruction; (b) The cost of shoulder design, maintenance, construction and reconstruction; (c) The cost of bridge design, maintenance, construction and reconstruction; (d) The tonnage of coal to be shipped; (e) The types and number of vehicles to be used; (f) Other pertinent factors related to the transportation of coal at extended weights on the roads to be included in the agreement.

Once KYTC enters into the cooperative agreement with the applicant, it issues a certificate of identification for each vehicle covered by the agreement. Limitations of cooperative agreements are as follows:

- Trucks must have a registered declared GVW of 80,000 lbs.
- The certificate of identification must remain in the vehicle at all times.
- Cooperative agreement trucks are exempt from paying registration and decal fees under KRS 177.9771(4)(g). They must operate under the terms of the cooperative agreement on roads defined in the agreement and operate on non-cooperative agreement roads only when they are empty.
- GVW may not exceed limits defined in the agreement.
- Trucks may not exceed weight limits on posted bridges.
- Cooperative agreements with KYTC may only include state-maintained roads

The Cabinet must honor all cooperative agreements entered into by DVR prior to April 1, 1987. Figure 3.1 presents the Division of Planning's Annual Coal Haul & Extended Weight Highway Systems Update Process.



**Figure 3.1** KYTC Annual Coal Haul and Extended Weight Highway Systems Update Process  
 Source: KYTC Planning Guidance Manual (September 2020, PL-503.6, p. 15)

### 3.14 Cooperative Agreements and Bond for Specified Materials on County Roads

Cooperative agreements may be entered into for transporting other materials over county roads. KRS 189.212 and 189.230 state that parties may enter into cooperative agreements with county fiscal courts to haul specified materials including but not limited to divisible or non-divisible agricultural products, minerals, or natural resources above the 15-ton limit prescribed in KRS 189.210 but less than limits set in KRS 189.222. Permits are issued for specified materials only and designate the portions of the fiscal court-owned road on which the vehicle may operate. A cooperative agreement is required to receive the permit (KRS 189.230). The fiscal court may require a bond as part of the cooperative agreement and adopt rules and regulations regarding the "amounts, terms, and conditions of a bond and the sufficiency of the surety" of the bonds (189.212(5)). The agreement must provide equal apportionment of "the incremental costs for design, maintenance, construction, or reconstruction of those roads and bridges on which the person will be operating under the permit issued under KRS 189.212." The fiscal court may require bond as a part of the cooperative agreement to ensure payment of equitable costs associated with the permit. Funds



collected from the cooperative agreement or bond must be used on roads covered under the cooperative agreement (KRS 189.230(4)). Cooperative agreements do not preclude the fiscal court from expending the normal maintenance on cooperative agreement roads in the county.

### **3.15 Bonds for Special Permits**

According to KRS 189.270(9), KYTC “may require the applicant to give bond, with approved surety, to indemnify the state or counties against damage to highways or bridges resulting from use by the applicant. The operation of vehicles in accordance with the terms of the permit issued under this section shall not constitute a violation of this chapter if the operator has the permit, or an authenticated copy of it, in his possession.” The Cabinet does not require bonds for special permits except for industrial materials haulers that repeatedly violate weight limits.

### **3.16 Industrial Materials Bond**

KRS 189.271(9)(c) authorizes KYTC to establish administrative regulations related to the bond of industrial materials. An applicant convicted of violating the weight provisions in KRS 189.990(2)(a) two or more times in five years must give bond with approved surety up to \$6,000 for each vehicle to “to indemnify the Commonwealth of Kentucky against damage to highways or bridges resulting from the operation of any motor vehicle under the authorization of such permit. A bond acquired under this subsection may be carried forward to another permit if the cabinet has not gone against the bond.” (KRS 189.271(3)). The Cabinet may create administrative regulations to set the amount, terms and conditions of the bonds. Applicants not required to provide a surety bond may self-insure to meet bonding requirements (189.271(9)(c)).

601 KAR 1:020 outlines bonding requirements. KYTC has multiple forms for reporting industrial materials. Applicants judged not in good standing require a performance bond if: (a) they deviate from an existing transportation plan required for hauling industrial materials or violate safety provisions in 601 KAR 1:020 Section 5; and (b) are convicted under KRS 189.990(2)(a) two or more times within a 5-year period. An applicant may file a surety bond, corporate bond, or self-insured bond pursuant to the following criteria:

- For corporate or self-insured bonds an applicant must submit an affidavit from an independent financial institution verifying permanent net assets located in Kentucky with a total value of \$500,000 or more.
- If liability is discharged on a performance bond the Cabinet may require filing of a new bond.
- Bonds may be carried over for a revised or renewed permit.

### **3.17 Industrial Haul Permit Terms, Conditions, and Weight Restrictions**

601 KAR 1:020 lays out terms and conditions for industrial haul permits and weight restrictions. The maximum GVW for industrial haul permits is 80,000 lbs. Trucks cannot exceed weight limits under KRS 189.222. Permits are valid for three years, and the application fee for each truck is \$20. Transportation plans may be revised at any time but deviating from plans without giving the Cabinet prior notice will result in the permit being revoked. Vehicles must comply with legal bridge weights. Permitted vehicles may request Cabinet approval to exceed legal limits on specific bridge(s) in a transportation plan. KYTC must analyze bridge weight capacity for any request to exceed limits on the route. Vehicles may not deviate from the height, weight, or length dimensions in KRS 189.222 to use roads established in 603 KAR 5:070, or the NN. Appendix B contains KYTC’s Industrial Haul form.

### **3.18 Special OD/OW Permits**

#### **3.18.1 Extended Weight Unrefined Petroleum Products Haul Road System**

KRS 177.985 establishes the Extended Weight Unrefined Petroleum Products Haul Road System. The system is in effect from January 1, 2022, through 2028. It includes state-maintained highways on which at least 50,000 tons of unrefined petroleum are transported annually. Except for permits issued for the Extended Weight Unrefined Petroleum Products Haul Road System (which may be extended until June 30, 2033), KRS 189.269 prohibits new OW/OD permits and new OW/OD tolerance for motor carriers as of June 27, 2019.

The new system lets trucks registered with a GVW of 80,000 lbs. carry unrefined petroleum on the system up to 120,000 lbs. with a 5% gross weight tolerance, except on interstates or roads and bridges with weight restrictions. Total tonnage shipped or transported must be reported so KYTC can calculate total ton-miles within each county. The annual permit costs \$2,000. Revenues from permit sales go into the Road Fund, not a special fund to repair the system. Unlike the EWCHRS, carriers are not required to enter into cooperative agreements or give bond. KYTC may establish administrative regulations governing permissible axle configurations for the system. Trucks must be outfitted with GPS technology to record travel patterns. Travel records must be made accessible to the Cabinet. Routes on the system must be inspected annually for infrastructure deterioration. Similar to the EWCHRS, the Secretary must certify the system by November 1 each year and may add or delete roads or segments.

### **3.18.2 Non-Divisible Loads**

Several special OW/OD permits allow vehicles to exceed the maximum GVW set in KRS 189.222. Most of these permits are authorized under KRS 189.270. KYTC can also issue permits to transport non-divisible loads that exceed GVW, height, width, or length limits, thus authorizing the movement of very large loads or superloads. For loads at or above 200,000 lbs., KYTC's Motor Carriers Division requires special engineering analysis of proposed routes. The statute establishes weight and dimensional limits as well as fees and route restrictions for the following single trip or annual permits:

- Single trip non-divisible load permits are \$60 regardless of the vehicle type or equipment (KRS 189.270)(2)).
- Annual non-divisible load permits are \$250 for vehicles 14 ft. wide or less and \$500 for vehicles exceeding 14 ft. in width regardless of vehicle type or equipment being transported (KRS 189.270)(3)(a)). Permitted vehicles may not exceed 16 ft. wide, 120 ft. long, 13' 6" tall, or 160,000 lbs. (KRS 189.270)(3)(b)). This excludes farming equipment, manufactured housing, or the transport of steel products to a Kentucky riverport (KRS 189.2716) or under an OW, non-divisible load permit with axle limitations (KRS 189.2717).
- Farming equipment permits are \$80 for vehicles less than 14 ft. wide and \$150 for vehicles greater than 14 ft. in width. Travel for longer vehicles must take place from a dealership to a farm, from a farm to a dealership, or from a dealership to a dealership (KRS 189.270)(4)).
- Manufactured housing permits are \$500 for loads less than 14 ft. wide and less than or equal to 13' 6" tall or \$1,500 for loads greater than 14 ft. wide or 13' 6" tall. (KRS 189.270)(7)). Permitted vehicles may not exceed 16 ft. in width, 120 ft. in length, 15 ft. tall, or 160,000 lbs. Permit holders must abide by all escort requirements, safety markings, and other safety restrictions governing OW/OD vehicles; each truck must be equipped with GPS technology to record locations traveled. Travel records must be open to inspection by the Cabinet. Violating the 13' 6" height requirement will result in a \$1,000 fine.

Single or annual permits issued under KRS 189.270 are valid statewide. KYTC may restrict OW/OD vehicles to certain routes, exclude highways, or cancel a permit if there is an unreasonable risk of the vehicle impeding traffic or causing a crash.

### **3.18.3 Non-Divisible Load Permit with Axle Weight Restrictions**

KRS 189.2717 authorizes KYTC to establish administrative regulations for issuing annual permits for non-divisible loads that do not exceed a maximum GVW of 120,000 lbs. on specified routes. The permit sets the following axle weight limits:

- Single axle, steering axle with one wheel on each side of the axle less axles than 42" apart = 15,000 lbs.
- Tandem, with axles spaced 42" – 96" apart = 40,000 lbs.
- Tridem, with axles spaced 42" – 120" apart = 65,000 lbs.
- Dual axle, 1 axle with 2 wheels on each side of the axle = 20,000 lbs. each

Permits may be refused if roadways or structures on the route cannot handle the weight. The annual permit fee is \$500.

### **3.18.4 Metal Commodities Permit**

KRS 189.2713 authorizes a metal commodities permit for loads between 80,001 lbs. and 120,000 lbs. Annual permits are \$1,250 and single-trip permits are \$100. Permits are restricted to designated routes to or from a facility manufacturing or storing metal commodities. Permits require a hyperlink or other method to provide carriers with department-approved routes. An interactive map of the Kentucky Metal Commodities Hauling Network can be viewed at:

<https://kytc.maps.arcgis.com/apps/webappviewer/index.html?id=2b1e0d64e9c643ffb1c17ba15a96f8ec>

The map does not show county-maintained restrictions so carriers must identify potential route issues in each county. Additionally, the landing page for the GIS map of the Metal Commodities Hauling Network<sup>4</sup> states: “In compliance with KRS 189.270 Kentucky has established a network of highways on which motor carriers operating under the provisions of and Overweight/Overdimensional Metal Commodities Single Trip or annual Permit may travel.” KRS 189.270 does not specifically reference metal commodities; this is delineated in KRS 189.2713. While the statute stipulates posting of approved routes, it does not necessarily require a designated extended-weight network for metal commodities. Still, designating it a network may be easier for users to understand as it relates to the long-established EWCHRS. Permit renewals require permit holders to report the number of trips made and total miles driven in the previous year. Administrative regulations may require motor carriers to meet Federal Motor Carrier Safety Administration (FMCSA) safety ratings and safety measurement system scores prior to permit issuance (KRS 189.2713)(7).

### **3.18.5 Steel Products to Kentucky Riverport Permit**

KRS 189.2716 authorizes OD vehicles which exceed the width limits in KRS 189 to transport steel products in divisible or non-divisible loads with a maximum width of 10 ft. (subject to the weight and height limits of KRS 189.222) on state highways from a facility manufacturing products in Kentucky to a riverport within Kentucky. Permits must identify the route. Routes cannot extend more than seven road miles from the manufacturing facility.

### **3.18.6 Feed Certificate for Livestock or Poultry**

KRS 189.2718 authorizes an annual feed certificate for motor carriers exclusively engaged in transporting feed for livestock or poultry in divisible or non-divisible loads to a farm or other facility housing livestock or poultry. Permits are for a specific truck, are valid 24 hours a day, and must be kept in the truck during all times operation. KYTC may establish administrative regulations governing the issuance of the permits. KARs may require motor carriers to comply with FMCSA safety ratings and measurement system scores prior to permitting.

Poultry and livestock feed carriers must abide by GVW limits KRS 189.222(10) with a 10% GVW and axle weight tolerance. KYTC provides an interactive map with the routes where carriers operating under an annual feed certificate/permit may travel. Given the 88,000 lbs. GVW limit, a permit to haul on state highways is unnecessary to travel on roads where vehicles are already operating at legal limits.

### **3.18.7 Administrative Regulations Not Yet Created**

Although KRSs 189.2713(2), 189.2716, 189.2718, and 177.985 authorize KYTC to promulgate regulations governing permits for metal commodities, steel transportation to a riverport, and unrefined petroleum, these regulations do not yet exist. 601 KAR 1:018 should cover permits for metal commodities and steel, however, the administrative regulation does not include language for these cargo types. Nor do regulations exist to administer the reporting of unrefined petroleum on the new extended weight system.

### **3.18.8 Non-Divisible and Divisible OW Permit Procedures, Requirements, and Weight Limits**

601 KAR 1:018 establishes procedures and requirements for issuing OW/OD single trip permits and annual permits for vehicles with divisible or non-divisible loads. Section 7 establishes permitted weight limits. For an OW permit a vehicle must be registered with a weight of at least 80,000 lbs. or tow a vehicle with enough horsepower to safely transport the load. Bridges and roads on a route must be able to accommodate the maximum weight for permit

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<sup>4</sup> <https://www.arcgis.com/apps/webappviewer/index.html?id=2b1e0d64e9c643ffb1c17ba15a96f8ec>

issuance. Single axle weight shall not exceed 700 lbs. times the aggregate width in inches of all tires on the axle or the following axle group weights, whichever is less:

- Single wheel axle = 24,000 lbs.
- Steering axle = 20,000 lbs.
- Tandem dual-wheel axle group combination with 5 axles = 45,000 lbs.
- Tandem with 6 or more axles = 48,000 lbs.
- Tridem axle = 60,000 lbs.
- 5 axle combination units = 96,000 lbs.
- 6 axle combination units = 120,000 lbs.
- 7 axle combination = 160,000 lbs.
- Trunnion axle group determined by route and bridge analysis performed by Cabinet’s Bridge Preservation Branch

Single-trip and annual OW/OD permit applicants submit a Kentucky Overweight/Overweight Permit Worksheet (Form TC 95-10) to the Division of Motor Carriers. Annual permit applicants must also submit an Application for Annual Overweight or Overdimensional Permit (Form TC 95-25). Single trip permits are valid for one trip and up to 10 days. Annual permits are valid for an unlimited number of trips within a 365-day period. OW/OD permits are not issued for divisible loads that “if reasonably divided, dismantled, disassembled, or rearranged would no longer be overweight or overdimensional except as provided by KRS 189.2715, 189.2716 [steel to riverport permits], or 189.2717.” Note that KRS 189.2715 was repealed in 2017.

**Table 3.4** KY Annual OW/OD Permit Type Chart

Permit	KRS/KAR	Width	Length	Height	Max. Weight	Cost	Route	Other
Non-divisible	KRS 189.270(3)(c)	Less than or equal to 14 ft.	120 ft.	13 ft. 6 in.	160,000 lbs.	\$250		
Non-divisible	KRS 189.270(3)(b-c)	14-16 ft.	120 ft.	13 ft. 6 in.	160,000 lbs.	\$500		
Farm	KRS 189.270(4)	Less than 14 ft.	Legal	Legal	Legal	\$80		
Farm	KRS 189.270(4)	Over 14 ft.	120 ft.	13 ft. 6 in.	160,000 lbs.	\$150	Dealerships only	
Metal-Commodities (divisible or non-divisible)	KRS 189.2713				120,000 lbs.	\$1,250		Hyperlink or other notification of route
Steel Products (divisible or nondivisible)	KRS 189.2716	10 ft.	Legal	Legal	Legal	\$250	7 miles; from manufacturing facility to riverport	

Annual Feed Certificate	KRS 189.2718 & KRS 189.222(3)(10)				88,000 lbs.	\$150		
Annual Manufactured Home	KRS 189.270(7)	16 ft.	120 ft.	15 ft.	160,000 lbs.	\$1,500		GPS required

### 3.19 Enforcement

KRS 189.223 allows peace officers to weigh using portable or stationary scales any motor truck, semitrailer truck, or trailer they believe exceeds height, length, width, or weight limits. If the load unlawfully exceeds limits the peace officer may require the operator to unload a portion of the load until it meets GVW limits. They may let the operator drive to the nearest city or court with jurisdiction to remove the excess load. This statute came into effect in the 1950s and does not account for several special permits outside of KRS 189.270. KRS 189.272 states that the district court with jurisdiction over the area where an offense occurred prosecutes weight limit violations. However, the jurisdiction for other special permits including operating above limits on the EWCHRS or the Extended Weight Unrefined Petroleum Products Haul Road System are not listed.

Penalties for operating vehicles above legal weights, including EWCHRS decal trucks, are defined in KRS 177.990. KRS 189.990(2)(d) defines penalties for trucks exceeding limits on the Extended Weight Unrefined Petroleum Products Haul Road System. Fines for weight limit violation convictions on the EWCHRS are provided in KRS 177.990(4). Penalties gradually increase as the amount of excess weight increases, and are assessed on a per-pound basis:

- 3,000 lbs. or less = 3 cents (\$0.03) per pound
- 3,001-3,999 lbs. = 5 cents (\$0.05) per pound
- 4,001-4,999 lbs. = 7 cents (\$0.07) per pound
- 5000 or more = 9 cents (\$0.09) per pound

A fine may not be less than \$60 or more than \$500.

Transporting coal while exceeding weight limits (KRS 189.221 and 189.222) without a decal, or transporting coal without a valid cooperative agreement results in a fine of \$500 and requires purchase of an OW coal decal (KRS 177.990(5)). A vehicle that transports coal above weight limits set forth in KRS 189.221 and 189.222 without having paid the extended weight user's tax is in violation of KRS 177.9771. The Cabinet may impound the vehicle until the user tax and all costs incurred from storing the vehicle are paid. KRS 189.990 specifies penalties for weight limit violations assessed on other trucks. Fines for weight limit convictions on the Extended Weight Unrefined Petroleum Products Haul Road System are:

- \$100 while operating overweight on the designated system
- \$1,000 operating with a permit in excess of 80,000 pounds on a route not designated on the system

Weight violations described in KRS 189.212, 189.221, 189.222, 189.226, 189.230, 189.270, or 189.2713 are fined on a per-pound basis, with a maximum fine of \$500:

- 5,000 or less = 2 cents (\$0.02) per pound
- 5,001 or more = 2 cents (\$0.02) per pound with a minimum of \$100 and maximum of \$500

Industrial materials permit holders incur a fine of \$100 for exceeding weight limits on a designated route. Otherwise, they pay two cents for each pound over the limit, with a maximum fine of \$500.

### **3.20 Energy Recovery Road Fund**

EWCHS decal revenues are credited to a special Energy Recovery Road Fund (KRS 177.9771(4)(i)). Sixty percent of proceeds are used by KYTC for construction, maintenance, and repair of the state-maintained portion of the EWCHS. The remaining funds are distributed to the fiscal courts of counties in which coal or coal byproducts are transported. These funds can only be used for the construction, maintenance, and repair of county-maintained portions of the EWCHS. Distribution is based on the proportion of miles of county roads on the EWCHS in each county relative to total EWCHS mileage and tons of coal or coal byproducts transported over county roads on the EWCHS compared to the total tons of transported over county roads in the total EWCHS.

KRS 177.978 mandates that no other taxes or normally assessed fees for motor carriers be credited to the Energy Recovery Road Fund. Revenues from the Energy Recovery Road Fund do not preclude the state from using normal funding for EWCHRS highway projects. Additional funds may be obtained from state appropriations, gifts, grants, and federal funds. Funds must be used in addition to normal Road Fund appropriations by the Cabinet exclusively for the costs to attend to roads on the EWCHRS. Funds carry over at the end of each year. KRS 177.978 also requires funds credited to the “coal recovery road fund” be transferred to the Energy Recovery Road Fund. The fund is not defined under this name within statute or regulations. Energy Recovery Road Fund fines are accounted for in KYTC’s Financial Reports to Management and transferred from revenue source R702-YY00.

Given that the fund is to be used exclusively by the state and fiscal courts for construction, maintenance, and repair of the EWCHRS, it should be possible to track where some road damage is occurring on the EWCHRS. However, tracking expenditures of the Energy Recovery Road Fund for specific highways projects has proven challenging. KTC is coordinating with KYTC to explore ways to address pavement conditions and costs on the EWCHRS.

KTC compiled Energy Recovery Road Fund data published in KYTC’s Financial Report to Management from 2007 to 2020. Revenue was generated from the sale of EWCHRS decals and fines and forfeitures resulting from OW violations. Energy Recovery Road Fund monies have their own line item. Associated fines were added to EWCHRS decal sales. In terms of the fund’s dynamics, revenues generally accrued over several years and were then spent on capital construction and highway materials. The annual allotment was often greater than what was enacted as part of the regular budget through the General Assembly. Other expenses included personnel costs, personal service contracts, and operating costs. Grants were included in expenditures and encompassed the 40% of revenue paid to coal haul counties. Due to COVID-19 interruptions, FY 2020 grant funds were not distributed until FY 2021. Consequently, financial reports did not provide the FY 2020 grant funds amount. However, based on 40% of 2019 revenue, the sum is \$125,712.

KRS 42.455 establishes the Local Government Economic Assistance Program within DLG, which provides entitlement grants to counties to improve the environment for new industry and to improve the quality of life for residents. Thirty percent (30%) of the grant money in this fund must be spent on Coal Haul Highway System roads, but this is not exclusive to the EWCHRS.

Appendix C includes all publicly available data from KYTC’s Financial Reports to Management dating to 2007-2008. Financial reports include breakdowns of revenue, costs and expenditures. Costs and expenditures in the account are made up of costs associated with highway projects funded in EWCHRS counties and grants. Project costs include personnel costs, personal service contracts, operating expenses, capital construction, and highway materials. Costs for highway or bridge projects are broken down into county revenue sharing to capture how much was spent on a given project.

The KYTC Construction Procurement archive lists awarded projects let under the CD01 account, although projects may also be let under a master agreement. Construction procurement data include project location (including road system, route, beginning and end points) and work type. Most of the 13 CD01 projects between 2008 and 2019 were asphalt resurfacing projects, one was asphalt surface with grade and drain, and another was bridge deck restoration and waterproofing. Project funds may be distributed in years other than the date the project was awarded. And are

distributed incrementally rather than in lump sums. Project costs may not exactly match the awarded bid offer; therefore the low bid amount will not correspond to annual expenditures.

KTC's review of project-level expenditures — using KYTC's Project Manager's Toolbox and eMARS — verified the amounts listed (totals and county level details) in annual financial reports (back to 2017). The 2017 data for Pike County did not align in the Project Manager's Toolbox, but eMARS data had the correct totals. Data from 2019 and 2020 indicate the most coal was hauled in Pike and Perry Counties, consistent with historical trends. The number of counties in which coal is transported declined from 19 in 2010 to five in 2020.

The regular budget allotment of Road Fund dollars to the EWCHRS fell over 65% from 2016 to 2020. At the same time revenues into the special fund have steadily fallen. Revenues from extended weight decals were \$774,379 in 2008 but just \$120,460 in 2020. Revenues from fines and forfeitures have also plummeted due to fewer trucks with GVWs above 80,000 lbs. on the system hauling coal. It is unclear whether less enforcement of coal haul trucks has contributed to this trend.

Coal production in Kentucky is declining, which translates into less coal being transported and fewer trucks registering to haul coal at extended weights. Research is underway to investigate whether pavements on the EWCHRS deteriorate more than comparable roads elsewhere in Kentucky, thus requiring additional funds. Given the complex process followed to calculate the amount of coal hauled on county roadways, falling system revenues, and heavier trucks damaging pavements and driving up repair costs, the General Assembly should revisit the extended-weight policy to identify a more cost-effective approach.

## Chapter 4 Survey of Other States

KTC surveyed other STAs and enforcement agencies about truck weight limit policies and regulations, including extended-weight programs. Researchers contacted potential survey respondents whose names were provided by KYTC or obtained through online searches, MAASTO's<sup>5</sup> Motor Carrier Committee, and FHWA Truck Size and Weight State Division representatives. The survey was emailed to lead contacts in the Commercial Vehicle Safety Alliance. KTC received 36 surveys from individual respondents and four submissions with unified responses coordinated among multiple personnel. Appendix D includes all original responses.

Respondents identified several key obstacles regarding OW vehicles (both legal and illegal). These include:

- Infrastructure: road damage, posted bridges, routing
- Legislation: low permit fees and commodity exemptions
- Enforcement: staffing and resources
- Judicial: lack of convictions

Respondents observed that OW loads are getting heavier. Critical concerns include the number and severity of accidents involving OW trucks and infrastructure damage caused by OW vehicles and attendant safety hazards. While the percentage of OW vehicles on the road is much smaller than regular vehicles, states are concerned about the disproportionate amount of damage to pavements and bridges from heavier trucks and the costs of maintenance and repairs. Although trucks pay higher gas taxes, higher tolls, and higher registration and permitting fees, revenues are insufficient to cover the costs of deteriorating infrastructure. When pavements and bridges not designed to accommodate heavy loads are repeatedly exposed to OW vehicles, their life-cycles are shortened. Pavement designs do not account for OW trucks. And these vehicles circumvent posted structures, requiring longer distances on pavements that may be less thick and more prone to damage. Drivers lacking knowledge of routes often direct OW vehicles onto routes not intended to carry heavy loads.

States report more requests for commodity-specific, heavier load, and superload permits that require special engineering analysis. This analysis is time-consuming and exhausts agency resources. For example, British Columbia handles superloads with GVWs exceeding 500,000 lbs. or 6,000 lb. tire loads on routes with weight restrictions of 58,420 lbs. In Louisiana, a 1.7 million lbs. load was conveyed across a bridge. Another superload used a crabbing method to obtain permit approval. States with aging bridges or bridges that require strengthening face additional concerns related OW trucks. Despite postings, in many cases enforcement of weight limits on posted bridges is minimal. One respondent noted several bridge collapses in their state due to heavy loads.

State legislatures frequently discuss raising weight limits and exempting certain commodities. Specialized carriers have found success lobbying for special permits. But overall, the legislative process is slow and OW issues are not a priority. Legislators are particularly reluctant to increase permitting fees. Idaho is slowly increasing GVW limits from 105,000 lbs. to 129,000 lbs., but local highway jurisdictions must approve of the change in their area. Thus weight limits may be different in neighboring jurisdictions.

Personnel shortages hinder enforcement of weight limits. In some states, inadequate weigh station infrastructure also hampers enforcement. Weigh stations are often closed or operate intermittently. Trucks also reroute around weigh stations, often onto lower class roads, which increases stress on thinner pavements. Coordination between law enforcement agencies and special enforcement units, along with enhanced visibility and strategic placement of advanced technologies (e.g. virtual WIM stations), helps law enforcement target trucks that violate weight limits. Law enforcement finds it especially challenging to enforce weight limits when they are increased for specific industries but not others.

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<sup>5</sup> KTC also sought contacts from NASTO, WASHTO, SASHTO, and Specialized Carriers & Rigging Association (SC&RA) where applicable, although websites typically did not provide contact information for STA members.



#### 4.1 Permitting and Fees

Most states have integrated automatic permitting and routing software, with 12 states setting automatic permitting weight thresholds at or above 200,000 lbs. Permitting processes are similar in most states. Along with Kentucky, most states list restrictions on OW/OD permits, provide specific routing, and analyze applications for routes with posted bridges or bridges that require engineering analysis prior to permit approval. Typically, single-trip permits are reserved for loads that exceed state size and weight thresholds and require structural engineering evaluations. For annual permits, carriers are responsible for vetting their own route(s) to ensure it meets weight and structural limits. With the shift to automatic permitting, on some state websites fees cannot be viewed without logging in.

OW/OD permitting is complex. States have different fee structures (flat, weight-based, weight and distance, or axle-based) for divisible and non-divisible loads, with different fees for various cargo types or commodities, and rates based on permit duration (i.e., single trip, monthly, annual, or some other interval). States like Wisconsin, Michigan, and Minnesota, which see extreme ranges in temperatures and moisture, have seasonal permit weight restrictions to protect pavements that are weaker during spring thaw.

In many states, revenue from permit fees are insufficient to repair the damage OW vehicles inflict on pavements and bridges. Some states have not increased fees in decades. Because most states issues few OW citations, drivers often exceed weight limits without acquiring a permit because it can be less expensive to pay fines and fees if they are caught. An analysis of the Wisconsin DOT's fee structure found that the state could double its fees and remain competitive with neighboring states. Figure 4.1 illustrates Wisconsin's permitting structure. The state has roughly 25 different commodity-specific permits, none of which are identical in scope and applicability.



**MULTIPLE TRIP PERMIT RENEWAL NOTICE**  
**For Oversize/Overweight Permits**  
 MV2616 10/2014

Wisconsin Department of Transportation  
 OS/OW Permit Unit  
 PO Box 7980  
 Madison, WI 53707-7980  
[www.wisconsin.gov/business/carriers/osowgeneral.htm](http://www.wisconsin.gov/business/carriers/osowgeneral.htm)

**INSTRUCTIONS**

1. Direct online application and self-issuance are available. Contact at: [oversize-permits.dmv@dot.wi.gov](mailto:oversize-permits.dmv@dot.wi.gov) for instructions.
2. Complete the other side of this form. **Note:** Permits are issued for power units only. Permits are not required for trailers.
3. Calculate fees from the table below.
4. Enter your email address: \_\_\_\_\_
5. Return the *Application for Renewal* form and your check, made payable to: **Registration Fee Trust** send to the address given above.

**Note:** Changes other than duration of permit cannot be submitted on this form. If you are adding new vehicles or transferring from one vehicle to another, you must submit a new application. For further assistance, call the Permit Unit at **(608) 266-7320**.

**PERMIT FEES for ALL Permit Types** – except for Farm & Field (FF), Sealed Container (CM) and Michigan Border (MI) Permits (see tables below).

IF OVERSIZE ONLY	12 Month	11 Month	10 Month	9 Month	8 Month	7 Month	6 Month	5 Month	4 Month	3 Month
Length Only	\$60.00	\$60.00	\$60.00	\$60.00	\$55.00	\$50.00	\$45.00	\$40.00	\$35.00	\$30.00
Width and/or Height and/or Length	90.00	90.00	90.00	82.50	75.00	67.50	60.00	52.50	45.00	37.50

**IF OVERWEIGHT OR OVERWEIGHT AND OVERSIZE** Round weight up to the next ten thousand pound increment. For example, if weight is 93,000 Lbs., round upward to 100,000 weight increment to determine fees.

Up to 90,000 Lbs.	\$200.00	\$198.33	\$181.67	\$165.00	\$148.33	\$131.67	\$115.00	\$98.33	\$81.67	\$65.00
100,000 Lbs.	350.00	335.83	306.67	277.50	248.33	219.17	190.00	160.83	131.67	102.50
110,000 Lbs.	450.00	427.50	390.00	352.50	315.00	277.50	240.00	202.50	165.00	127.50
120,000 Lbs.	550.00	519.17	473.33	427.50	381.67	335.83	290.00	244.17	198.33	152.50
130,000 Lbs.	650.00	610.83	556.67	502.50	448.33	394.17	340.00	285.83	231.67	177.50
140,000 Lbs.	750.00	702.50	640.00	577.50	515.00	452.50	390.00	327.50	265.00	202.50
150,000 Lbs.	850.00	794.17	723.33	652.50	581.67	510.83	440.00	369.17	298.33	227.50
160,000 Lbs.	950.00	885.83	806.67	727.50	648.33	569.17	490.00	410.83	331.67	252.50
170,000 Lbs.	1050.00	977.50	890.00	802.50	715.00	627.50	540.00	452.50	365.00	277.50

**Farm & Field (FF) and Sealed Container (CM) Permit Fees**

	\$300.00	\$290.00	\$265.00	\$240.00	\$215.00	\$190.00	\$165.00	\$140.00	\$115.00	\$90.00
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**Michigan Border (MI) Permit** (Special Permit Valid ONLY within 11 miles of Wisconsin/Michigan Border)

Up to 90,000 Lbs.	\$100.00	\$106.67	\$98.33	\$90.00	\$81.67	\$73.33	\$65.00	\$56.67	\$48.33	\$40.00
100,000 Lbs.	175.00	175.42	160.83	146.25	131.67	117.08	102.50	87.92	73.33	58.75
110,000 Lbs.	225.00	221.25	202.50	183.75	165.00	146.25	127.50	108.75	90.00	71.25
120,000 Lbs.	275.00	267.08	244.17	221.25	198.33	175.42	152.50	129.58	106.67	83.75
130,000 Lbs.	325.00	312.92	285.83	258.75	231.67	204.58	177.50	150.42	123.33	96.25
140,000 Lbs.	375.00	358.75	327.50	296.25	265.00	233.75	202.50	171.25	140.00	108.75
150,000 Lbs.	425.00	404.58	369.17	333.75	298.33	262.92	227.50	192.08	156.67	121.25
160,000 Lbs.	475.00	450.42	410.83	371.25	331.67	292.08	252.50	212.92	173.33	133.75
164,000 Lbs.	525.00	496.25	452.50	408.75	365.00	321.25	277.50	233.75	190.00	146.25

**PROCEDURE TO CALCULATE FEES**

1. Choose the effective and expiration dates you want for the permit you are renewing.
2. Count up the number of months in the desired permit, but do not use calendar months. The "month" begins on the effective date of the permit. For example, if you want the permit to become effective May 23, then May 23 to June 22 is counted as exactly 1 month.
3. If the number of months in the desired permit is not exact, round upward to the next whole number of months. For example, if you intend the permit to become effective 5-16-2014 and to expire 1-21-2015, it would be valid for 8 months, 6 days. Rounding upward, the desired permit would be subject to the 9 month charge in the fee scale.
4. Based on the number of months your permits will be effective, refer to the fee chart above to determine permit fees.

**LIABILITY INSURANCE**

The permittee is required to have insurance coverage as described below, in full force and effect on the vehicle and load designated in the permit, while operating on the public highway.

**Permits for Oversize/Overweight Loads:** Insurance requirements depend upon the size and weight of the permitted vehicle/load.

**GROUP A:** If the permitted vehicle and load **DO NOT EXCEED ANY OF THE FOLLOWING DIMENSIONS:** Width – 12 feet, Height – 13 ½ feet, Length – 100 feet, and Weight 125% of statutory, coverage of at least 150/450/300, bodily injury and property damage liability, or \$750,000 combined single limit is required.

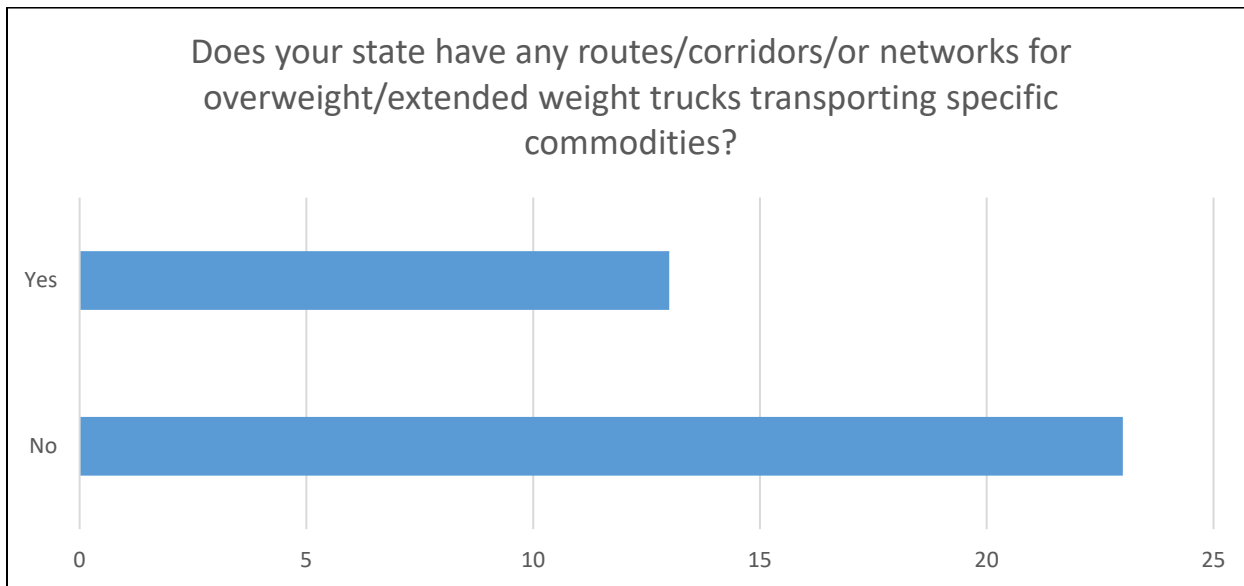
**GROUP B:** If the vehicle and load **EXCEED THE SIZE OR WEIGHT IN GROUP A**, coverage of at least 200/600/400, bodily injury and property damage liability, or \$1,000,000 combined single limit, is required.

Figure 4.1 Wisconsin Permitting Structure

#### **4.2 Extended Weight Routes**

The question of whether to establish designated routes, corridors, or networks for OW vehicles or extended-weight trucks transporting specific commodities has been debated in many states. Most states have carveouts for specific commodities, while very few have road segments or corridors designated for hauling specific commodities (like Kentucky's EWCHRS). Ohio has no extended weight corridors but has discussed developing them. British Columbia has established Project Cargo Corridors. Carriers can obtain permits for non-divisible loads with pre-approved truck configurations to carry 125,000 kg gross combination vehicle weight between two ports and the British Columbia-Alberta border along a single highway without prior approval. The province also allows has a 9-axle logging truck route. Carriers with a letter of authorization (LOA) are eligible to use any approved routes. Montana has several routes on which carriers can haul at heavier weights that are approved in Canada, but these are not commodity-specific. Missouri has commercial zones around cities which allow up to 22,400 lbs. per axle depending on the city population (Figure 4.2). Texas has corridor permits with maximum GVW and axle group loads, but these are not limited by commodity.





**Figure 4.3** Extended Weights Commodity-Specific Routes

#### 4.2.1 Indiana

Indiana has designated routes for heavy trucks operating across the northern part of the state. Although the roads are used heavily by the steel industry, they are not commodity-specific. Indiana’s Toll Road is a stretch of 15 miles with toll gates able to accommodate a maximum GVW of 90,000 lbs. for a single-unit truck and up to 127,000 lbs. on a tractor-trailer. The Extra Heavy Duty Highway state allows special weight permits for Michigan Train trucks up to a maximum GVW of 134,000 lbs.

#### 4.2.2 Colorado

Colorado has an OW permit for divisible loads that covers the entire state highway system. However, it is primarily used by the aggregate hauling industry. The Non-Interstate Overweight Divisible (NIOWD) permit allows up to 97,000 lbs. on a 2- or 3 axle trailer and 110,000 lbs. on a quad axle trailer, on the state highways system. Longer vehicle combination (LVC) permits are available, but vehicles must follow Colorado Hazardous Materials Transport and Routing Rules.

#### 4.2.3 Michigan

Grandfathered laws permit GVWs over 80,000 lbs. when weight is spread across more than 5 axles. Truck laws are based on axle weight and spacing — not gross weight. Up to 11 axles are permitted, resulting in a maximum GVW of 164,000 lbs. Pavements and bridges are designed to accommodate heavier trucks using the axle-weight formula. The Michigan DOT claims that although the number of trucks operating above 80,000 lbs. is small they are critical to the manufacturing, mining, forestry, agriculture, and construction industries. The agency’s Intermodal Policy Division concluded that should the state be required to adopt current federal limits there would be more trucks on the road and more infrastructure damage from higher axle loadings, thus increasing maintenance and repair costs.

#### 4.2.4 Wisconsin

The state has several OW/OD freight corridors, including a Wind Tower Corridor and routes<sup>7</sup> that allow long combination vehicles (LCVs) and higher clearances. These corridors have widened ramps approaches, intersections, widened ramps/shoulders with dyed concrete to accommodate off tracking, and engineered/widened ramps at

<sup>7</sup> Wisconsin’s truck operator map is available at <https://wisconsindot.gov/Pages/dmv/com-driv-vehs/mtr-car-trkr/truck-routes.aspx>

truck scales. Vehicles taking these routes typically have to obtain permits and pay associated fees.<sup>8</sup> The Wisconsin DOT issues over 1,200 permits each year for Wind Tower Corridor segments, not including blades, hubs, or nacelles. OW/OD vehicles are limited to 18,000 lbs. per axle and long haul trucks can have up to 23,000 lbs. per axle. New permits are assessed based on ESALs. Respondents from the Wisconsin DOT commented that a commodity-neutral permitting structure would increase agency efficiency and reduce complexity (a position shared by other STAs).

### 4.3 Cooperative Agreements in Other States

Most respondents expressed uncertainty over whether cooperative agreements or bonding are useful tools for enforcing weight limits. Some states use neither (e.g., Colorado, which requires a signed route survey for large loads). In some states, local/county jurisdictions issue bonds or enter cooperative agreements. In Wisconsin local jurisdictions have coordinated agreements with private companies that need to reach their facilities during spring road thaw when roads are posted. The Wisconsin DOT contends the success of such agreements depends on the parties involved. West Virginia requires bonds for logging companies hauling timber to cover any damages in a certain area. In Connecticut bonding is only required of carriers who routinely exceed weight limits, similar to Kentucky’s industrial haul performance bond requirements.

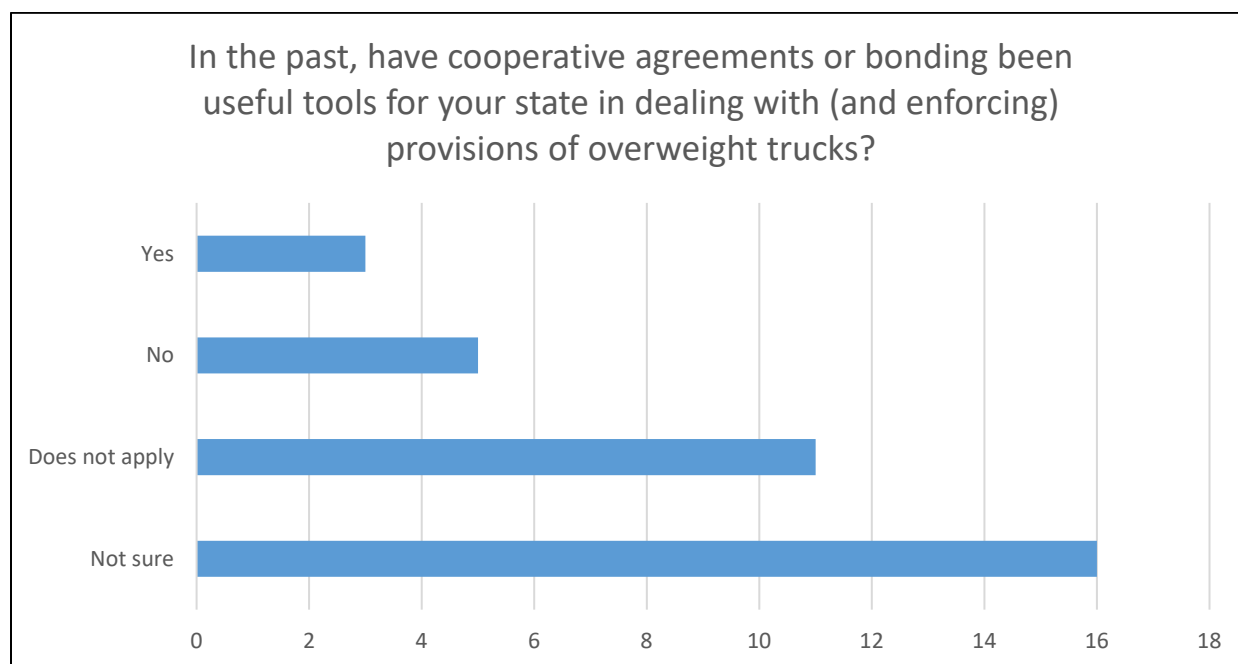


Figure 4.4 Cooperative Agreements or Bonding

### 4.4 Pavements

States, in coordination with FHWA, collect data to assess pavement conditions, including surface distress, ride quality, rutting, and faulting. Pavements are rated based on different types of distress or cracking, (e.g., faulting, spalling, alligator cracking, widening drop-off). Pavements patches (potholes or joint patches) and overlays or sealants are evaluated for seal cracks and delamination (NYSDOT Network Level Pavement Condition Assessment 2010).

No states provided pavement designs (e.g., thicknesses) for systems comparable to Kentucky’s EWCHRS. States use different materials and pavement thicknesses to account for a number of factors like subgrade composition, climate (temperature and moisture), and anticipated traffic. Pavement designs differ in terms of bases, pavement types (asphalts and/or concrete mixes), and treatments (e.g., coatings/overlays and sealants).

<sup>8</sup> More information on Oversize-Overweight permits can be found at: <https://wisconsin.gov/Pages/dmv/com-drv-vehs/mtr-car-trkr/osowgeneral.aspx>.

#### 4.5 Kentucky Pavement Design

In some areas of Kentucky, subgrade stabilization is required to compensate for poor load-bearing soils. KYTC's *Pavement Design Guide* states that Kentucky's pavements are generally constructed on fine-grained soils with about 85% consisting of clay and silt. During construction, compaction is used to strengthen the subgrade, however, if water seeps into the soil it swells, reduces the bearing capacity, and shortens the pavement life-cycle. Soil is most vulnerable as winter snow thaws.

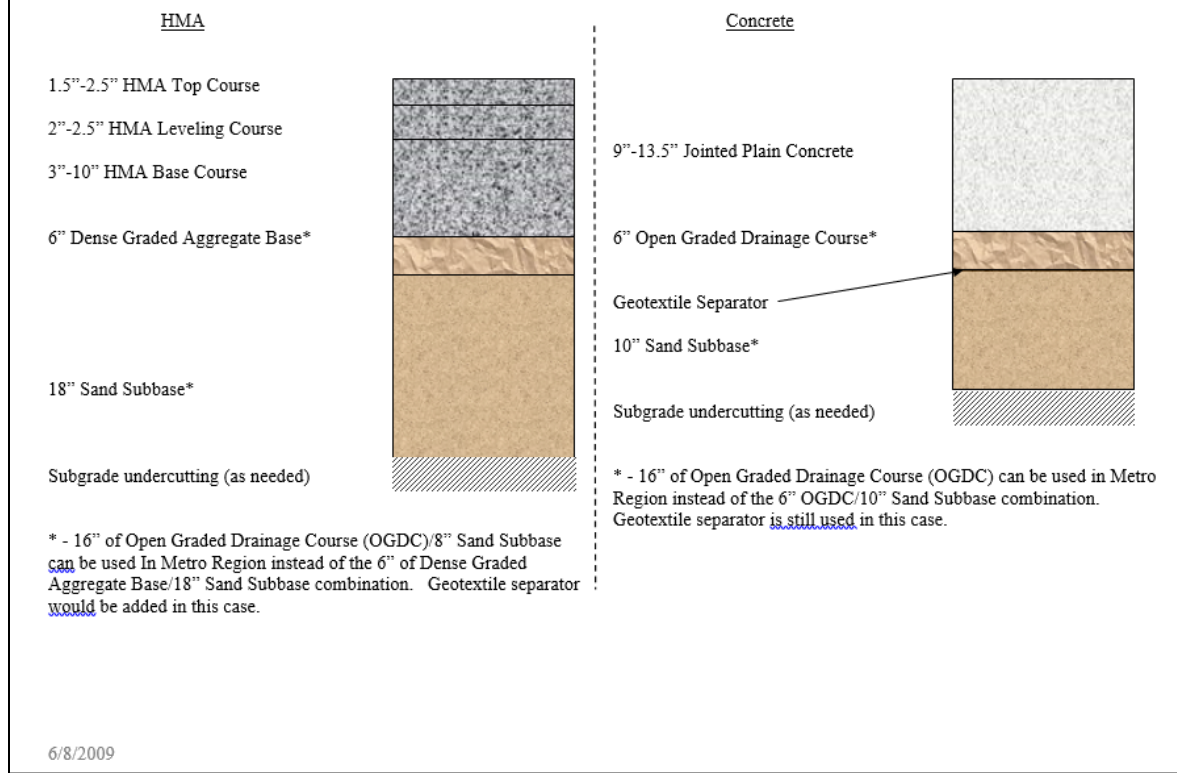
#### 4.6 Pavement Design in Other States

A few respondents provided information on pavements. Typically, pavement designs tailor layer thicknesses based on anticipated truck traffic over the pavement life-cycle. States use a 20 year ESAL projection, but OW vehicles are not considered in pavement designs. One respondent noted that their state ensures structures are thick enough to protect against heavy loads by taking under consideration the average of the 10 heaviest daily wheel loads on the subgrade type. In Wisconsin pavements are designed using AASHTO 72 structural pavement design. No additional funding is provided for pavements to accommodate for extended weights.

Although Michigan does not have an extended-weight network per se, the state allows higher GVWs spread out over more axles. Pavements and bridges are constructed to hold this higher weight. A Michigan pavement cross-section (Figure 4.5) would include the following:

- Typically 24 in. of aggregate materials under the HMA pavement (usually 6 in. of dense-graded aggregate base over 18 in. of sand subbase)
- Typically 16 in. of aggregate materials under the concrete pavement (usually 6 in. of open-graded aggregate base over 10 in. of sand subbase)
- In the Metro Detroit area the Michigan DOT uses 16 in. of open-graded base under both pavements. The overall 24 in. and 16 in. are still maintained (i.e., the increase in the base is offset by a commensurate reduction in the sand subbase).
- Minimum HMA pavement thickness is 6.5 in. for all roadways on the state network. The minimum concrete thickness is 8 in. on non-freeways, 9 in. on freeways. Local roads tend to be less than these minimums.

**Typical Michigan Freeway Cross-Sections**



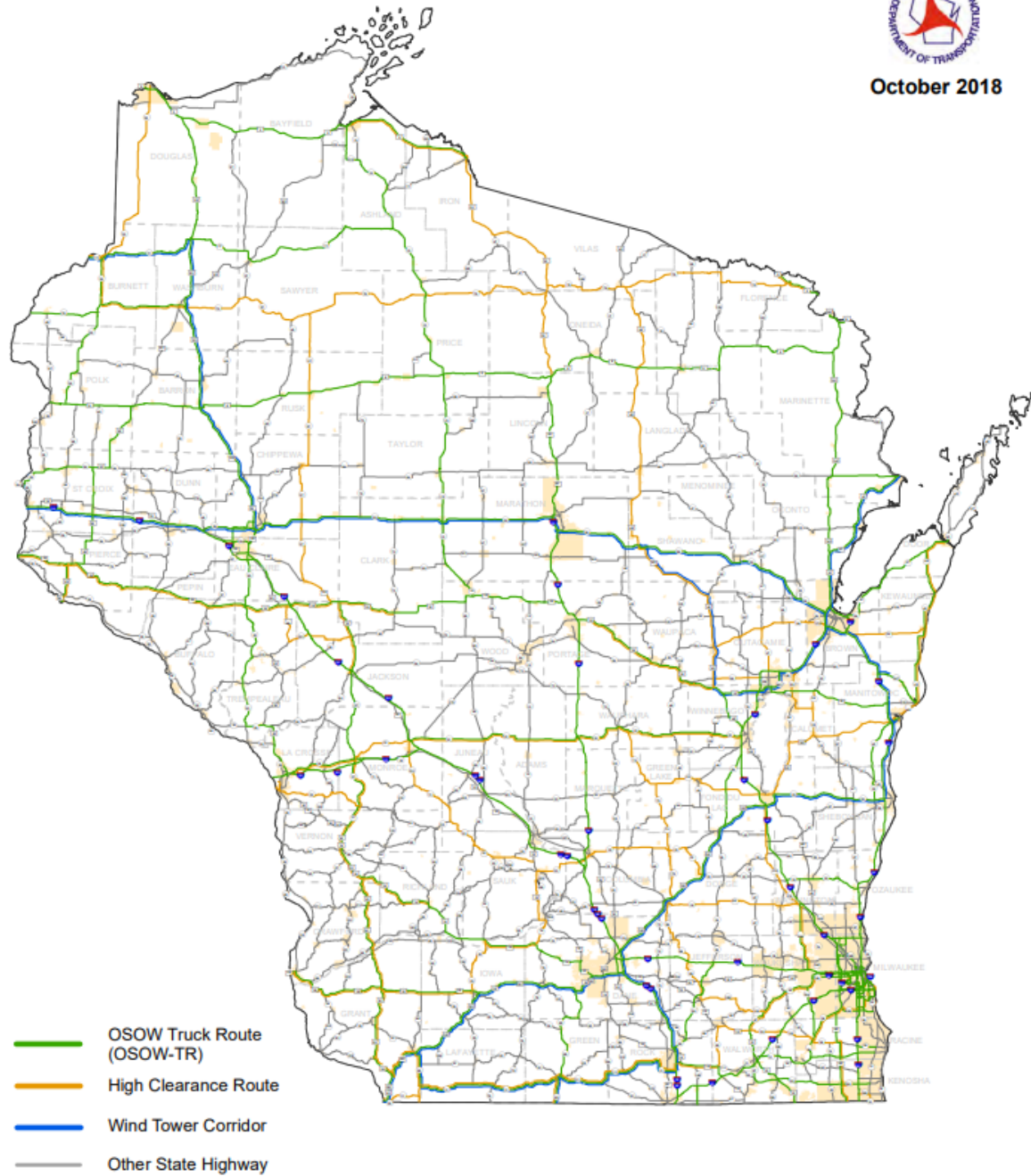
**Figure 4.5 Michigan Pavement Cross Section**



# Wisconsin Freight Routes



October 2018



This map and these routes are intended for planning purposes only.

Figure 4.6 Wisconsin Freight Routes<sup>9</sup>

<sup>9</sup> <https://wisconsindot.gov/Documents/doing-bus/eng-consultants/cnslt-rsrcs/tools/maps/osow-fnm-wi.pdf>

#### 4.7 West Virginia Coal Resource Transportation System (CRTS)

Article 17A of the West Virginia Code regulates the commercial transportation of coal. Statutes describe the economic benefits and broader implications of coal production:

- Transportation of coal occurs primarily on two-lane rural roads and highways with various grades and conditions.
- Local communities are impacted — daily road sharing with many large commercial vehicles is common.
- Average vehicle weights have increased and many coal transport vehicles regularly exceed the lawful limit by more than 100%. Excessive vehicle weights have also resulted in the rapid deterioration of state roads and bridges.
- Advanced technology, including truck stability, braking, and other safety technology make it easier and more efficient to track and record individual vehicles, operators, and loads.
- Enforcement is divided between state and local governments and therefore is not uniform, resulting in a lack of enforcement.
- The need to move coal is limited to areas of the state where rail and riverport access are limited “and economic conditions require a regulatory program that allows a greater weight allowance for coal-hauling vehicles to address the unique economic circumstances of that region.”

In 2003 West Virginia established the CRTS, a designated system in 15 southern counties allowing coal haulers to carry up to 120,000 lbs. GVW, depending on the configuration, with a special permit. The system is designed to have additional public safety protections, requires training for operators of heavier vehicles, and provides more effective enforcement. The CRTS includes public roads, highways, and bridges on which 50,000 tons of coal or more were transported in the previous year or are projected to be transported in the coming year. The following issues are considered when identifying areas for inclusion on the CRTS (§17C-17A-12):

- Current condition of public roads, highways, and bridges
- Estimated quantities of coal transported
- Planned or necessary maintenance or improvement
- Number of truckloads of coal transported on an average day
- Anticipated increases or decreases in the quantity of coal being transported
- Other information deemed relevant

The Commissioner of the Division of Highways, who determines which roads are included on the system, establishes a process whereby road designations receive public comment, sets weight limits and other conditions on the system, publishes a directory including supplemental maps and documents of the system, and evaluates designations and reviews the system for additions or deletions. Maximum allowable weight limits on the CRTS are determined on a road-by-road basis by the Department of Highways. Maximum GVW per truck with prescribed axle spacings are summarized in Table 4.1.

**Table 4.1** West Virginia CRTS Weight Limits and Fees

Truck Configuration	Weight Limit	Fees
2 axle dump truck	80,000 lbs.	\$100
3 axle dump truck	90,000 lbs.	\$160
5 axle tractor - semi trailer	110,000 lbs.	\$300
6 axle tractor - semi trailer	120,000 lbs.	\$500

Each truck has a 5% tolerance. Fees are levied annually and prorated when applicable. There is a \$100 processing fee for the first registered vehicle and \$25 for each subsequent vehicle. Permits are specific to each owner and vehicle. If a vehicle is sold to a new owner they must apply for a modified permit with the consent of the original owner. Vehicles registered with a CRTS permit must have a CRTS permit sticker affixed below the window on the driver’s door, which remains with the vehicle upon transfer. The WV Public Service Commission reports that the

number of coal shippers and receivers in the state (including mine sites, coal preparation plants, load-out facilities, power plants and other locations) could be as high as 600.

#### 4.7.1 Coal Resource Transportation Fund (CRTF)

The CRTF is a special account in the state road fund for all permit fees collected on the CRTS. Money in the CRTF is used to match funds provided by coal companies or other entities to repair roads and bridges on the system.

#### 4.7.2 CRTS Penalties

If a vehicle exceeds the CRTS weight limits, the owner is penalized for each pound over the limit (Table 4.2). For example, if a vehicle is 2,000 lbs. over the weight limit the owner pays 1 cent per pound of excess weight, or \$20. The amount charged per pound gradually increases as the amount of excess weight increases.

**Table 4.2** West Virginia CRTS Penalty Structure

Excess Weight	First Offense	Second Offense
1 to 4,000 pounds	1 cent per overweight pound	1 cent per overweight pound
4,001 to 8,000	3 cents per overweight pound	5 cents per overweight pound
8,001 to 12,000	7 cents per overweight pound	10 cents per overweight pound
12,001 to 16,000	10 cents per overweight pound	15 cents per overweight pound
16,001 to 20,000	15 cents per overweight pound	20 cents per overweight pound
20,001 to 40,000	30 cents per overweight pound	40 cents per overweight pound
40,001 pounds or more	45 cents per overweight pound	80 cents per overweight pound

Vehicle owners who operate vehicles over the GVW limit will have their permits suspended for three days for the first offense and 30 days for the second offense; a third violation results in revocation of the permit. Operators will have their licenses suspended for three days for the first offense, 30 days for the second offense, and 60 days for a third offense. Separate penalties have been established for out-of-state drivers. Trucks operating above legal limits by out-of-state drivers are impounded by the arresting officer.

#### 4.7.3 Comparing CRTS and EWCHRS Penalties

Penalties in West Virginia are much harsher than those levied in Kentucky. Like West Virginia, vehicle owners are penalized for each pound of excess weight using a graduated scale (Table 4.2).

**Table 4.3** Penalties for Kentucky's EWCHRS

Excess Weight	Price Per Overweight Pound
1 to 3,000 lbs.	3 cents
3,001 to 3,999 lbs.	5 cents
4,000 to 4,999 lbs.	7 cents
> 5,000 lbs.	9 cents

\*In no case can the fine be below \$60 or above \$500.

If a vehicle owner transports coal in excess of the provisions of KRS 189.221 and 189.222 without a decal or cooperative agreement, they are fined \$500 and required to purchase a decal, in addition to other penalties prescribed by law (e.g., vehicle impoundment until decal and impoundment fees are paid).

#### 4.7.4 CRTS Reporting Requirements

All coal shippers and receivers transporting coal on the CRTS must submit electronic reports to the Public Service Commission or incur a maximum fine of \$100 per shipment. Reports must include the following information:

- Site Transaction Number
- Shipper Transaction Number
- Shipper ID Number

- Receiver ID Number
- Source: Shipper, Receiver or Both
- CRTS Permit Number
- Shipment date & time
- Gross Weight
- CRTS shipment: All, Partial or None

The Department of Highways has the power to designate routes in 10 additional counties not included in the original CRTS. The Coal Resource Transportation Designation Committee (CRTDC) approves designated routes outside those 10 counties. The committee is made up of five members, three of whom are appointed by the state's governor. The committee reviews applications and holds public meetings on designating and decertifying CRTS roads in previously non-designated counties. If in a given year coal is no longer hauled on a previously designated CRTS road, it is decertified.

#### **4.7.5 Application Process**

The Preliminary Engineering Unit of the Project Development section of the Program Planning and Administration Division maintains the CRTS database and provides assistance to the public seeking to have a road added to the network ([https://transportation.wv.gov/highways/programplanning/preliminary\\_engineering/Pages/default.aspx](https://transportation.wv.gov/highways/programplanning/preliminary_engineering/Pages/default.aspx)). Applications for roads to be added to the network in the 10 additional counties are submitted to the Commissioner of Highways. The Department of Highways conducts an engineering evaluation of applicable roads and bridges, holds an optional public hearing, and notifies applicants of the decision. The new route may require an agreement between the Department of Highways and the applicant which lays out conditions for use of the route. The application fee is \$5,000, although the applicant may be required to pay additional costs as part of the review process. A more complex process is in place for establishing routes in non-designated counties. Figure 4.7 is a CRTS county-level map. There are 42 CRTS county maps provided on the West Virginia DOT's website.<sup>10</sup>

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<sup>10</sup> Further information about CRTS maps and directories is provided at: [https://transportation.wv.gov/highways/programplanning/preliminary\\_engineering/Pages/CRTSMAPSANDDIRECTORIES.aspx](https://transportation.wv.gov/highways/programplanning/preliminary_engineering/Pages/CRTSMAPSANDDIRECTORIES.aspx).

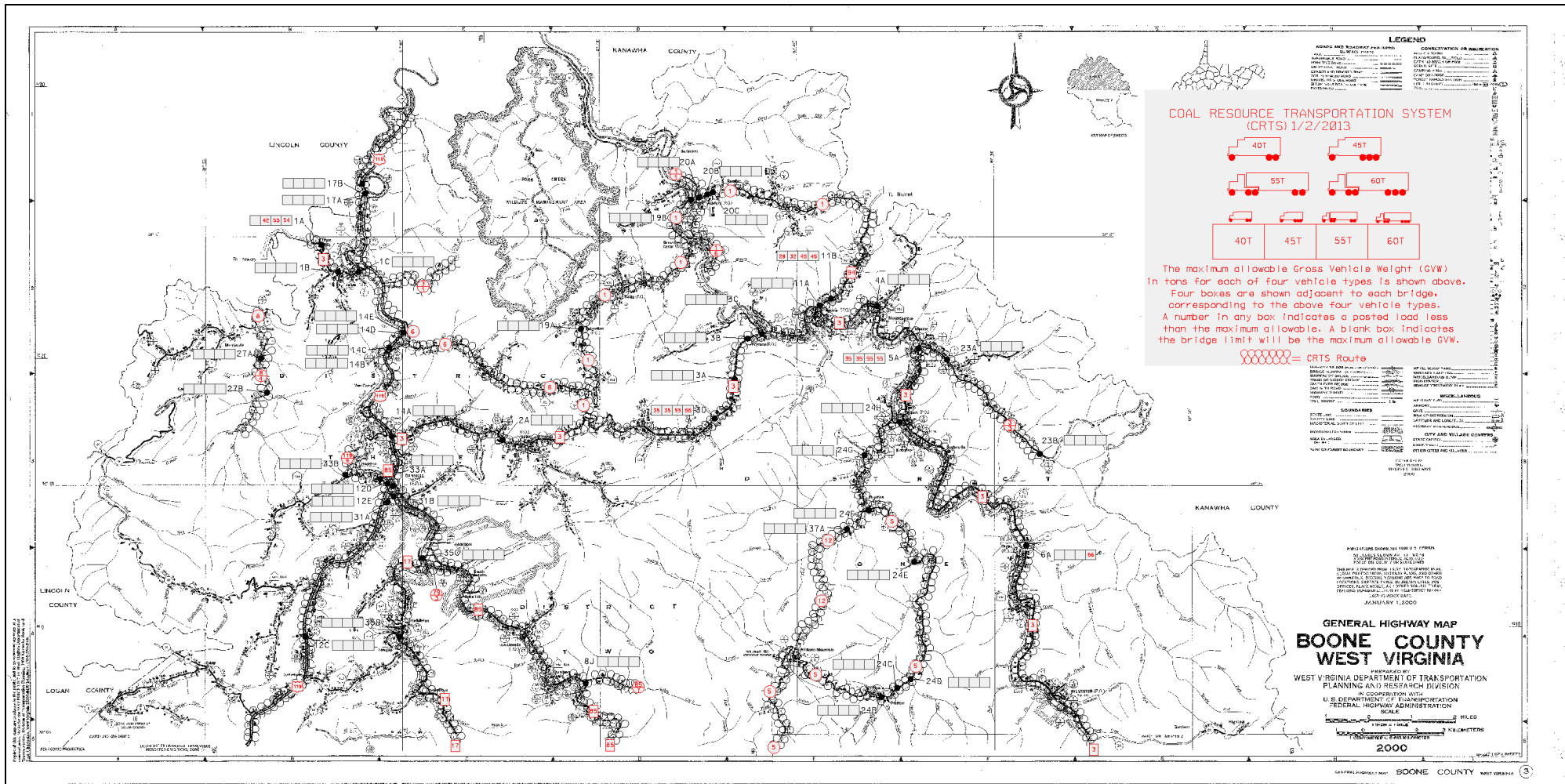


Figure 4.7 CRTS Map

#### 4.8 KYTC District Survey

KTC surveyed Cabinet district staff who work in permitting, planning, and maintenance, and who deal with OW and extended-weight issues. Many of their comments are similar to those made by personnel at other STAs. Some staff worry that some of Kentucky's roads cannot routinely handle 80,000 lbs., let alone extended weights. Some respondents have observed pavement damage from commodity hauling on lower Class A and AA routes and are concerned about the effects of repeated exposure to heavier vehicles. Commodities of particular concern are timber/logging products, corn and soybeans, liquid (hot) metal, and unrefined petroleum. Enforcement of weight limits is limited, but staff feel strongly that enforcement should be robust.

Staff feel that companies should take responsibility for the damage they inflict on public roads and bridges by paying higher user fees. Respondents also contend that all cargo types should be treated the same. Current transportation revenues are insufficient to support repairs to existing infrastructure damages inflicted by OW vehicles. Personnel stated that permit fees are low, especially for the Extended Weight Unrefined Petroleum Products Haul Road System given the amount of damage caused by vehicles. Similarly, fees are low for the metal commodities permit relative to the damage produced. Staff believe KYTC will incur the costs from extended-weight programs.

Respondents were uncertain whether cooperative agreements are useful as a tool for enforcing weight limits on OW coal trucks traveling outside of the coal haul network. Many respondents did not know the number of EWCHRS cooperative agreements obtained in their district in the last 10 years, although it is possible if they are not directly involved in the process they would have limited knowledge on this issue. Cooperative agreements have paid for some roadway repairs without reducing district budgets. They provide a mechanism to fix damage caused by extended weights, assess bridge weight capacities to ensure adequate integrity to handle extended weights, notify which roads companies use for hauling, and identify extended-weight routes for enforcement activities.

Challenges related to cooperative agreements include truck traffic volume and enforcement. In some districts the coal haul network of roads is very small, yet due to heavy traffic volume it is difficult to determine which trucks are using the roadways at what times. KYTC lacks the authority to enforce cooperative agreements and must call in law enforcement when necessary. Problematically, companies are not obtaining cooperative agreements before obtaining permits for mining operations, and hauling often begins before KYTC documents road conditions.

Despite these challenges, staff feel cooperative agreements should be required for other markets (e.g., metal commodities, unrefined petroleum) — regardless of whether commodity-specific networks have been established — because heavier vehicles damage roadways.

## Chapter 5 Summary and Recommendations

Based on the research presented in this report, KTC prepared a list of recommendations to improve and clarify Kentucky's extended-weight policies. Some recommendations can be pursued by KYTC while others will require legislative action from the General Assembly.

### 5.1 The Future of Kentucky's Extended Weight Hauling Systems: Revisiting the Long-Haul Network Concept

Although a full cost-benefit analysis of the EWCHRS has not been completed, practical limitations make it difficult to do so. First, composition of the EWCHRS is dynamic, changing from year to year, which hampers attempts to estimate vehicle traffic over the next 20 to 50 years as required for a traditional life cycle cost analysis (LCCA). Second, funds used to maintain the system are allocated from multiple accounts (Road Fund, Energy Recovery Fund, county shares, and cooperative agreements). Data on local shares are not available. Efforts are underway to examine the impact of extended weights on pavement conditions, but previous research found that Kentucky already subsidizes the system, and that EWCHRS fees are not enough to pay for pavement overlays.

Energy Recovery Road Fund revenues are declining as is the state's budget allotment for the EWCHRS. As coal production and employment numbers drop further and unemployment in coal-producing counties rises, the General Assembly may want to revisit whether the EWCHRS continues to meet its intended purpose and if the resources and time spent each year updating the system are justifiable.

The General Assembly may want to consider establishing a statewide long-haul network based on axle weight and wheelbases that does not focus on a single commodity. Loads partitioned across multiple axles decrease stresses applied pavements and bridges, lowering MR&R costs. This type of system would significantly reduce agency inefficiencies as well as costs associated with certifying the system annually. It may also contribute to more effective and more efficient enforcement of weight limits. Although this proposal is idealistic, other more practical ideas can be implemented to improve the efficiency of extended-weight hauling systems.

### 5.2 Permitting Study to Investigate Fee Increases

As of June 2021, 348 trucks were registered with EWCHRS decals. As EWCHRS decal fees have not increased since its inception 35 years ago, and with fees for the Extended Weight Unrefined Petroleum Products Haul Road System being considerably higher than those on the EWCHRS, the General Assembly could revisit the fee structure for EWCHRS decals. Options include raising fees across the board with a flat rate based on truck configuration, transitioning to a weight- and distance-based fee structure to account for weight carried over a longer distance, or using an alternative payment method. For example, weight-distance permitting could be combined with road usage charges (RUCs). With RUCs drivers pay a fixed fee based on mileage, however, because different vehicle weights and configurations consume different amounts of roadway, the fixed rate would need to be graduated based on the damages exacted by different vehicle types (Sorensen et al., 2011; Review of State Transportation Funding Initiatives 2018). GPS devices can be used to collect data on miles traveled and fuel consumption, a logical step given that some Kentucky permits now require vehicles to have onboard GPS. Under a RUC model, invoices are sent to vehicle owners. This funding method requires a clearinghouse for data collection and the state would administer the program or outsource it as necessary, and the system could interface with other information systems.

### 5.3 Increasing Penalties for Violations

Penalties for OW vehicles on the EWCHRS are quite lenient compared to those on West Virginia's CRTS. Whereas Kentucky's penalty structure places an upper limit on fines for vehicles carrying weights greater than the allowable limit, West Virginia has no such limit. Further, fines in West Virginia increase significantly for higher weights and for multiple offenses. Finally, permits and licenses for West Virginia companies and operators may be suspended or even revoked entirely for multiple offenses. Kentucky faces challenges in its efforts to enforce weight limits due to staffing shortages, complex weight limit regulations, and competing priorities for officers. By increasing the severity of potential penalties, companies and operators may be more inclined to self-regulate even if the likelihood of enforcement is minimal.

## 5.4 GPS Requirements

Trucks operating on the Extended Weight Unrefined Petroleum Products Haul Road System must have GPS systems installed. This also applies to OW vehicles moving houses. GPS systems are not required of trucks on the EWCHRS, although it could make data collection far more efficient than relying on annual Coal Shipment Route and Tonnage Report forms (TC 59-100). GPS could also be considered for the Kentucky Weight Distance Tax. GPS data could tie into KYTC's ArcGIS or Bentley systems, letting the state easily track vehicle miles, weight, and location. To prevent driver confusion, signs are not posted with limits for each commodity type. Drivers must check routes before driving on them. GPS integration with other KYTC routing and mapping information systems can mitigate issues with this practice. Potential challenges with this proposal are the cost of outfitting vehicles with GPS (which can be prohibitive for small operations) and ensuring compliance.

## 5.5 Centralize State and Local Asset Management and Funding Data

KYTC uses Operations Management System (OMS) software to keep a database of maintenance operations. OMS data does not include information about construction lettings. While the Cabinet publishes OMS reports annually, data do not drill down to the level of road networks. Only district-level data are available. Further, these data are not readily available or centrally located. Anecdotally, KYTC staff believe that, historically, data inputs have been inconsistent but that data entry improved over the past several years. The system was updated June 2021, although the impact of changes in the field are yet to be seen. Establishing a centralized and easily searchable database for state and local data (e.g. the Transportation Enterprise Database) that includes more detail on routes, networks (when applicable), and lettings, would clarify how funding is directed for maintenance, construction, and maintenance agreements work throughout the state.

## 5.6 EWCHRS Routes on Parkways that Terminate at Interstates

KYTC may wish to review how EWCHRS routes are displayed on parkways that terminate at interstates. For instance, the Martha Layne Collins Bluegrass Parkway begins at I-65 in Elizabethtown and the entire length is an EWCHRS route by statute. However, extended-weight trucks cannot legally access the parkway from I-65. The first non-interstate interchange on the parkway is KY 583, but it is a westbound-only interchange (toward I-65). The first interchange an extended-weight truck could legally access the Bluegrass Parkway is at KY 52 (MP 9.5). An extended weight truck travelling between 0-9.5 on the Bluegrass parkway will at some point illegally traverse I-65. By changing EWCHRS system maps to indicate that the system ends several miles from an interstate terminus, KYTC could better emphasize the fact that such vehicles are not allowed on the interstate system at all. It is also theoretically possible to send messages to a driver's Automatic On-Board Recording Device (AOBRD) or smart phone navigation system to indicate route termination.

## 5.7 Strategies to Improve Application of Kentucky's Current Regulations and Improvements

Several regulations, statutes, and KYTC policies must be reviewed to resolve inconsistencies or ambiguities. KRS 350.0285 requires the Energy and Environment Cabinet to notify KYTC within six months of issuing a mining permit as transporting coal requires a mining permit (KRS 350.060(1)(b)). Transportation plans are required to transport coal on public highways, roads, bridges (KRS 177.977(2)); 601 KAR 35:020 requires a transportation plan from those seeking to operate a mine (KRS 351.175), seeking a permit for surface mining and reclamation, or transporting coal (KRS 42.455 and 177.977). Although statutes trump regulations, the transportation plan requirement on the one hand indicates KYTC must be notified prior to opening a mine or issuance of a new permit while the KRS states KYTC must be notified within six months of a permit being issued. As KRS 350.055(5) requires the Energy and Environment Cabinet to notify local governing bodies and planning agencies in the locality when an applicant seeks a permit, it may be prudent for KYTC to be included among the notified agencies. The General Assembly may wish to revise the language or repeal KRS 350.0285 to indicate KYTC will be notified prior to mine permit issuance.

### 5.7.1 Inconsistencies

- 601 KAR 35:020 cites KRS 351.175(6) and KRS 350.060(11) as requiring transportation plans, however the references appear to be in error. KRS 351.175(6) refers to the authority to stop production or close a mine for failure to provide worker compensation, whereas KRS 350.060(11) describes application and permitting fees



and bonds for permit applicants. KYTC should consider revising the KAR to remove the inconsistencies with the KRS.

- 601 KAR 35:020 is inconsistent with 603 KAR 5:115. The former stipulates quarterly reports are required for transportation plans under 603 KAR 5:115, however, 603 KAR 5:115 requires six-month interval reporting. KYTC may wish to review this administrative regulation to align time intervals.
- 603 KAR 5:070(3) should be modified to comply with KRS 189.222(1)(a)(1) on the allowable height of 14 feet for vehicles transporting motor vehicles.
- 601 KAR 1:018 makes multiple references to KRS 189.2715, which would have been an extended weight network for steel products, however, the legislation was repealed in 2017 before taking effect. Removing the reference will update the KAR.
- 603 KAR 5:230 Section 5 contains an incorrect link to the EWCHRS map. KYTC can update the hyperlink in Section 5 or redirect users to the correct link. Section 8, which addresses posting of bridge weight limits in accordance with KRS 189.230(3), also warrants review. KYTC may consider updating Section 10 to incorporate the most recent edition of *The Manual for Bridge Evaluation*. Currently, the regulation references the 2008 edition.

### **5.8 Promulgation of Administrative Regulations**

No regulations exist that address (1) administration of the Extended Weight Unrefined Petroleum Products Haul Road System, or (2) publication of a directory designating the system and defining reporting requirements for haulers. Nor do administrative regulations exist for overseeing metal commodities and steel-to-riverport permits. 601 KAR 1:018 should cover permits for metal commodities and steel, however, language for these cargo types is not found in the regulation. To administer these networks KYTC should establish administrative regulations as necessary.

### **5.9 Repeal of Annual Feed Certificate or Increase Limits**

KRS 189.222 allows a weight tolerance on vehicles hauling feed for livestock or poultry of up to 8,000 lbs. without a permit, but KRS 189.2718 requires a permit. Weight limits are not stipulated in KRS 189.2718. The General Assembly could repeal KRS 189.2718 to eliminate the redundancy created by the amendment of KRS 189.222, or alternatively, KYTC may consider promulgating regulations related to KRS 189.2718 which would require increasing limits above those in KRS 189.222.

### **5.10 Review of KYTC Policies Related to Truck Weight Statutes and Regulations**

KTC reviewed truck weight statutes and regulations to determine their applicability to KYTC policies and whether actions are necessary for compliance with existing statutes and regulations. Each statute and regulation listed in Table 5.1 was cross-referenced against KYTC policy manuals for the Divisions of Planning, Maintenance, Traffic Operations, Construction, Construction Procurement, Materials, and Accounts. Statutes referenced in these policy manuals are shown along with the applicable KYTC policy number. Each KRS and KAR was reviewed to determine if changes or new policy guidance are required. Statutes and regulations which were neither referenced in the policy manuals nor identified as requiring action are excluded from the list. Despite the review focusing on truck weight limits, all recommendations identified are included.

**Table 5.1** Review of KYTC Policies Related to Truck Weight Statutes and Regulations

Statute/ Regulation	Applicable KYTC Policies	Recommended KYTC Action
<a href="#">KRS 42.455</a>	PL-503.6	<ul style="list-style-type: none"> <li>None</li> </ul>
<a href="#">KRS 177.977</a>		
<a href="#">KRS 177.9771</a>	ACC-603-2 MAIN-905 PL-503.6	<ul style="list-style-type: none"> <li>None</li> </ul>
<a href="#">KRS 177.979</a>	MAIN-905 MAIN-906 PL-503.6	<ul style="list-style-type: none"> <li>Clarify requirements for coal haul agreements in PL-503.6</li> </ul>
<a href="#">KRS 177.985</a>	None	<ul style="list-style-type: none"> <li>Consider promulgation of regulations pursuant to KRS 177.985(11) to administer the Extended Weight Unrefined Petroleum Products Haul Road System Establish policy in <i>Maintenance Manual</i> regarding annual inspection of routes for degradation</li> </ul>
<a href="#">KRS 177.986</a>	None	<ul style="list-style-type: none"> <li>Promulgate administrative regulations pursuant to KRS 177.985(4) on publication of a directory designating the Extended Weight Unrefined Petroleum Products Haul Road System and defining reporting requirements for haulers</li> <li>Establish policy in <i>Planning Manual</i> regarding publication of annual directory</li> <li>Create form to allow for reporting of unrefined petroleum product shipping routes and tonnage – similar to TC 59-100</li> </ul>
<a href="#">KRS 189.222</a>	MAIN-901 MAIN-905 MAIN-906 PL-03 TO-402-9 TO-403-5	<ul style="list-style-type: none"> <li>Modify TO-403-5 to comply with <i>Manual on Uniform Traffic Control Devices</i> Section 2C.27 regarding Low Clearance signs based on 14' maximum statutory height</li> </ul>
<a href="#">KRS 189.230</a>	MAIN-901	<ul style="list-style-type: none"> <li>Review TO-402-09 with regard to KRS 189.230(3)*</li> </ul>
<a href="#">KRS 189.271</a>	MAIN-906	<ul style="list-style-type: none"> <li>None</li> </ul>
<a href="#">KRS 189.2713</a>	None	<ul style="list-style-type: none"> <li>Promulgate regulations in accordance with KRS 189.2713(2) governing issuance of annual and single-trip permits for vehicles transporting metal commodities with GVWs between 80,001 and 120,000 lbs.</li> </ul>
<a href="#">KRS 189.2716</a>	None	<ul style="list-style-type: none"> <li>Promulgate regulations in accordance with KRS 189.2716(2) governing issuance of annual permits for vehicles transporting steel commodities to riverports</li> </ul>
<a href="#">KRS 189.2718</a>	None	<ul style="list-style-type: none"> <li>Repeal KRS 189.2718 to eliminate redundancy created by amendment to KRS 189.222 regarding vehicles hauling feed for livestock or poultry</li> <li>Alternatively, KYTC may consider promulgation of regulations related to KRS 189.2718</li> </ul>

<a href="#">601 KAR 35:020</a>	None	<ul style="list-style-type: none"> <li>Regulation appears to reference incorrect KRS; consider KAR revisions</li> </ul>
<a href="#">601 KAR 1:020</a>	MAIN-906	<ul style="list-style-type: none"> <li>None</li> </ul>
<a href="#">603 KAR 5:066</a>	MAIN-903 MAIN-906 TO-402-9	<ul style="list-style-type: none"> <li>None</li> </ul>
<a href="#">603 KAR 5:070</a>	PL-503.3	<ul style="list-style-type: none"> <li>Modify 603 KAR 5:070(3) to comply with KRS 189.222(1)(a)(1) on the allowable height of 14 feet for vehicles transporting motor vehicles</li> </ul>
<a href="#">603 KAR 5:220</a>	None	<ul style="list-style-type: none"> <li>Clarify requirements for coal haul agreements in PL-503.6</li> </ul>
<a href="#">603 KAR 5:230</a>	None	<ul style="list-style-type: none"> <li>Update hyperlink in Section 5 or redirect users to the correct link for annual EWCHRS map</li> <li>The EWCHRS map currently displayed on the Planning website is the 2019 version — update to the 2021 version</li> <li>Modify PL-503.6 to reference the 603 KAR 5:230 requirement for annual updates to the online EWCHRS map</li> <li>Review Section 8 with regard to posting of bridge weight limits in accordance with KRS 189.230(3)*</li> <li>Update Section 10 to incorporate the most recent edition of <i>The Manual for Bridge Evaluation</i>. Currently, the regulation references the 2008 edition.</li> </ul>
<a href="#">603 KAR 5:250</a>	PL-503.3	<ul style="list-style-type: none"> <li>Correct Division of Planning street address in Section 6.</li> </ul>

\*KRS 189.230(2) and (3) may be interpreted as requiring the KYTC to post bridge weight limits for extended-weight vehicles not only at the bridges themselves, but also at “conspicuous places at the termini of and at all intermediate crossroads and road junctions with the section of the highway to which the notice applies.” Section 8 of 603 KAR 5:230 appears to support this interpretation:

*A person shall not operate, or knowingly cause to be operated, a vehicle on a bridge on the extended weight coal or coal by-products haul road system if the vehicle's gross weight exceeds the limit established by a notice posted pursuant to KRS 189.230(3).*

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## Appendix A Kentucky Revised Statutes and Kentucky Administrative Regulations on Truck Weights/Extended Weights

Statute/ Regulation	Title	Effective Date/History	Summary
<a href="#">KRS 42.455</a>	Local Government Economic Assistance Program -- Grants for priority expenditures -- Administrative regulations -- Public hearings -- Reports -- Directory of coal road system.	July 15, 2010	<ol style="list-style-type: none"> <li>(1) Establishes the Local Government Economic Assistance Program within the Department for Local Government made up of a system of grants provided to local governments to improve the environment for new industry and quality of life for residents.</li> <li>(2) Grants must be used for priority expenditures. Thirty percent (30%) must get spent on the coal haul road system (as described in subsection 7) and seventy percent (70%) are spent on priority categories as follows: (a) Public safety, including law enforcement, fire protection, ambulance service, and other related services; (b) Environmental protection, including sewage disposal, sanitation, solid waste, and other related programs; (c) Public transportation, including mass transit systems, streets, and roads; (d) Health; (e) Recreation; (f) Libraries and educational facilities; (g) Social services for the poor, the elderly, and individuals with disabilities; (h) Industrial and economic development; (i) Vocational education; (j) Workforce training; and (k) Secondary wood industry development</li> <li>(3) Entitlement funds may be used for debt repayment on long-term bonds as long as the revenue from the bond issue is spent on the above priority categories</li> <li>(4) Grants may be used as local portion to secure deferral programs in priority categories. Interest from the funds are available for expenditure in category areas.</li> <li>(5) The Department for Local Government will create administrative regulations to implement grant programs in this section.</li> <li>(6) The Department for Local Government will have an advertised public hearing on expenditure of funds received under KRS 42.450 to 42.495. The Department will also submit an annual report to the Governor on grant usage and evaluating program effectiveness in improving the economy of the units receiving assistance.</li> <li>(7) On or before August 15, 1980 and annually thereafter the Transportation Cabinet will publish and provide a directory to the Department for Local Government with supporting maps and other documents, designating the official state coal road system in coal-impact and coal-producing counties which shall include all public highways, roads, and streets over which quantities of coal, sufficient to significantly affect the condition and state of repair of highways, roads, and streets, have been transported in the immediately preceding fiscal year. The Cabinet will publish the total county mileage of the official state coal road system and total ton/miles in each coal-impact and coal producing county for the preceding fiscal year.</li> <li>(8) Every person shipping or transporting coal, and every carrier for hire or common carrier hauling coal over public highways roads, and streets must file information with the Transportation Cabinet at designated intervals identifying those highways, roads, and streets comprising the</li> </ol>

			<p>coal haul road system and the quantities of coal transported so the Cabinet can accurately calculate total ton/miles in each coal-impact and coal-producing county.</p> <p>(9) The Department of Revenue will make coal severance and processing tax data available to the Cabinet for verifying and supplementing the information provided in section 8. The Department of Revenue will conceal the identity of individual taxpayers and if it cannot furnish it without revealing the identity of individual taxpayers then the information must be withheld.</p>
<a href="#">KRS 143.100</a>	Political subdivisions prohibited from taxing any operations relating to coal production.	March 29, 1976	Prohibits taxing the transportation of coal by any government unit other than the state.
<a href="#">KRS 177.977</a>	Directory of coal road system.	July 15, 2010	<p>(1) Cabinet must publish a directory designating the official coal road system in coal impact and coal producing counties that includes all public highways, roads, bridges, and streets over which quantities of coal are carried that significantly impact their condition and repair. The Cabinet must also publish the total county mileage of the official coal road system and total ton-miles for each county in the preceding year.</p> <p>(2) Any producer or processor that is shipping or transporting coal must file with the Cabinet the highways, roads, and streets over which they carry coal and the total quantity of coal transported so the Cabinet can calculate the total ton-miles within each county. A copy of this information must be provided to Energy and Environment Cabinet pursuant to the provisions of KRS 350.0285 and the Department for Natural Resources pursuant to the provisions of KRS 351.070 and 352.420</p>
<a href="#">KRS 177.9771</a>	Extended weight coal or coal by-products haul road system.	Jan 1, 2015	<p>(1) Establishes the Extended Weight Coal or Coal By-products (EWCHS) road system. “Consists of all state-maintained toll roads or state-maintained roads which were previously toll roads and the public highways over which quantities of coal or coal by-products in excess of fifty thousand (50,000) tons were transported by motor vehicles during the period from January 1, 1985, through December 31, 1985.” Applies to trucks hauling coal and coal byproducts only and only on the EWCHS. The system must be updated annually.</p> <p>(2) Secretary of the Transportation Cabinet will certify public highways or portions of each year as part of the EWCHS by November 1.</p> <p>(3) The total tons of coal or by-products transported are determined based on the coal or coal by-products report required by KRS 177.977.</p> <p>(4) When registered with a declared weight of 80,000 pounds or more and transporting coal or byproducts on a public road part of the EWCHS, a vehicle may be operated at the weights below in excess of maximum gross weight in KRS 189.221 and 189.222 and any other maximum gross weight by paying a corresponding decal fee:</p>



			<ul style="list-style-type: none"> <li>(a) \$160 for single unit truck have 1 steering axle and 2 axles in tandem: maximum gross weight = 90,000 pounds with 5% tolerance</li> <li>(b) \$260 for single unit truck with 1 steering axle and 3 axles in tridem: maximum gross weight = 100,000 pounds with 5% tolerance</li> <li>(c) \$360 for tractor-trailer combination with 5 or more axles: maximum gross weight = 120,000 pounds with 5% tolerance</li> <li>(d) \$840 for 20,000 pounds per axle and 12,000 pounds for steering axle can register above 80,000 pounds plus and additional \$10 per 1000 lbs. of registered weight above 80,000 lbs.</li> <li>(e) Dimensional requirements must conform to appropriate federal laws and regulations</li> <li>(f) Payment of decal fee is in addition to any other state registration fee, user fees, or other decal fee per KRS 186.050(3)</li> <li>(g) coal trucks operating under a cooperative agreement per KRS 177.979 are exempt from the decal fee in this section and registration fee in 186.050(3) as long as the truck is driven on cooperative agreement roads while full. The Transportation Cabinet will issue license plates for vehicles under cooperative agreements.</li> <li>(h) Fees are scheduled and prorate under KRS 186.051</li> <li>(i) All revenues from this section will be credited to a special account in the road fund called the "energy recovery road fund."</li> <li>(5) 60% of energy recovery road fund will be used by the Department of Highways for construction, maintenance, and repair of the state-maintained portion of the EWCHS</li> <li>(6) 40% of the energy recovery road fund will be distributed to the fiscal court of those counties in which coal or coal by-products are transported for the sole purpose of construction, maintenance, and repair of the county-maintained portion of the EWCHS. The distribution is based on the proportion of miles of country roads on the EWCHS in each county compared to the total EWCHS and tons of coal or coal by-products transported over county roads on the EWCHS compared to the total tons of transported over county roads in the total EWCHS</li> <li>(7) Vehicles may not exceed limits set in KRS 189.222 on federal interstate highways and this section may not jeopardize federal highways funds</li> <li>(8) Secretary may add or delete roads from the EWCHS</li> <li>(9) Prior to adding or deleting roads from EWCHS the secretary will meet with fiscal courts or local governing bodies to hear concerns about the road segments regarding safety, economic impact, or special conditions.</li> <li>(10) Secretary may establish KARS to administer this section, KRS 177.9772, 177.979, and 189.230.</li> </ul>
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<a href="#">KRS 177.9772</a>	Impoundment of vehicle for violation.	April 1, 1987	A vehicle transporting coal above the weight limits of KRS 189.221 and 189.222 without having paid the extended weight users' tax, as evidenced by the affixed decal and is not operating under a cooperative agreement is in violation of KRS 177.9771. The Cabinet may impound the vehicle until the user tax (i.e. decal fee) and all costs incurred from storing the vehicle are paid.
<a href="#">KRS 177.978</a>	Energy recovery road fund -- Uses -- Transfer of funds from coal recovery road fund.	August 1, 2002	<p>(1) All revenues from purchasing decals in KRS 177.990(5) and KRS 177.9771(4) are credited to a special account called the "energy recovery fund." Additional funds may be obtained from state appropriate, gifts, grants, and federal funds. The funds are to be used, in addition to road funds normally used for the said highways, exclusively for costs to "highway purposes for roads designated as part" of the EWCHS.</p> <p>(2) All funds credited to the "coal recovery road fund" will be transferred to the "energy recovery road fund."</p>
<a href="#">KRS 177.979</a>	Cooperative agreements between Department of Highways and transporters of coal in vehicles exceeding maximum weight limits on state-maintained system.	July 15, 1996	<p>Sets up process for coal haul agreements, no specific truck weight rules</p> <p>(1) Any person "engaged in the mining, processing, transporting or sale of coal" transporting coal in vehicles exceeding maximum limits on the state-maintained system must enter into a cooperative agreement with the Department of Highways or give bond for damages per KRS 189.271, if the road used is not part of the EWCHS. If a road with a maximum allowable gross weight of 80,000 lbs. is approved for coal transport by resolution per KRS 177.9771(9) then a cooperative agreement is not required. Cooperative agreements will "provide for equitable apportionment of the incremental costs for design, maintenance, construction, or reconstruction of those roads and bridges," except roads and bridges on interstates, that result from trucks transporting coal in excess of the maximum weight limits on the state-maintained system and covered by cooperative agreement. This KRS does not affect the validity of any existing agreement.</p> <p>(2) The total tax contribution from any person entering the cooperative agreement in this section may not exceed in sum \$5,000 per mile per year on roads covered by the cooperative agreement, but will equal a minimum of \$1,200 per motor vehicle hauling over those cooperative agreement roads over 3 miles in length. Each contribution will not exceed 10 cents per ton of coal hauled on cooperative agreement roads per year from an individual coal operator unless agreed to by the operator. The Transportation Cabinet may allow any person under the cooperative agreement to provide for the design, approved maintenance, construction, or reconstruction of roads resulting from trucks transporting coal in excess of maximum weights on the state-system as long as it meets the guidelines of standards set by the cabinet. If a person exceeds the annual tax contribution under the cooperative agreement, the person may petition the commissioner of vehicle registration to carry over the tax for future year's liability. All funds collected under this section will be spend on roads covered by the cooperative agreement.</p>

			<p>(3) The state is not relieved of spending its normal routine maintenance on all roads covered in cooperative agreements.</p> <p>(4) A cooperative agreement may be terminated upon written notice to the Department of Highways.</p> <p>(5) If the person requesting termination of the cooperative agreement reports to the Transportation Cabinet that 50,000 or more tons of coal have been transported on the road covered by the cooperative agreement the Cabinet will immediately add the road segment to the list of roads on the EWCHS.</p>
<a href="#">KRS 177.981</a>	Fiscal court may make cooperative agreement.	July 13, 1984	Nothing in KRS 177.9771 to 177.981 shall prohibit county fiscal courts from entering into cooperative agreements.
<a href="#">KRS 177.985</a>	Extended weight unrefined petroleum products haul road system.	June 27, 2019	<p>(1) 1 Effective until June 30, 2028</p> <p>(2) Defines in this section and KRS 177.986 the "extended weight unrefined petroleum products haul road system" as consisting of state-maintained highways where 50,000 lbs. of unrefined petroleum is transported annually starting January 1, 2022.</p> <p>(3) (a) Except as outlined in (b) he Secretary will certify highways on the system on or before November 1, 2022 and annually thereafter.  (b) If, during year 2022, a quantity of unrefined petroleum is transported that meets the threshold of section (2) [50,000 tons] then the Cabinet will certify those highways as part of the extended weight unrefined petroleum products haul road system within 30 days.</p> <p>(4) Total tons transported over any public highway will be determined by reports required in KRS 177.986</p> <p>(5) (a) Vehicles registered with declared weight of 80,000 lbs. carrying unrefined petroleum on the system may operate in excess of maximum gross weight in KRS 189.221 and 189.222 and any other maximum weight limitations on state- or county-maintained systems if they comply with requirements of this subsection.  (b) Trucks with an approved axle configuration may operate up to 120,000 lbs. with a 5% gross weight tolerance.  (c) The Cabinet will create KARs on allowable axle configurations  (d) Dimensional requirements must meet federal laws and regulations  (e) The permit for each truck is \$2,000 annually. For renewal of an annual permit the permit holder must report the number of trips made and total miles driven during the previous year.  (f) Permit fees are in addition to any registration fee, user fee, or other permit fee including the registration fee in KRS 186.050(3)  (g) Each truck operating under a permit in this section is required to be equipped with global positioning system (GPS) technology to keep record of locations travelled. The Cabinet may inspect travel records.</p>

			<p>(h) Drivers operating a permit under this subsection must have a Class A commercial driver's license and be approved by the Kentucky State Police.</p> <p>(6) Revenues go to the road fund and appropriated to uses of the road fund.</p> <p>(7) (a) May not jeopardize federal funding for highways.  (b) (1) Does not authorize operating in excess of limits of KRS 189.222 on federal interstates  (2) Department of Highways may prohibit travel on roads and bridges with weight restrictions</p> <p>(8) Secretary will add and delete from the system annually. Deletion of a road or segment will not affect eligibility for highway funds or programs applicable to the extended weight unrefined petroleum products haul road system.</p> <p>(9) Cabinet will notify fiscal courts of counties of eligibility for inclusion in the system. The Secretary will consider fiscal court concerns before adding roads to the system.</p> <p>(10) Cabinet will inspect the routes annually for any degradation of roads and bridges.</p> <p>(11) Cabinet may create KARs to administer this section.</p>
<a href="#">KRS 177.986</a>	Directory of extended weight unrefined petroleum products haul road system -- Publication -- Reporting system.	June 27, 2019	<p>Effective until June 30, 2028.</p> <p>(1) Effective until June 30, 2028</p> <p>(2) The Transportation Cabinet will publish a directory, including maps and other documents designating the extended weight unrefined petroleum products haul road system, including all state-maintained highways and bridges over which unrefined petroleum in excess of that identified in KRS 177.985(2) [50,000 tons] in the preceding year. The Cabinet will publish the total county mileage of the extended weight unrefined petroleum products haul road system for that preceding year. Publication of this information may be electronic.</p> <p>(3) Beginning January 1, 2022 every person, producer, or processor shipping or transporting unrefined petroleum products over any state-maintained highway or bridge must file information with the Cabinet the highways travelled and the quantities of unrefined petroleum transported so that the cabinet can accurately calculate the total ton-miles within each county.</p> <p>(4) The Cabinet will create KARs to carry out this section including requirements for publishing information, and establishing a reporting system for transporters of unrefined petroleum products.</p>
<a href="#">KRS 177.990</a>	Penalties.	July 14, 2000	<p>(4) Conviction of a weight limit violation in KRS 177.9771 will incur a fine equal to:</p> <p>3,000 lbs. or less = 3 cents (\$0.03) per pound  3,001-3,999 lbs. = 5 cents (\$0.05) per pound  4,001-4,999 lbs. = 7 cents (\$0.07) per pound  5000 or more = 9 cents (\$0.09) per pound.</p> <p>The fine may not be less than \$60 or more than \$500.</p>

			(5) Transporting coal and exceeding weight limits of KRS 189.221 and 189.222 without a current decal or transporting coal without a valid cooperative agreement per KRS 177.9771(4)(f) is a fine of \$500 and requires purchase of an overweight coal decal per KRS 177.9771(4).
<a href="#">KRS 186.030</a>	Form of application.	January 1, 1960	Provides details for vehicle registration form. (1) defines declared gross weight as the weight of the vehicle and the heaviest load that the vehicle will be used to carry at any time on the highways.
<a href="#">KRS 186.050</a>	Registration fees -- Voluntary donation for wildlife management and conservation activities and the agricultural program trust fund.	June 24, 2015	Establishes vehicle registration fees. (3)(b) provides fee structure for commercial vehicles based on gross weight up to 80,000 lbs. (\$1,410) (4) sets the fee structure for farm trucks based on gross weights (7) sets the fees for a wrecker crane up to 14,000 lbs. (8) 75% exception for fees on transporting property in city limits up to 18,000 lbs. (9) 75% exception for fees on vehicles over 18,000 lbs. exclusively transporting "primary forest products from the harvest area to a mill or other processing facility where such mill or processing facility is located at a point not more than fifty (50) air miles from the harvest area or which are used exclusively" or "concrete blocks or ready-mixed concrete from the point at which such concrete blocks or ready-mixed concrete is produced to a construction site where such concrete blocks or ready-mixed concrete is to be used, where such construction site is located at a point not more than thirty (30) air miles from the point at which such concrete blocks or ready-mixed concrete is produced" and except from fees under KRS 281.752.
<a href="#">KRS 186.059</a>	Operation of overweight commercial vehicle -- Ineligibility for exemption -- Department hearing -- Appeal.	July 15, 1996	(1) Operating a commercial vehicle above the registered declared gross weight makes the owner or operator ineligible for reduced registration fees for a year. (2) The department may give notice of ineligibility for reduced fees or revoked privileges for operating above gross declared weight. Information about operating above registered weight but be substantiated by affidavit. The owner or operator may request a hearing within 30 days of notice. (3) If a hearing is requested, then the owner or operator is not eligible for a reduced fee between the time of the application and that hearing or may give bond for \$500 per vehicle to be applied to taxes determined during the hearing. (4) The burden of proof of whether the vehicle was operated in excess of its registered weight in KRS 186.050 falls on the department. Final orders are subject to appeal in Franklin Circuit Court and bond posted with the department may be held pended judgment of the highest court of appeal.
<a href="#">KRS 189. 200</a>	Maximum weight on iron and solid tires.	October 1, 1942	No vehicle may have greater weight on any tire per inch of width of tire that makes contact with the highway than 400 lbs. for iron or steel tires or 600 lbs. for solid rubber or rubber compounded tires.

<a href="#">KRS 189.210</a>	Maximum weight permitted on highway.	October 1, 1942	<ul style="list-style-type: none"> <li>(1) Sets the maximum for any “vehicle, object, or contrivance, other than a motor truck or semitrailer” at 15 tons on highways. It does not apply to vehicles run on tracks or an apparatus used by fire departments. County or city can grant permission on their roads for heavier vehicles.</li> <li>(2) County judge/executive may approve movement of vehicles, objects, or structures above 15 tons in the county and located outside the city. The city engineer or mayor may grant permission on highways in the city.</li> </ul>
<a href="#">KRS 189.212</a>	Authority of fiscal court to issue special permits for certain haulers.	July 15, 1998	<ul style="list-style-type: none"> <li>(1-2) A fiscal court can issue permits for hauling specified materials only, including but not limited to divisible or nondivisible agricultural products, minerals, or natural resources. Loads can be above those in KRS 189.210 (30,000 lbs.) but less than 189.222 (see maximum based on axels not to exceed 80,000 lbs.)</li> <li>(2) The permit will be issued for specified materials only and designate the portions of the fiscal court-owned road over which the vehicle may operate. A cooperative agreement is required as a condition of issuing the permit under KRS 189.230.</li> <li>(3) Dimensions and load may not exceed limits in KRS 189.222</li> <li>(4) operator must not violate terms and conditions</li> <li>(5) Fiscal court may: <ul style="list-style-type: none"> <li>(a) supervise administration and enforcement of this section</li> <li>(b) adopt ordinances regulating permits “including but not limited to matters concerning the duration of permits and weight limits for various types of vehicles, materials and highways”</li> <li>(c) adopt rules and regulations about the amounts, terms, and conditions of a bond and the sufficiency of the surety of any bond in this section</li> <li>(d) issue, continue, revoke, modify, or deny permits in this section</li> </ul> </li> </ul>
<a href="#">KRS 189.221</a>	Basic height, width, length, and weight limits for trucks, trailers, manufactured homes, or vehicles -- Exception.	June 25, 2009	<p>Limits the following trucks, trailers, manufactured homes, or vehicles from travelling on any road other than those highways designated by the secretary of transportation in KRS 189.222 or locally maintained highways in KRS 189.222(11) or KRS 189.230(4):</p> <ul style="list-style-type: none"> <li>(1) over 11.5' tall or 96" wide,</li> <li>(2) Any truck except semitrailer trucks 26.5' long</li> <li>(3) Any semitrailer trucks 30' long</li> <li>(4) Any truck, semitrailer truck, or truck and trailer over 36,000 pounds gross weight including the load</li> <li>(5) Any truck, semitrailer, or tractor-trailer over 600 pounds per square inch of the combined tire width, but no more than 36,000 pounds</li> </ul>

			(6) Any truck hauling building materials under KRS 189.2226 or to a road construction project on a highway rated less than the maximum above, may haul up to 80,000 pounds gross weight, including load, without a permit.
<a href="#">KRS 189.222</a>	Increased height, length, and weight limits on designated highways -- Exceptions -- Cabinet may promulgate administrative regulations to implement 23 C.F.R. Part 658 -- Restriction of cabinet's enforcement powers on locally maintained roads.	July 14, 2018	<p>(1) Secretary may increase maximum height, length and gross weight of KRS 189.221 on state-maintained highways. Cannot exceed federal law or jeopardize qualification for federal funds.</p> <p>(a) Increase on height: transporting motor vehicles: 14'; all others up to 13.5'</p> <p>(b) Increase on length: 53' for semitrailers, 28' for trailers, 45' for motor trucks not to exceed 2 trailers per truck tractor</p> <p>(c) Increase on weight:</p> <ul style="list-style-type: none"> <li>• 20,000 pounds per single axle, with axles less than 42" apart</li> <li>• 34,000 pounds on 2 axles in tandem axles spaced 42" apart</li> <li>• 48,000 pounds on 3 axles spaced 42" or more apart and less than 120" apart</li> <li>• No single axle in any arrangement may exceed 20,000 pounds or 700 pounds per inch of the aggregate width of all tires on a single axle, whichever is less</li> <li>• Total gross weight of vehicle and load cannot exceed 80,000 pounds.</li> </ul> <p>(d) Allows tolerance of 5% per axle load except on the interstate; gross weight cannot exceed 80,000 pounds</p> <p>(e) Truck tractor, semitrailer, trailer combinations, and other vehicle combinations must operate on the interstate system, federal aid highway, or designated state-maintained system.</p> <p>(f) Exception to 1.(e): a vehicle or combination of vehicles 102" wide or less and 80,000 pounds gross weight or less may be driven on any state highway up to 15 miles from an interstate or parkway exit</p> <p>(2) In addition to KRS 189.2226, vehicles up to 80,000 pounds can travel anywhere on a state highway without a permit if it does not exceed federal limits, and posted bridge limits, weight limits for the size and vehicle type of (1)(c), and transporting:</p> <p>(a) meat or agricultural crop products from farm to first market</p> <p>(b) livestock or poultry from their point of origin to first market. "Livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes, or any other animals of the bovine, ovine, porcine, caprine, equine, or camelid species.</p> <p>(c) primary forest products, including but not limited to "sawdust, wood chips, bark, slabs, or log" from point of origin to first market.</p> <p>(d) farming supplies, materials or equipment for the production of agricultural crop products, meats, livestock, or poultry.</p> <p>(3) Vehicles listed below registered under KRS 186.050 may exceed gross weight of (1)(c) by a weight tolerance of 10% except on interstates</p> <p>(a) Engaged in transportation of items listed in (2) (a-c)</p>

			<p>(b) Engaged exclusively in the transportation of feed for livestock or poultry</p> <p>(4) Vehicles exclusively transporting unmanufactured tobacco, unmanufactured tobacco products, or motor vehicles attain maximum lengths on state highways</p> <p>(5) Vehicles registered under 186.050(4) or 186.050(9) engaged exclusively in farm, primary forest or ready mix concrete are excluded from axle weight provisions, except on the interstate, and subject only to gross weight in (1)(c).</p> <p>(6) Vehicles registered under 186.050(3) hauling primary forest haulers, "including, but not limited to, vehicles transporting sawdust, wood chips, bark, slabs, or logs," may exceed the axle or gross weight provisions in (1)(c) by 10% except on the interstate</p> <p>(7) Vehicles registered under 186.050(3) exclusively collecting or hauling refuse are exempt from the axle weight limits, except on federal interstates, and subject only to total gross weight.</p> <p>(8) KYTC Secretary may increase weight and height limits for roads or highways being constructed or reconstructed or repaired by the contractor</p> <p>(9) Secretary may not authorize above the following limits on the federal aid highway system or state parkway system:</p> <p>(a) 102" in width, including any part of the body or load</p> <p>(b)</p> <ul style="list-style-type: none"> <li>• 20,000 pounds per single axle less than 42" apart</li> <li>• 34,000 pounds per tandem, spaced 42"-96" apart</li> <li>• 48,000 pounds on triaxles, spaced 42"-120" apart</li> <li>• 80,000 pounds total gross weight</li> <li>• The secretary may increase these limits if federal limits are increased.</li> </ul> <p>(10) Except on the interstates, vehicles exclusively hauling crushed stone, fill dirt and rock, soil, bulk sand, coal, phosphate, muck, asphalt, concrete, solid waste, tankage or animal residues, livestock and agricultural products are permitted a tolerance of 10% of axle weight.</p> <p>(7) KYTC may make administrative regulations to implement 23 C.F.R Part 658 relating to state or locally maintained roads and enforcement is not the responsibility of Cabinet law enforcement officers unless requested by corresponding local government in writing.</p>
<p><a href="#">KRS 189.2225</a></p>	<p>Operation of certain overdimensional motor vehicles authorized in some counties -- Operation of certain overdimensional</p>	<p>July 15, 1996</p>	<p>(1) In a county that does not have at least 10 miles of existing highway designated for motor vehicles that have a width of 102", a motor vehicle that does not exceed the length requirements set forth in KRS 189.222(1)(b) or a width of 102" may be operated on the state-maintained highways in that county with lane widths of 10' if those highway segments are designated 80,000 pound gross weight limit. KYTC will establish administrative regulation that lists the counties and highway segments that meet the criteria of this subsection.</p> <p>(2) Once the Cabinet establishes an administrative regulation (KAR) under KRS Chapter 13A designating more than 10 miles of highway in a county capable of accommodating vehicles with</p>



	motor vehicles transporting agricultural commodities or materials authorized on all public roads.		<p>these dimensions then they are no longer authorized to operate under the provisions of this statute.</p> <p>(3) Allows vehicles hauling agricultural commodities from a farm or transporting materials for the production of agricultural commodities not exceeding length or width limits in KRS 189.222(1)(b) or 102" to travel on any public road in KY.</p> <p>(4) Does not authorize weight limits to be exceeded on any highway or bridge.</p> <p>(5) Cabinet may establish KARs per KRS Chapter 13A to establish safety criteria for motor vehicles in this section.</p>
<a href="#">KRS 189.226</a>	Definitions -- Vehicles hauling building materials.	June 24, 2003	<p>(1) Definitions;</p> <p>(b) "Building materials" includes: 1. Agriculture products; 2. Asphalt; 3. Concrete; 4. Crushed stone; 5. Excavation equipment; 6. Fill dirt and rock; 7. Glass; 8. Landscaping materials; 9. Lumber or other wood products; 10. Minerals; 11. Roofing materials; and 12. Steel products</p> <p>(d) "State road" means a state or federal highway but does not mean an interstate or county road</p> <p>(2) Contrary to any other statutes, any vehicle hauling building materials to a home is allowed to travel on any state road without a permit if the weight of the vehicle is within the limits of the registration issued to the vehicle and within the axle limits for the vehicle. The vehicle is allowed to exceed gross weight or length, including vehicle and load, without fine.</p> <p>(3) The vehicle is allowed to travel the most direct route, "in the opinion of the operator", no more than 15 miles from a state road classified to carry the registered weight. If travelling on a class A highway the vehicle exceeding 96" wide requires an overdimensional permit. The operator must have a bill of lading.</p> <p>(4) May not exceed posted bridge weight or width without a permit.</p>
<a href="#">KRS 189.223</a>	Measuring or weighing of vehicle by peace officer -- Unloading of excess weight.	1950	A peace officer may measure or weigh any motor truck, semi, or trailer believed to be over maximum height, length, width, or weight limits prescribed by KRS 189.221, 189.222 Subsection 1, or permitted under 189.270. It may be weighed via portable or stationary scales and required to travel to scales if they are within 5 miles of where the truck was directed to stop. The officer may require the operator to unload a portion of the load to decrease the gross weight within legal limits or allow the truck to continue to the nearest city or nearest court with jurisdiction to unload. Refusal to unload is a violation of KRS 189.221 to 189.228.
<a href="#">KRS 189.230</a>	Reduction of load and speed limits -- Fiscal court to require cooperative	June 24, 2003	(1) Except in KRS 189.221 (6), 189.222, and 189.226, the department has authority on state and federal highways, and county judges/executive on county highways, to reduce load and speed limits lower than KRS 189.221 and KRS 189.390 subsection 4, or prohibit trucks for limited periods for public safety and convenience, on state, federal, and county highways if "if in their

	agreement of persons applying for permit under KRS 189.212.		<p>judgment any highway may, by reason of its design, deterioration, rain, or other natural causes, be damaged or destroyed by motor trucks or semitrailer trucks, if their gross weight or speed exceeds certain limits.”</p> <p>(2) The department may prescribe gross weight limits lower than KRS 177.9771 on the EWCHS when bridge design or deterioration would lead to damage or destruction to the point of catastrophic failure. All bridges must conform to KRS 177.9771(4)(a) to (d).</p> <p>(3) Lowered gross weights must be posted at the termini and intermediate crossroads and road junctions of the highway.</p> <p>(4) Describes cooperative agreements between permit holders under KRS 189.212 and the fiscal court. The agreement must provide equal apportionment of “the incremental costs for design, maintenance, construction, or reconstruction of those roads and bridges on which the person will be operating under the permit issued under KRS 189.212.” The fiscal court may require bond as a part of the cooperative agreement to ensure payment of the equitable costs associated with the permit under KRS 189.212. The funds collected from the cooperative agreement or bond must be used on roads covered under the cooperative agreement.</p> <p>(5) Fiscal courts must expend normal routine maintenance on cooperative agreement roads.</p> <p>(5) The person who entered a cooperative agreement with the fiscal court may terminate the agreement by providing written notice to the court. Upon termination of the cooperative agreement the permit will be revoked immediately.</p>
<a href="#">KRS 189.269</a>	Prohibition on new overweight or overdimensional permits -- Exception.	June 27, 2019	After June 27, 2019 no new overweight/overdimensional permits or tolerance will be granted to motor carriers under this chapter except overweight permits established in KRS 177.985 and 177.986 (unrefined petroleum products) may be extended until June 30, 2033.
<a href="#">KRS 189.2301</a>	Axle weight exemption for vehicles on state-maintained AAA highways.	June 29, 2017	A vehicle that has a valid registration of a declared gross vehicle weight, 80,000 pounds or less, including towed unit, is exempt from any axle weight provisions on "AAA" state-maintained highway. Written documentation is required if the vehicle is hauling 79,999 pounds or less. Does not apply to interstates or any highway where the load would exceed posted bridge limits.
<a href="#">KRS 189.270</a>	Special permits to exceed limits.	July 15, 2020	(1) The department may issue permits for motor or recreational vehicles, manufactured homes, boats or other transporting vehicles carrying nondivisible loads with gross weight, load, height, width, or length, exceeds limits of this chapter. Permits may be issues for specified periods, purposes, and unusual conditions as long as the terms are in the interest of public safety and preservation of highways.

			<p>(2) Except in in subsection (8) a single-trip overweight or overdimensional permit may be issued regardless of type of vehicle or equipment transported for nondivisible loads for \$60.</p> <p>(3) (a) Except in in subsection (8) an annual overweight or overdimensional permit may be issued regardless of type of vehicle or equipment transported for nondivisible loads.  (b) Vehicle permitted may not exceed 16' wide, 120' long, 13' 6" tall, or 160,000 lbs.  (c) Establishes cost of annual permits. Except in sub sections (4), (7), (8) annual permits for loads 14 ft. or less is \$250; exceeding 14 ft. is \$500.</p> <p>(4) Establishes cost of farming equipment permit. Annual permits for loads 14 ft. or less is \$80; exceeding 14 ft. from dealership to farm, farm to dealership, farm to farm, or dealership to dealership is \$150.</p> <p>(5) Permits are valid statewide but the department may restrict the overweight/overdimensional vehicle to certain routes, exclude highways, or cancel the permit due to risk of accident or impediment to traffic. The permit applicant agrees to measure all clearances of highway structures and along the specified route and assume sole risk for using the highway.</p> <p>(6) With limitations in subsection (12) the department may set KARs for escort vehicles, safety markings, and other safety restrictions, for overweight/overdimensional vehicles. A copy of all restrictions will be provided to applicant. The department is prohibited from raising the permit fee established in subsections (2) and (3) by levying additional fees on overweight/overdimensional permits through KARs.</p> <p>(7) (a) An overweight/overdimensional permit may be issued for manufactured housing as a nondivisible load (notwithstanding KRS 189.269)  (b) Vehicle permitted may not exceed 16' wide, 120' long, 13' 6" tall, or 160,000 lbs.  (c) (c)(1) Establishes cost for annual permit for transporting manufactured home as \$1,500 for loads greater than 13' 6" tall and (2) \$500 for loads 14 ft. or less wide and 13' 6" or less tall.  (d) (1) permit holder must abide by escort requirements, markings, and other safety restrictions for overweight/overdimensional vehicles (2) vehicle must have GPS with records open for Cabinet inspection  (e) Establishes fine for violations as \$1,000 for operating greater than 13' 6" tall in a restricted area.</p> <p>(8) An annual permit will not be issued if the person is eligible for an annual permit under KRS 189.2716 (steel products to KY riverport) or 189.2717 (nondivisible loads with axle weight limitations on specified routes).</p> <p>(9) Applicant may be required to "give bond, with approved surety, to indemnify the state or counties against damage to highways or bridges resulting from use by the applicant." If the operator has a permit or authenticated copy in procession then the operator is not in violation.</p>
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<a href="#">KRS 189.271</a>	Special permits for hauling industrial materials -- Renewals -- Overweight and overdimensional vehicles.	2000	<p>1) Cabinet may issue overdimensional permits for hauling industrial materials in excess of limits including the vehicle and load. Requires permits for specified materials and designated routes on the state’s primary road system up to three years and renewed pending inspection of the routes listed on the permit.</p> <p>2) The cabinet may create a system where the permit holder can obtain a new permit for different routes or materials without having to complete a new application or pay a separate application fee.</p> <p>3) Reasonable fees are required for the permit. An applicant convicted of violating the weight provisions in KRS 189.990 (2)(a) two or more times in 5 years must give bond with approved surety up to \$6,000 for each vehicle to “to indemnify the Commonwealth of Kentucky against damage to highways or bridges resulting from the operation of any motor vehicle under the authorization of such permit. A bond acquired under this subsection may be carried forward to another permit if the cabinet has not gone against the bond.”</p> <p>4) Operating with a permit does not constitute violations in this chapter</p> <p>5) Permit may not exceed allowable maximum gross weight, including vehicle and load in KRS 189.222.</p> <p>6) Permit may not exceed allowable dimensions in KRS 189.222.</p> <p>(8) Operators must not violate terms of permit.</p> <p>(9) Defines industrial materials: “all cargo, whether divisible or indivisible, which a motor vehicle transports in the usual and ordinary course of business and shall specifically include, but not be limited to, agricultural products, minerals, or natural resources transported by a motor vehicle.”</p> <p>(10) Cabinet may:</p> <ul style="list-style-type: none"> <li>a) Supervise and administer this section</li> <li>b) Make KARs on the limits of permit duration and weights limits for vehicle types, materials, and highways</li> <li>c) Make KARs for bond requirements, allow applicants not required to post surety bond to self-insure.</li> </ul>

			d) Issue, continue, revoke, modify, or deny permits under this section.
<a href="#">KRS 189.2713</a>	Annual and single-trip permits for transporting loads of metal commodities weighing between 80,001 and 120,000 pounds -- Administrative regulations.	June 27, 2019	<ol style="list-style-type: none"> <li>1) Metal commodities defined: "output products from metal producing industries that are transported in their most basic and original form from a mill or storage facility to market for processing." It does not include manufactured parts transported from a manufacturer or supplier to another customer.</li> <li>2) The department to adopt KARs for annual and single-trip permits for vehicles transporting metal commodities in divisible or nondivisible loads weighing 80,001 to 120,000 lbs. to or from a facility manufacturing metal commodities in the state or metal commodities storage facility.</li> <li>3) Metal commodities carriers may apply for annual single-trip overweight permits, specific to a single truck and valid 24 hrs. a day.</li> <li>4) (a) Annual permits are \$1,250 (b) Single-trip permits are \$100</li> <li>5) Permits will contain a website hyperlink or other method to provide carriers with approved routes.</li> <li>6) Requires reporting of number of trips made and total miles driven under the permit in the previous year for permit renewal.</li> <li>7) KARs may require motor carriers to meet Federal Motor Carrier Safety Administration (FMCSA) safety ratings and measurement system scores prior to permitting.</li> </ol>
<a href="#">KRS 189.2716</a>	Annual overdimensional permit for transporting steel products to a Kentucky riverport -- Width and mileage limitations.	July 15, 2016	<ol style="list-style-type: none"> <li>1) Defines "riverport"</li> <li>2) Subject to KRS 189.222, KYTC to establish KARs for overdimensional permit for transporting steel products in divisible or nondivisible loads on state highways from a facility manufacturing products in the state to a riverport in the state.</li> <li>3) Sets maximum width at 10'.</li> <li>4) Annual permits must identify the route; limited to 7 road miles from the manufacturing facility. It is valid 24 hrs. a day. The annual permit costs \$250.</li> </ol>
<a href="#">KRS 189.2717</a>	Annual overweight permit for transporting nondivisible loads over specified routes -- Axle-weight limitation.	July 15, 1998	<ol style="list-style-type: none"> <li>1) Subject to KRS 189.222, KYTC may establish KARs for annual permits of nondivisible loads on specified routes. Gross weight may not exceed 120,000 lbs.</li> <li>2) The following axle weights may not be exceeded: <ol style="list-style-type: none"> <li>(a) single axle, steering axle with one wheel on each side of the axle less axles than 42" apart = 15,000 lbs.</li> <li>(b) tandem, with axles spaced 42"-96" apart = 40,000 lbs.</li> <li>(c) tridem, with axles spaced 42"-120" apart = 65,000 lbs.</li> <li>(d) dual axle, 1 axle with 2 wheels on each side of the axle = 20,000 lbs. each</li> </ol> </li> <li>3) Vehicles must comply with safety provisions</li> <li>4) Sets annual permit fee as \$500.</li> </ol>

			5) Permits are subject to roadway and infrastructure adequacy on a route.
<a href="#">KRS 189.2718</a>	Administrative regulations regarding issuance of annual certificates for transporting feed for livestock or poultry to a farm or other facility housing livestock or poultry.	July 14, 2018	Does not include weight limit details. (1) The department may create administrative regulations to issue annual certificates for motor carriers exclusively engaged in transporting feed for livestock or poultry to a farm or other facility housing livestock or poultry. (2) Feed or poultry carriers transporting in divisible or non-divisible loads may apply for an annual certificate. (a) specific to a single truck (b) valid 24 hrs. a day (c) kept in the vehicle at all times of operation (3) Fee for certificate is \$150. (4) KARs may require motor carriers to meet Federal Motor Carrier Safety Administration (FMCSA) safety ratings and measurement system scores prior to permitting.
<a href="#">KRS 189.272</a>	Venue and jurisdiction -- Overweight vehicle cases.	1974	The District Court where the offense occurred shall have venue and jurisdiction for prosecuting violations to weight limits in KRS 189.221, 189.222, 189.226, 189.230, 189.270 and 189.271.
<a href="#">KRS 189.280</a>	Trucks and trailers owned by governmental units -- Regulation of trucks and trailers by cities.	January 1, 2015	(1) KRS 189.221 to 189.230 and 189.280 do not apply to motor trucks, semitrailer trucks, or trailers owned by the U.S., Commonwealth of Kentucky, or any of their agencies, any county or city. (2) If a motor truck, semi-truck or trailer is licensed by a city per KRS 186.270, then KRS 189.221 and 189.222(1) will not apply within the limits of the licensing city or 15 miles of the city if the population is equal to or greater than 3,000, or 5 miles if the population is less than 3,000, except state-maintained highways and connecting link streets, designated by the commissioner of highways, or county highways, designated by the county judge/executive, as long as the vehicle does not exceed weight and size limits established by city ordinance. (3) Cities may establish ordinances to set maximum limits on weight, height, width, and length of trucks and trailers in city limits not less than the maximum limits in KRS 189.221 and KRS 189.222(1).
<a href="#">KRS 189.990</a>	Penalties.	June 27, 2019	The statute details the penalty fees assessed for violating weight limits.
<a href="#">KRS 281.605</a>	Exemption of motor vehicles used for certain purposes	June 29, 2017	Provisions of this chapter, except safety regulations, do not apply to: (2) "Except as provided in paragraph (e) of this subsection, motor vehicles, regardless of ownership, used exclusively: (a) For the transportation of agricultural and dairy products, including fruit, livestock, meats, fertilizer, wood, lumber, cotton, products of grove or orchard, poultry, and eggs, while owned by the producer of the products, including landlord where the relation of landlord and tenant or landlord

			<p>and cropper is involved, from the farm to a market, warehouse, dairy, or mill, or from one (1) market, warehouse, dairy, or mill to another market, warehouse, dairy, or mill. As used in this paragraph and in paragraph (b) of this subsection, "livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes, or any other animals of the bovine, ovine, porcine, caprine, equine, or camelid species;</p> <p>(b) For the transportation of agricultural and dairy products, livestock, farm machinery, feed, fertilizer, and other materials and supplies essential to farm operation, from market or shipping terminal to farm;</p> <p>(c) For both the purposes described in paragraphs (a) and (b) of this subsection;</p> <p>(d) For the transportation of agricultural and dairy products from farm to regularly organized fairs and exhibits and return; or</p> <p>(e) Motor vehicles used for the transportation of fly ash, in bags, sacks, or other containers, the aggregate weight of which does not exceed ten thousand (10,000) pounds; or bottom ash, waste ash, sludge, and pozatec which is being removed from the premises of a power generator facility for the purpose of disposal;"</p> <p>(5) "Motor vehicles owned in whole or in part by any person and used by such person to transport commodities of which such person is the bona fide owner, lessee, consignee, or bailee; provided, however, that such transportation is for the purpose of sale, lease, rent, or bailment, and is an incidental adjunct to an established private business owned and operated by such person within the scope and in furtherance of any primary commercial enterprise of such person other than the business of transportation of property for hire;"</p> <p>(7) "Motor vehicles used exclusively for the transportation of coal from the point at which such coal is mined to a railhead or tipple where the railhead or tipple is located at a point not more than fifty (50) air miles from the point at which the coal is mined;"</p>
<a href="#">KRS 281.655</a>	Bonds or insurance policies.	June 24, 2015	Details bonds or insurance requirements for most motor vehicles. See exemptions in KRS 281.605.
<a href="#">KRS 350.0285</a>	Notification to Transportation Cabinet of permits for mine openings and of mine closings under authority of cabinet	July 15, 1994	The Energy and Environment Cabinet will notify the Secretary of Transportation every 6 months of permits issued for mine openings and mine closings under the Energy and Environment Cabinet's authority.
<a href="#">KRS 350.055</a>	Publication of notice of intention to mine by permit applicant --	June 29, 2017	(1-4 ) Describe the requirements for a person who has applied for a permit to engage in surface coal mining and reclamation operations must publish public notice of the permit application filing by n newspaper advertisement of the largest circulation in the county of the proposed mining site per KRS 424.110 to 424.120.

	Notification of various local government bodies by cabinet.		(5) The Energy and Environment Cabinet must notify various local government bodies, planning agencies, and sewage and water treatment authorities and water companies in the locality of the proposed operation notifying them of the applicant's intention to mine the land area as set forth in the notice of intention to mine, and identifying the permit application number assigned by the cabinet and where a copy of the permit application may be inspected. The Energy and Environment secretary will create regulation specifying the manner in which agencies may comment on the application and any comments will be made public and forwarded to the applicant.
<a href="#">KRS 350.060</a>	Permit requirement -- Contents of application -- Fee -- Bond -- Administrative regulations -- Successive renewal -- Auger mining of previously mined area -- Exempt operations.	June 29, 2017	(1) (a) Permits are required for surface coal mining and reclamation operations. Permits are for a period of 5 years unless otherwise specified (b) Under the provisions of KRS 350.010(1)(2), "no person shall knowingly and willfully receive, transport, sell, convey, transfer, trade, exchange, donate, purchase, deliver, or in any way derive benefit from coal removed from any surface mining operation which does not have a permit as required under this section." (2-18) cover permits, application requirements, fees, bonds, administrative regulations, renewals, auguring in a previously mined area, and exemptions.
<a href="#">KRS 351.070</a>	Duties of the commissioner -- Division of Mine Safety -- Secretary may promulgate administrative regulations -- Family liaison -- Civil monetary penalties.	June 29, 2017	Referenced in KRS 177.977(2), however, the statute does not refer to the coal road system. Establishes the duties of the Commissioner of the Department of Natural Resources and the Division of Mine Safety including gathering various data, making inspections and administrative regulations. (6) The commissioner collects statistics relating to coal mining in the state and makes an annual report of the statistics.
<a href="#">KRS 351.175</a>	Provisions concerning license to operate mine -- Submissions required for license	June 24, 2015	Provides license requirements to operate a mine. No transportation related content.



	-- Revocation of license.		
<a href="#">KRS 352.420</a>	Required notice to commissioner.	July 12, 2006	Referenced in KRS 177.977(2) (1) The operator, superintendent, or mine manager of each mine must notify the Commissioner of the Department of Natural Resources about the (a) abandonment of a mine (b) resumption of work on an abandoned mine or (c) change in operator name (2) The department must inspect and approve an abandoned mine before resuming operations.
<a href="#">KRS 350.10</a>	Definitions for chapter.	July 15, 2010	Provides Definitions for Chapter 350, Surface Coal Mining (8) "Operator" is defined as any person, partnership, or corporation engaged in surface coal mining operations who removes or intends to remove more than twenty-five (25) tons of coal from the earth by coal mining within twelve (12) consecutive calendar months in any one (1) location; (10) "Cabinet" means the Energy and Environment Cabinet (11) "Secretary" means secretary of the Energy and Environment Cabinet (20) "Permit applicant" or "applicant" means a person applying for a permit; (21) "Permittee" means a person holding a permit to conduct surface coal mining and reclamation operations;
<a href="#">KRS 350.0285</a>	Notification to Transportation Cabinet of permits for mine openings and of mine closings under authority of cabinet	July 15, 1994	The Energy and Environment Cabinet will notify the secretary of the Transportation Cabinet every 6 months of any permits issued for mine openings and closings.
<a href="#">601 KAR 35:020</a>	Transportation plans.		The KAR regulates gathering information from coal shippers and owners regarding the movement of coal to certify a transportation plan. In the Necessity, Function and Conformity the KAR points to KRS 351.175(6) and KRS 350.060(11) as requiring transportation plans, however the references appear to be in error. KRS 351.175(6) requires that mine operators submit a transportation plan certified by the Department of Vehicle Regulation with their application for mining licenses and KRS 350.060(11) requires that mine operators submit a transportation plan certified by the Transportation Cabinet with their application for mining licenses. Section 1. Application for Transportation Plan. Those seeking a license to operate a mine (KRS 351.175) or seeking a permit for surface coal mining and reclamation operations (KRS 350.060), or transporting coal (per 42.455 and 177.977) must apply for a certified transportation plan from the Department of Highways for each route the applicant proposes to transport materials. The applications may be obtained from highway district offices.

		<p>Section 2. Form of Application. The application form will require information identifying the transportation highway where coal will originate, all the roads, streets, and bridges requested by the applicant, and include a map of the designated desired route. Specified forms are available from district highway offices.</p> <p>Section 3. Filing of the Application. The original and two (2) copies of the application must be submitted for the county where the haul route originates. Separate applications are required for each origin and destination.</p> <p>Section 4. Reporting Requirements. Stipulates quarterly reports for those issued a transportation plan per 603 KAR 5:115, however 603 KAR 5:115 requires only 6-month interval reporting.</p> <p>Section 5. Certification of Transportation Plans. The Chief District Engineer in the district where the haul originates certifies the plan on behalf of the Department of Vehicle Regulation and Transportation Cabinet.</p> <p>Section 6. effective date April 1, 1987</p>																		
<p><a href="#">601 KAR 35:060</a></p>	<p>Extended weight coal haul decals.</p>	<p>Regulates the procedures for applying for an extended coal haul decal and its placement.</p> <p>Section 1. Indicates KRS 177.9771 authorizes the Department of Vehicle Regulation, Division of Motor Vehicle Licensing to issue extended coal haul decals. Application will contain the following registrant and vehicle information: (1) vehicle owner's name and address; (2) registrant's name if other than the owner (for International Registration Plan only); (3) VIN; (4) axle arrangement; (5) applicant's signature and (6) current registration license plate number of the vehicle, current registration receipt or other proof of current registration.</p> <p>Section 2. The Department of Vehicle Regulation will not issue a decal for a vehicle currently registered for 80,000 lbs. Out-of-state applicants must provide proof of current registration of at least 80,000 lbs. gross weight.</p> <p>Section 3. Decals will not be issued for vehicles without current KY registration or jurisdiction under the International Registration Plan.</p> <p>Section 4. Applications may be sent by mail. Describes payment methods.</p> <p>Section 5. Decals are valid from date of purchase until April 30 of the date of issuance.</p> <p>Section 6. Provides the pro-rates decal fee schedule:</p> <table border="1" data-bbox="892 1166 1633 1412"> <thead> <tr> <th>PURCHASE MONTH</th> <th>TANDEM AXLE 90,000 LBS.</th> <th>TRIDEM AXLE 100,000LBS.</th> </tr> </thead> <tbody> <tr> <td>May</td> <td>\$160.00</td> <td>\$260.00</td> </tr> <tr> <td>June</td> <td>146.67</td> <td>238.33</td> </tr> <tr> <td>July</td> <td>133.33</td> <td>216.67</td> </tr> <tr> <td>August</td> <td>120.00</td> <td>195.00</td> </tr> <tr> <td>September</td> <td>106.67</td> <td>173.33</td> </tr> </tbody> </table>	PURCHASE MONTH	TANDEM AXLE 90,000 LBS.	TRIDEM AXLE 100,000LBS.	May	\$160.00	\$260.00	June	146.67	238.33	July	133.33	216.67	August	120.00	195.00	September	106.67	173.33
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<a href="#">601 KAR 35:070</a>	License plates for trucks operated under cooperative agreements.		<p>This KAR sets the procedures for applying for cooperative license plates.</p> <p>KRS 177.9771 authorizes the Transportation Cabinet to issue license plates to vehicles transporting coal and operated exclusively under a cooperative agreement under KRS 177.979 and 603 KAR 5:220.</p>																																										

			<p>Section 1. Owners of vehicles listed in cooperative agreements may elect to have cooperative license plates for a vehicle operated exclusively on roads under the agreement. The owner must apply with the county clerk where the vehicle is registered. There is no registration fee for the plate although other fees and taxes apply. The county clerk ensures the applicant has complied with (1) applicable usage taxes and ad valorem taxes; (2) federal heavy vehicle highway use tax requirements; and (3) the vehicle is insured, if required.</p> <p>Section 2. The owner will apply on forms to the Department of Vehicle Regulation, Division of Motor Vehicle Licensing with at least the following information: (1) Owner's name and address; (2) The number of vehicles to be issued identifying plates; and (3) the VIN of each vehicle.</p> <p>Section 3. The application must be submitted (in person or mail) to the Department of Vehicle Regulation, Division of Motor Vehicle Licensing with a copy of the cooperative agreement and certificate of registration from the county clerk.</p> <p>Section 4. Registration expires on March 31 for the year it was issued.</p> <p>Section 5. The plate may only be placed on the vehicle for which it was issued.</p> <p>Section 6. Vehicles with these plates may operate on non-cooperative agreement roads only if they are empty and meet the maximum weight limits of the roads.</p> <p>Section 7. If the cooperative agreement is terminated or if the vehicle ownership is transferred, then the plate must be returned to the Division of Motor Vehicle Licensing.</p>
<a href="#">601 KAR 1:018</a>	Special overweight or overdimensional motor vehicle load permits.		<p>Conforms with KRS 189.270(6), 189.271(9)(b), 189.2715(1), 189.2716 and 189.2717(1) for the Secretary of KYTC to issue permits for vehicles with divisible or nondivisible loads exceeding legal weight or dimensional limits. Establishes procedures and requirements for single trip or annual permits of overweight/overdimensional vehicles and loads, escorts, houses/buildings, and ocean-going container cargo.</p> <p>Section 1: Provides definitions relevant to overdimensional and overweight vehicles.</p> <p>(7) Defines “nondivisible” load as “a load, cargo unit, or vehicle that if separated into smaller loads or vehicles would: (a) Compromise the intended use of the vehicle, making it unable to perform the function for which it was intended; (b) Destroy the value of the load or vehicle, making it unusable for its intended purpose; or (c) Require more than four (4) or eight (8) work hours to dismantle and reassemble contingent on the route traveled.”</p> <p>(8) Defines “overdimensional” as exceeding limits in 603 KAR 5:070.</p> <p>(9) Overweight defined as exceeding:</p> <ul style="list-style-type: none"> <li>(a) the gross weight in 603 KAR 5:066</li> <li>(b) the gross and axle weight limits in 603 KAR 5:066</li> <li>(c) the gross weight limits in KRS 177.9771 for coal for coal or coal byproducts</li> <li>(d) bridge weight in 603 KAR 5:066 or posted bridge limits</li> <li>(e) the gross weight limit posted at a bridge or other structure</li> </ul>

			<p>(10) "Permit fee" means the fee established in KRS 189.270, 189.2715, or 189.2717 for the issuance of an overweight or overdimensional trip or annual permit, to cover the cost of processing the permit application, including: (a) A qualification check of the applicant; (b) A statutory compliance check; and (c) An initial bridge and weight analysis.</p> <p>(14) Defines "Steering axle" as "axle or axles of a vehicle or combination of vehicles by which the vehicle or vehicles are guided or steered."</p> <p>(15) Defines "Tandem" as any two (2) axles with centers forty two (42) inches or more apart but less than ninety six (96) inches apart."</p> <p>(16) Defines "Tridem" as any three (3) consecutive axles with centers forty two (42) inches or more apart and less than 120 inches apart."</p> <p>(17) Defines "Trunnion axle" as "an axle configuration with two (2) individual axles mounted in the same transverse plane with four (4) tires on each axle connected at a pivot point that allows each individual axle to oscillate in a vertical plane to provide constant and equal weight distribution on each individual axle."</p> <p>Section 2: Provides the requirements for an overweight or overdimensional Permit application.</p> <p>Section 3: Permit Validity and Availability.</p> <p>(3) An overweight or overdimensional permit will "not be issued for a divisible load that if reasonably divided, dismantled, disassembled, or rearranged would no longer be overweight or overdimensional except as provided by KRS 189.2715, 189.2716, or 189.2717."</p> <p>(4) Allows a special overweight or overdimensional annual or trip permit for a motor vehicle with a gross weight or gross dimension in excess of the weights and dimensions established in KRS 189.270, 189.271, 189.2715, and 189.2717 "if the movement is necessary to provide transportation for specified cargo that is in the interest of the health, welfare, or economy of the Commonwealth."</p> <p>Section 4: Covers changes to overweight or overdimensional Permits.</p> <p>Section 5: Details travel restrictions:</p> <p>Section 6: Details the height requirements for overweight/overdimensional permits. The maximum height of a permit is 13 ft. 6 inches tall.</p> <p>Section 7: Weight .</p> <p>(1) Gross or axle overweight is not permitted on:</p> <p>(a) Unit does not have a registered weight of at least 80,000 or</p> <p>(b) towing vehicle with horsepower insufficient to safely transport the load</p> <p>(2) Single axle weight shall not exceed 700 pounds times the aggregate width in inches of all tires on the axle or the following axle group weights, whichever is less:</p> <p>(a) single wheel axle = 24,000 pounds</p> <p>(b) steering axle = 20,000 pounds</p> <p>(c) tandem dual-wheel axle group combination with 5 axles = 45,000 pounds</p>
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			<ul style="list-style-type: none"> <li>(d) tandem with 6 or more axles = 48,000 pounds</li> <li>(e) tridem axle = 60,000 pounds</li> <li>(f) 5 axle combination units = 96,000 gross weight</li> <li>(g) 6 axle combination units = 120,000 pounds gross weight</li> <li>(h) seven axle combination = 160,000 pounds gross weight</li> </ul> <p>(3) trunnion axle group determined by route and bridge analysis performed by cabinet’s Bridge Preservation Branch</p> <p>(4) maximum weight not permitted unless the bridges and roads on the route have the capacity to accommodate the load</p> <p>(5) self-propelled specialized mobile equipment may not exceed:</p> <ul style="list-style-type: none"> <li>(a) single axle = 23,000 pounds</li> <li>(b) tandem axle group = 46,000 pounds</li> <li>(c) tridem axle group = 69,000 pounds</li> </ul> <p>(6) 4 axle self-propelled specialized mobile equipment = 92,000 pounds</p> <p>(7) 5 axle self-propelled specialized mobile equipment = 115,000 pounds</p> <p>Section 8: Annual permit may be issued to manufacturer of self- propelled construction equipment not more than 10” width and 160,000 pounds.</p> <p>Section 10. Describes width requirements.</p> <p>Section 11-15 cover safety and escort requirements.</p> <p>Section 16: Building Materials. A vehicle hauling building materials to a home or site may travel 15 miles off a state highway for delivery if the highway is classified to carry the registered weight.</p> <ul style="list-style-type: none"> <li>1) Must meet axle weight limits. Vehicle not required to have a permit for overweight/over-length.</li> <li>2) Bill of lading required.</li> </ul> <p>Section 17: (4) A vehicle moving a sealed, containerized, ocean-going cargo unit must meet the limitations of KRS 189.222, 189.270, and Section 7 of this KAR. Bill of lading required.</p>
<a href="#">601 KAR 1:019</a>	Overweight or overdimensional farm equipment.		<p>Establishes the requirements for single trip and annual overweight/overdimensional farm equipment permits. Establishes safety requirements for escort vehicles for farm equipment and exempts some farm equipment from permit requirements.</p> <p>Section 1. Definitions including:</p> <p>(6) “Overweight” means:</p> <ul style="list-style-type: none"> <li>(a) The gross weight limit established in 603 KAR 5:066;</li> <li>(b) The axle weight limit established in 603 KAR 5:066;</li> <li>(c) The gross weight limits established by KRS 177.9771 for a motor vehicle transporting coal or coal by-products;</li> <li>(d) The bridge weight limit established by 603 KAR 5:066; or</li> <li>(e) The gross weight limit posted at a bridge or other structure.</li> </ul>

			<p>Section 2. Overweight or Overdimensional Permit Not Required.</p> <ol style="list-style-type: none"> <li>1) A permit is not required for transporting overweight/overdimensional farm equipment or self-propelled farm equipment from: <ol style="list-style-type: none"> <li>a) One farm to another</li> <li>b) A farm to a repair shop or dealer;</li> </ol> </li> <li>2) Non-permitted moves require compliance with safety requirements of this KAR</li> </ol> <p>Section 3. Overweight or Overdimensional Annual or Single Trip Permit Required.</p> <ol style="list-style-type: none"> <li>1) A single-trip or annual overweight/overdimensional permit is required from: <ol style="list-style-type: none"> <li>a) Manufacturer to dealer;</li> <li>b) Dealer to manufacturer; or</li> <li>c) Dealer to dealer</li> </ol> </li> <li>2) A single-trip or annual overweight/overdimensional permit is required on: <ol style="list-style-type: none"> <li>a) A fully controlled access highway;</li> <li>b) A toll road parkway; or</li> <li>c) Interstate highway;</li> </ol> </li> <li>3) Determination for permit based on the following: <ol style="list-style-type: none"> <li>a) The strength of bridges and structures on the route;</li> <li>b) Traffic congestion on the route;</li> <li>c) Horizontal and vertical clearance on the route;</li> <li>d) The availability of alternate routes that afford greater safety;</li> <li>e) Urban development in residential and commercial areas on the route;</li> <li>f) The proximity of schools to the route; and</li> <li>g) Another condition that would unduly compromise public safety and convenience.</li> </ol> </li> </ol> <p>Section 4. Overweight or Overdimensional Single Trip Permits. (1-3) Details issuance and applications for single trip permits. Permits required to move farm equipment or self-propelled farm equipment when the load is non divisible farm equipment exceeding the weight or dimensions established in KRS 189.222 or 189.270(3) and (4).</p> <p>Section 5. Overweight or Overdimensional Annual Permits. (1-3) Details issuance and applications for annual permits as established in KRS 189.270(3) and (4).</p> <p>Section 6. Overweight or Overdimensional Permits for Self-propelled Farm Equipment.</p> <ol style="list-style-type: none"> <li>1) Self-propelled farm equipment is prohibited on: <ol style="list-style-type: none"> <li>a) Toll road;</li> <li>b) Parkway; or</li> <li>c) Interstate highway</li> </ol> </li> <li>2) Self-propelled farm equipment will be issued a permit to operate on a fully controlled access highway if: <ol style="list-style-type: none"> <li>a) it does not impede traffic; and</li> <li>b) accompanied by an escort vehicle if required by Section 7</li> </ol> </li> </ol>
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			<p>Section 9. Travel Restrictions. Adverse weather restrictions on 12 feet wide equipment.</p> <p>Section 10. Height and Weight Requirements.</p> <ol style="list-style-type: none"> <li>1) Nonexempt farm vehicle and load exceeding 13' 6" requires a single-trip permit</li> <li>2) Maximum height for each single trip permit determined by the cabinet based on bridge and underpasses on the route</li> <li>3) Gross or axel overweight will not be permitted a nonexempt farm vehicle with the following configuration: <ol style="list-style-type: none"> <li>a) A combination unit of less than five (5) axles; or</li> <li>b) A single unit.</li> </ol> </li> <li>4) Must have declared weight of at least 80,000 lbs.</li> <li>5) The weight on a single axle in a combination shall not exceed the product of 700 pounds times the aggregate width in inches established by the manufacturer's stamped tire measurement of all the tires on the axle, or the following axle or axle group weights, whichever is less <ol style="list-style-type: none"> <li>a) Single-wheel axle: 24,000 pounds;</li> <li>b) Steering axle: 20,000 pounds;</li> <li>c) Tandem dual-wheel axle group if the combination vehicle has only five (5) axles total: 45,000 pounds;</li> <li>d) Tandem dual-wheel axle group if the combination vehicle has six (6) or more axles total: 48,000 pounds;</li> <li>e) Tridem dual-wheel axle group: 60,000 pounds;</li> <li>f) Five (5) axle combination units not exceeding 96,000 pounds gross weight;</li> <li>g) Six (6) axle combination units not exceeding 120,000 pounds gross weight;</li> <li>h) Seven (7) axle combination units not exceeding 160,000 pounds gross weight; or</li> <li>i) Trunnion axle group maximum gross weight as determined by the bridge weight formula established in 603 KAR 5:066, Section 2(7).</li> </ol> </li> </ol> <p>The maximum weight will not be permitted, unless all bridges and roads on the moving route have sufficient capacity to accommodate the load.</p>
<p><a href="#">601 KAR 1:020</a></p>	<p>Permit for hauling industrial materials; fee; bond.</p>		<p>Empowers the Cabinet to issue special permits to owners, operators, or lessees of motor vehicles for hauling industrial materials whose gross weight or dimensions, including vehicle and load, exceed the limits set by or does not comply with KRS Chapter 189.</p> <p>Section 1. Applications.</p> <ol style="list-style-type: none"> <li>(2) applications require a transportation plan submitted to highway district office with jurisdiction over the major portion of proposed haul routes</li> <li>(3) transportation plan must indicate and identify the route number of highways for proposed hauling</li> </ol>



			<p>Section 2. Bond Requirements.</p> <ul style="list-style-type: none"> <li>(1) Permit holders in good standing are not required to post bond.</li> <li>(2) Applicants are not in good standing and require a performance bond if: <ul style="list-style-type: none"> <li>(a) Operators deviate from an existing transportation plan or violates safety provisions in Section 5 of this KAR</li> <li>(b) Operators are convicted under KRS 189.990(2)(a) two or more times within a 5 year period.</li> </ul> </li> <li>(3) If required to post a performance bond the following apply: <ul style="list-style-type: none"> <li>(a) The applicant is the principal obligor on any industrial haul performance bond and the state will be the obligee.</li> <li>(b) The bond will be determined by the Cabinet and will not exceed \$6,000 per vehicle.</li> <li>(c) The applicant may file a surety bond, corporate bond, or self-insured bond subject to the following; <ul style="list-style-type: none"> <li>1. Applicants for corporate or self-insured bonds must submit an affidavit from an independent financial institution verifying permanent net assets located in Kentucky with a total value of \$500,000 or more.</li> <li>2. If liability is discharged on a performance bond the Cabinet may require filing a new bond</li> <li>3. An existing industrial haul permit bond may be carried forward and applied to a revised or renewed industrial haul permit if the Cabinet has not gone against the bond and there has not been a safety violation per Section 5 of this KAR.</li> </ul> </li> </ul> </li> </ul> <p>Section 3. Permit Terms and Conditions.</p> <ul style="list-style-type: none"> <li>(1) Industrial haul permits are valid for up to 3 years.</li> <li>(2) A separate permit is issued for each vehicle with paid permit fee. <ul style="list-style-type: none"> <li>(a) There is a \$20 annual application fee for each truck. Permits may be purchased for up to 3 years at the time of application.</li> <li>(b) Application fees are paid to the Cabinet</li> </ul> </li> <li>(3) Permits meeting terms and conditions may be renewed</li> <li>(4) Industrial haul permit transportation plans may be revised at any time.</li> <li>(5) Permitted vehicles must comply with legal bridge weights. A permitted vehicle may exceed the legal bridge weight limits by approval from the cabinet only. <ul style="list-style-type: none"> <li>(a) The permit holder who wishes to exceed legal bridge weights on a submitted transportation plan must: <ul style="list-style-type: none"> <li>1. submit a written request with the permit application, and;</li> <li>2. provide details on the specific bridge(s) to be exceeded by route and mile points</li> </ul> </li> </ul> </li> </ul>
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			<p>(b) The cabinet will:</p> <ol style="list-style-type: none"> <li>1. Analyze the bridge weight capacity, and;</li> <li>2. Either issue the permit or notify the applicant it was denied based on bridge weight capacity within 14 days of the date of application in the highway district office</li> </ol> <p>Section 4. Weight Restriction. The holder of an industrial haul permit will not allow a vehicle owned or leased by them to exceed the gross weight in KRS 192.222.</p> <p>Section 5. Additional Conditions. Any vehicle allowed to deviate from height, weight, or length dimensions in KRS 189.222 is restricted to using roads set in 603 KAR 5:070 and must comply with KRS Chapter 189, 601 KAR 1:005 and 601 KAR 1:018.</p> <p>Section 6. Deviations from the transportation plan submitted by the permit holder without notice to the Cabinet will be cause to revoke the industrial haul permit.</p>
<p><a href="#">603 KAR 5:066</a></p>	<p>Weight (mass) limits for trucks.</p>		<p>Establishes weight mass limits for trucks using the state maintained highway system authorized by KRS 189.222(10). [Error: In KRS this is 11]</p> <p>Section 1: Highway Classifications and Truck Types</p> <ol style="list-style-type: none"> <li>1. Trucking highways classified in 603 KAR 5:301:[Error this is a repealed KAR] <ol style="list-style-type: none"> <li>a. AAA: maximum gross weight of 80,000 pounds</li> <li>b. AA: maximum gross weight of 62,000 pounds</li> <li>c. A: maximum gross weight of 44,000 pounds</li> </ol> </li> <li>2. Truck types for posting bridges and listing bridge weight (mass) restrictions: <ol style="list-style-type: none"> <li>a. Truck Type 1: single unit truck with 2 single axles</li> <li>b. Truck Type 2: single unit truck with 1 steering axle and 2 axles in tandem</li> <li>c. Truck Type 3: 1 steering axle and 3 axles in tridem</li> <li>d. Truck Type 4: tractor-trailer combination consisting of 5 or more axles</li> </ol> </li> <li>3. Other truck types not covered in subsection 2 may be restricted by weight based on axle spacing and weight (mass) distribution per axle per state and federal law.</li> </ol> <p>Section 2: AAA Highways Except Interstates:</p> <ol style="list-style-type: none"> <li>1. Maximum gross weight of 80,000 pounds</li> <li>2. Tire weight not to exceed 700 pounds times the aggregate width from the manufacturer</li> <li>3. May not exceed posted limits if posted load limit is less than 80,000 pounds.</li> </ol> <p>Section 3: Interstates</p> <ol style="list-style-type: none"> <li>1. Gross weight 80,000 pounds</li> <li>2. Gross single axle weight 20,000 pounds (axles &lt;42" apart)</li> <li>3. Gross tandem axle weight 34,000 pounds (axles &lt;42" apart)</li> <li>4. Gross tridem axle weight 34,000 pounds (axles 1 and 3 of tridem &lt;= 96" apart)</li> <li>5. Gross tridem axle weight 48,000 pounds, (axles 1 and 3 of tridem &gt; 96" and &lt; 120" apart and 2 adjacent axles &gt;= 42") AND gross vehicle weight &lt;= 73,280 pounds</li> <li>6. Gross weight on 2 consecutive tandem axles 34,000 pounds (1st and last axles &gt;= 36' apart)</li> </ol>

			<p>7. Gross weight on any other axle configurations uses the bridge weight formula: <math>W = 500 (LN/N-1 + 12N + 36)</math>; W=gross weight, L=distance between extreme axles (feet), N=number of axles. The load on any single axle in any arrangement may not exceed 20,000 pounds. The gross weight may not exceed 80,000 pounds. Requires a steerable axle.</p> <p>8. tire weight not to exceed 700 pounds time the aggregate width from the manufacturer</p> <p>9. cannot exceed posted bridge weights</p> <p>10. tolerances not allowed</p> <p>Section 4: AA Highways.</p> <ol style="list-style-type: none"> <li>Gross weight <math>\leq 62,000</math> pounds</li> <li>Gross single axle weight 20,000 pounds (axles <math>&lt;42</math>" apart)</li> <li>Gross tandem axle weight 34,000 pounds (axles <math>&gt;42</math>" and <math>&lt; 96</math>" apart)</li> <li>Gross tridem axle weight 34,000 pounds (axles 1 and 3 of tridem <math>\leq 96</math>" apart)</li> <li>Gross tridem axle weight 48,000 pounds, (axles 1 and 3 of tridem <math>&gt; 96</math>" and <math>&lt; 120</math>" apart and 2 adjacent axles <math>\geq 42</math>" )</li> <li>tire weight not to exceed 700 pounds time the aggregate width from the manufacturer</li> <li>cannot exceed posted bridge weights</li> <li>Gross weight on other axle configurations uses the bridge weight formula: <math>W = 500 (LN/N-1 + 12N + 36)</math>; W=gross weight, L=distance between extreme axles (feet), N=number of axles. The load on any single axle in any arrangement may not exceed 20,000 pounds. The gross weight may not exceed 62,000 pounds. Requires a steerable axle.</li> </ol> <p>Section 5: A Highways.</p> <ol style="list-style-type: none"> <li>Gross weight <math>\leq 44,000</math> pounds</li> <li>Gross single axle weight 20,000 pounds (axles <math>&lt;42</math>" apart)</li> <li>Gross tandem axle weight 34,000 pounds (axles <math>&gt;42</math>" and <math>&lt; 96</math>" apart)</li> <li>tire weight not to exceed 700 pounds time the aggregate width from the manufacturer</li> <li>cannot exceed posted bridge weights</li> <li>Gross weight on other axle configurations uses the bridge weight formula: <math>W = 500 (LN/N-1 + 12N + 36)</math>; W=gross weight, L=distance between extreme axles (feet), N=number of axles. The load on any single axle in any arrangement may not exceed 20,000 pounds. The gross weight may not exceed 44,000 pounds. Requires a steerable axle.</li> </ol> <p>Section 6: Tolerance. On all state-maintained highways not part of the interstate system there is no tolerance allowed on gross weight and a 5% axle weight.</p> <p>Section 7:</p> <ol style="list-style-type: none"> <li>Classification shall constitute designation by Secretary of Transportation per KRS 189.280</li> </ol> <p>City ordinances cannot allow heavier loads unless specifically allowed by the Secretary of Transportation</p>
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<p><a href="#">603 KAR 5:070</a></p>	<p>Motor vehicle dimension limits.</p>		<p>Establishes the dimensions and the dimension combinations for motor vehicles travelling on all classes of highways in Kentucky.</p> <p>Section 1: Definitions  Section 2: Width Exclusion Safety Devices  Section 3: Dimensions of Vehicles  Section 4: Exceptions to Permit Requirement.</p> <ol style="list-style-type: none"> <li>1. Except for buses, overweight/overdimensional permits are not required when the exceeding length and width limits set in Section 3 on the following highways: <ol style="list-style-type: none"> <li>a. NTN</li> <li>b. 15 miles access established in KRS 189.222(1)(f)</li> <li>c. 5 mile access established in Section 5(2) of this KAR</li> <li>d. 1 mile access established in Section 5(3) of this KAR</li> </ol> </li> <li>2. Towed unit shall not exceed the following without an overdimensional permit on the National Truck Network <ol style="list-style-type: none"> <li>a. 102"</li> <li>b. 53 feet if a single semitrailer combination</li> <li>c. 28 feet if operated in a tractor-semi-trailer-trailer or tractor-semi-trailer-semi-trailer, do not exceed 2 towed units</li> </ol> </li> <li>3. The length of the rigid frame extension is not included in the length of a double trailer</li> <li>4. If a second semitrailer is not mounted to the fifth wheel of the rear frame, the length of the extension is included in the length of the semitrailer.</li> <li>5. Gross vehicle weight limit = 80,000 pounds if meeting the dimensions of this subsection and operating on the NTN</li> <li>6. Weight and dimensions in this section are not subject to enforcement tolerance</li> </ol> <p>Section 5: Increased Dimensions  Section 6: Household Goods Transporters  Section 7: Increased dimensional vehicles limited in the city of Anchorage in Jefferson County, KY</p> <p>Section 8: Limits the 5 mile and 15 mile automatic access on 4 state maintained road segments based on safety concerns of overdimensional vehicles.</p>
<p><a href="#">603 KAR 5:115</a></p>	<p>Coal-haul highway system; reporting requirements.</p>		<p>Designates the procedures and intervals information are reported to the Cabinet by shippers or owners as part of reporting requirements for designating and publishing the official coal-haul highway system.</p> <p>Section 1. provides definitions for the KAR including:</p> <ol style="list-style-type: none"> <li>1. "Coal by-product" to include: <ol style="list-style-type: none"> <li>(a) Bottom ash;</li> </ol> </li> </ol>

			<ul style="list-style-type: none"> <li>(b) Burned coal waste known as red dog;</li> <li>(c) Coal cinders;</li> <li>(d) Coal slag;</li> <li>(e) Fly ash;</li> <li>(f) Scrubber sludge; or</li> <li>(g) Wet bottom boiler slag</li> </ul> <p>3. "interval" to mean semiannual reporting. The first interval is January 1- June 30 (2) and second interval is July 1-December 31 (5).</p> <p>5. "Owner" means an individual, partnership, joint venture, association or corporation that owns the coal at the time of transport.</p> <p><b>Section 2. Reporting Requirements</b></p> <p>1. Owners are required to file form TC59-100, "Coal Shipment Route and Tonnage Report", within thirty (30) days after the interval, or 6 month period as defined in Section 1, in which coal is shipped over a (a) road or (b) rural an secondary road.</p> <p>2. The form is required to or from the following locations: (a) Mine mouth or pit; (b) Processing plant; (c) Tipple; (d) Loading dock; or (e) Customer</p> <p>3. The form must include the following information: (a) Origin; (b) Destination; (c) Tonnage; and (d) Specific route used for transportation of the coal with approximate mileage</p> <p>4. The form must be mailed semiannually in December and June from the Cabinet's Division of Planning to entities involved with mining, processing, transporting, or brokering coal.</p> <p>5. Failure to receive the form does to excuse the owner from the reporting requirement.</p> <p><b>Section 3. Reporting Responsibility</b></p> <p>1. It is the owner's responsibility to ensure accurate reporting of coal transported on roads or rural and secondary roads. Reporting may be completed by the: (a) Owner; (b) Owner's agent; (c) Contractor; (d) Processor; or (e) Shipper.</p> <p>2. (a) An owner who does not ship during an interval must inform the Cabinet on or before the due date for the next interval report. (b) An owner who does not have an active coal severance tax number or does not engage in transporting coal may be removed from the Cabinet's mailing list temporarily or permanently.</p> <p><b>Section 4. Reconciliation of Data</b></p> <p>1. Prior to finalizing the report, the Division of Planning may: (a) Delete duplicate information; (b) Reconcile an ambiguity; (c) Correct an error; (d) Consider a prior year report; and (e) Consider other relevant information concerning a coal transportation route.</p> <p>2. The entity who submitted the data will not submit corrections after it has been compiled and submitted to Department of Local Government as required by KRS 42.455.</p>
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			<p>3. The Cabinet must notify the Department of Local Government if it has misinterpreted data submitted per Section 3, causing the Department of Local Government to make a calculation error in distributing the coal severance tax.</p> <p>Section 5. Reporting of Coal By-products.</p> <ol style="list-style-type: none"> <li>1. Coal by-product transportation may also be reported using form TC59-100, "Coal Shipment Route and Tonnage Report" supplied by the Cabinet</li> <li>2. Coal by-product information must be reported separate from coal. Across the top of the TC 59-100 Form the person reporting the shipment of coal byproduct shall clearly type or mark in all capital letters "MATERIAL SHIPPED IS COAL BYPRODUCT, NOT COAL."</li> </ol> <p>Section 6. Extended Weight Coal and Coal By-products Haul System</p> <ol style="list-style-type: none"> <li>1. The Cabinet will use data collected and compiled on form TC59-100, "Coal Shipment Route and Tonnage Report" to designate segments included in the Extended Weight Coal or Coal By-products Haul System in 603 KAR 5:230.</li> <li>2. If an owner fails to submit data on the transporting of coal or coal by-product it may result in the omission of a road segment from the EWCHRS in 603 KAR 5:230.</li> </ol> <p>Section 7. Material Incorporated by Reference</p> <ol style="list-style-type: none"> <li>1. Form TC 59-100, "Coal Shipment Route and Tonnage Report" is incorporated by reference in this KAR and</li> <li>2. may be viewed , copied, or obtained by the Cabinet’s Division of Planning.</li> </ol>
<p><a href="#">603 KAR 5:220</a></p>	<p>Cooperative agreements for transportation of coal.</p>	<p>April 1, 1987</p>	<p>Allows for Department of Highways to enter into cooperative agreements for coal transportation. The KAR defines procedures, requirements, and limitations for cooperative agreements.</p> <p>Section 1.</p> <ol style="list-style-type: none"> <li>(1) Any person engaged in mining, processing, transporting, or sale of coal who wishes to enter a cooperative agreement to exceed weight limits on state-maintained highways and operate on the Extended Coal or Coal By-products (EWCHS) road system per KRS 177.979 must apply for the cooperative agreement through the Department of Highways.</li> <li>(2) Details the required information for the application form including a copy of the transportation plan per 601 KAR 35:020 for the route or routes to be included in the agreement, and list of vehicles transporting coal per the agreement.</li> </ol> <p>Section 2. Negotiation of Cooperative Agreements.</p> <ol style="list-style-type: none"> <li>(1) The Department of Highways will meet with the applicant to negotiate terms and conditions of the agreement. The agreement will provide the Department of Highways “an equitable apportionment of incremental costs” of the proposed coal transportation based on but not</li> </ol>

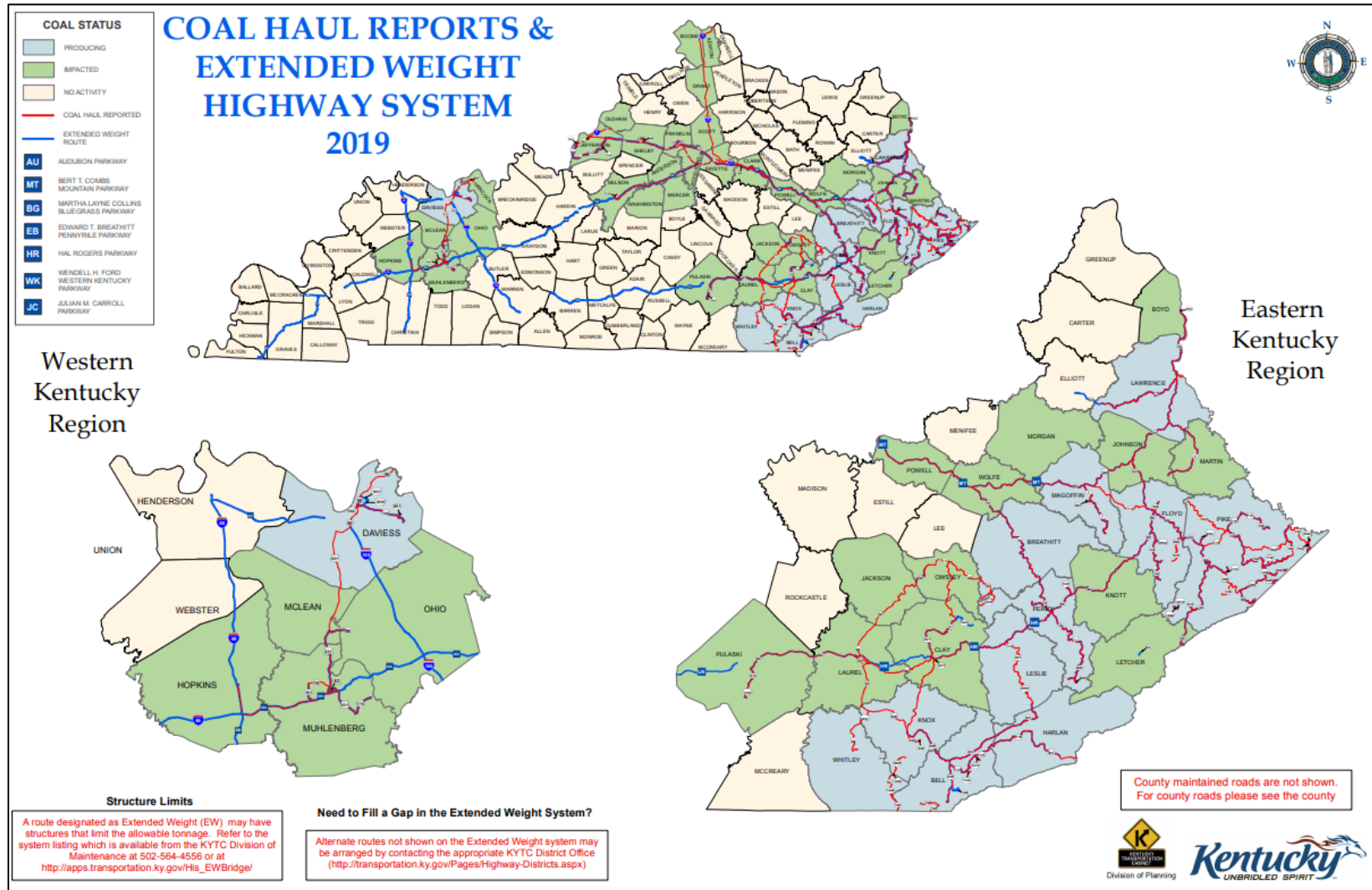
			<p>limited to a number of factors including the cost, maintenance, construction and reconstruction to surfaces, shoulders and bridges, and the tonnage of coal transported.</p> <p>(2) When the agreement is executed the Department of Highways will issue each vehicle under the agreement a certificate of identification.</p> <p>Section 3. Sets the limitations and requirements.</p> <p>(1) Cooperative agreements only apply to transporting coal.</p> <p>(2) Trucks operating under a cooperative agreement must be registered with declared weight of 80,000 lbs.</p> <p>(3) All vehicles must carry the certificate of identification at all times.</p> <p>(4) If a truck is exempt from registration and decal fees per KRS 177.997 (4)(g) it may operate on roads outside of the agreement when it is empty.</p> <p>(5) No one may knowingly load, cause to be loaded, or operate a vehicle above the weight limits specified in the cooperative agreement.</p> <p>(6) No one may operate or cause to be operated a vehicle on a posted bridge per KRS 189.230 and any vehicle above the weight limits posted at a bridge.</p> <p>(7) Only state maintained roads are allowed in cooperative agreements.</p> <p>Section 4. The Department of Highways will honor cooperative agreements entered into prior to April 1, 1987 pursuant to KRS 177.979.</p>
<p><a href="#">603 KAR 5:230</a></p>	<p>The extended weight coal or coal by-products haul road system and associated bridge weight limits.</p>		<p>This KAR establishes requirements for the extended weight coal or coal by-products haul road system and associated bridge weight limits.</p> <p>KRS 177.9771, 177.9772, 177.979, and 189.230. KRS 177.9771(2) require the Secretary of Transportation to certify public highways that meet criteria as the extended weight coal or coal by-products haul road system.</p> <p>KRS 189.230(2) authorizes the Department of Highways to prescribe a gross vehicle weight limit for a bridge lower than a limit prescribed in KRS 177.9771 on a bridge that may be damaged or destroyed to the point of catastrophic failure if gross vehicle weights exceed certain limits.</p> <p>KRS 177.9771(9) requires the Transportation Cabinet Secretary to meet with certain local governing bodies and consider the concerns of those bodies before adding to or deleting from the extended weight coal or coal byproducts haul road system.</p> <p>Section 1. (4) Defines “coal by-product” as, “fly ash, bottom ash, wet bottom boiler slag, scrubber sludge, burned coal waste (red dog), coal slag, or coal cinders.”</p> <p>Section 2. (1) The department will determine the bridges on the extended weight coal or coal by-products haul road system that may be damaged or destroyed to the point of catastrophic failure by operating at the authorized weight in 177.9771 using The Manual for Bridge Evaluation. (2) Stipulates the load factor method of analysis will be used if a bridge was knowingly designed with this method. (3) If the allowable stress method of analysis is used, the maximum allowable stress in steel members</p>

			<p>is 75% of the yield strength of the steel. (4) If neither the load factor method nor stress method can be used then the Department of Highways will conduct an on-site inspection.</p> <p>Section 3. The department will use The Manual for Bridge Evaluation to set a weight limits for bridge deemed at risk of catastrophic failure per KRS 189.230(2).</p> <p>Section 4. Vehicles operating with a EWCHRS decal mat not exceed dimension limits in 603 KAR 5:070, Sections 3 and 4.</p> <p>Section 5. The Extended Weight Coal and Coal By-product Highway System and Limited Bridges.</p> <p>(1) (a) 1. The EWCHRS must be updated annually by the secretary</p> <p>2. (a) available on the Transportation’s website at:  <a href="http://transportation.ky.gov/planning/maps/coalhaul/coalhaul.asp">http://transportation.ky.gov/planning/maps/coalhaul/coalhaul.asp</a></p> <p>(b) list will be available in paper form by request</p> <p>(c) paper copy may be viewed at the Department of Highways district office or purchased from the Division of Maintenance.</p> <p>(2) The bridges identified on the Transportation website and by order of the secretary will:</p> <p>(a) be bridges determined to be at risk of damage or destruction to the point of catastrophic and;</p> <p>(b) have an established weight limit</p> <p>Section 6. A person may not operate or cause to be operated a vehicle with gross weight limits exceeding the weight limits of a bridge listed on the website and secretary’s order.</p> <p>Section 7. Per KRS 189.230(3) the Department of Highways will post the gross vehicle limits for each bridge on the EWCHRS.</p> <p>Section 8. A person may not operate or cause to be operated a vehicle with gross weight limits exceeding the weight limits of a bridge established by notice posted per KRS 189.230 (3).</p> <p>Section 9. refers to resolution of a local governing body making a recommendation to the secretary</p> <p>6) Section 10. provides details on inspection or request for copies of The Manual for Bridge Evaluation</p>
<p><a href="#">603 KAR 5:250</a></p>	<p>Selection of National Truck Network highways and reasonable access to these highways.</p>		<p>STAA routes and access</p> <p>Section 1: "STAA Vehicle" exceeds dimension in 603 KAR 5:070 section 1 but not section 2(2).</p> <p>Section 3: Right of access to terminals and facilities allowed without review for STAA vehicles up to 5-miles from the NTN on state-maintained routes and 1-mile on any non-state maintained route (except where prohibited in Section 5 of this KAR).</p> <p>Section 4: Except where prohibited in Section 5</p> <ol style="list-style-type: none"> <li>1. Certified household goods transporters (per KRS Chapter 281) have access between any points for loading and unloading</li> <li>2. Truck tractor-semitrailer combination with the semitrailer is less than 28.5’ has access to any route</li> </ol> <p>Section 5: Route prohibited to STAA when significant safety problems exist</p>



			<p>Section 6: STAA vehicle owner or operators who cannot reach a terminal or service may request a review to operate on a segment of publicly owned highway. This section and Section 7 detail procedures.</p> <p>Section 9(2): A route is disqualified from the NTN if it has a bridge weight allowance less than 80,000 pounds for a tractor semitrailer combination with 5 or more axles or is less than 73,500 pounds for use by a straight truck with 4 or more axles.</p>
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## Appendix B Kentucky Coal Haul and Extended Weight Coal Road System Supplemental Information



**DIVISION OF PLANNING  
KENTUCKY TRANSPORTATION CABINET  
TRANSPORTATION OFFICE BUILDING  
5<sup>TH</sup> FLOOR WEST  
200 MERO STREET  
FRANKFORT KY 40601-9883**

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*(fold here)*

**COAL SHIPMENT ROUTE AND TONNAGE REPORT**

**PURPOSE OF REPORTS:** These reports determine the ton-mile data that is used in the formula which returns severance tax revenue to counties. Tons data is also used to update/revise the Extended Weight Coal Haul Road System.

**DUE DATE:** Each semi-annual report is due 30 days after receipt of this notice.

**FORM INSTRUCTIONS**

**REPORTING COMPANY:** Name and complete address of reporting company, severance tax number used to pay tax on coal, and phone number where contact person can be reached during normal daytime working hours.

**1. ORIGIN**

- a) **Name of Unit:** Contract miner or company assigned name or number.
- b) **County:** Kentucky county where origin unit is located (for coal shipped into Kentucky, use first Kentucky county and road number at state line).
- c) **Permit #:** Permit number assigned by Department for Natural Resources, Division of Mine Permits
- d) **Latitude and Longitude:** Location of unit in degrees, minutes, and seconds (found in permit or license package).
- e) **Type of Operation:** Check type of unit.

**2. DESTINATION**

- a) **Name of Destination:** Specific name of tippie, dock, prep plant, etc. in Kentucky to which coal is shipped (do not use town or area for name of destination).
- b) **Road:** Road number or name where destination is located (out-of-state routes, use last Kentucky road to exit state).
- c) **County:** Kentucky county where destination is located (for coal shipped out of state, use the last Kentucky county before exiting state).

**3. TONS TRUCKED:** Tons shipped from **one** origin to **one** destination during reporting period.

**PLEASE NOTE**

The **permit number, latitude and longitude, destination,** and the **specific road number or name** where coal begins traveling on public roads must be included on this form so we can include your tons in the ton-mile calculations.

**Please TAPE form closed for return mail. Post Office requests NO STAPLES PLEASE.**

**For more information or to access the forms electronically, go to**  
<http://transportation.ky.gov/Planning/Pages/Coal-Haul.aspx>



**COAL SHIPMENT ROUTE AND TONNAGE REPORT**

REPORTING PERIOD (Year, Months): \_\_\_\_\_

REPORTING COMPANY: \_\_\_\_\_  
Address: \_\_\_\_\_  
Local Contact Person: \_\_\_\_\_  
Email Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Phone: \_\_\_\_\_ Zip: \_\_\_\_\_  
Severance Tax No: \_\_\_\_\_

**Coal Shipment Route and Tonnage Report #1**

1. ORIGIN/Name of Unit: \_\_\_\_\_ County \_\_\_\_\_ Permit # \_\_\_\_\_ - \_\_\_\_\_  
Latitude \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " Longitude \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " File # \_\_\_\_\_  
Type of Operation:  Prep Plant/Tipple  Surface Mine  Underground Mine  Other  
If other, please specify): \_\_\_\_\_

2. NAME OF DESTINATION \_\_\_\_\_ Road \_\_\_\_\_ County \_\_\_\_\_

3. TONS TRUCKED from ONE ORIGIN to ONE DESTINATION \_\_\_\_\_

List below all State, County, and/or City roads used from above ORIGIN to DESTINATION

COUNTY	ROUTE #	ROAD NAME	BEGMILEPOINT*	DIRECTION	ENDMILEPOINT*	LENGTH

**Coal Shipment Route and Tonnage Report #2**

1. ORIGIN/Name of Unit: \_\_\_\_\_ County \_\_\_\_\_ Permit # \_\_\_\_\_ - \_\_\_\_\_  
Latitude \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " Longitude \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " File # \_\_\_\_\_  
Type of Operation:  Prep Plant/Tipple  Surface Mine  Underground Mine  Other  
If other, please specify): \_\_\_\_\_

2. NAME OF DESTINATION \_\_\_\_\_ Road \_\_\_\_\_ County \_\_\_\_\_

3. TONS TRUCKED from ONE ORIGIN to ONE DESTINATION \_\_\_\_\_

List below all State, County, and/or City roads used from above ORIGIN to DESTINATION

COUNTY	ROUTE #	ROAD NAME	BEGMILEPOINT*	DIRECTION	ENDMILEPOINT*	LENGTH

**Coal Shipment Route and Tonnage Report #3**

1. ORIGIN/Name of Unit: \_\_\_\_\_ County \_\_\_\_\_ Permit # \_\_\_\_\_ - \_\_\_\_\_  
Latitude \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " Longitude \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " File # \_\_\_\_\_  
Type of Operation:  Prep Plant/Tipple  Surface Mine  Underground Mine  Other  
If other, please specify): \_\_\_\_\_

2. NAME OF DESTINATION \_\_\_\_\_ Road \_\_\_\_\_ County \_\_\_\_\_

3. TONS TRUCKED from ONE ORIGIN to ONE DESTINATION \_\_\_\_\_

List below all State, County, and/or City roads used from above ORIGIN to DESTINATION

COUNTY	ROUTE #	ROAD NAME	BEGMILEPOINT*	DIRECTION	ENDMILEPOINT*	LENGTH

\*MILEPOINT information available on-line on the interactive map at <http://maps.kytc.ky.gov/photolog/?config=GeneralHighway>, the route log query at [http://apps.transportation.ky.gov/DWI\\_Reports/Official\\_MP\\_RL\\_params.aspx](http://apps.transportation.ky.gov/DWI_Reports/Official_MP_RL_params.aspx), at the Highway District Office, or from the Division of Planning at 502-584-7183. \*\*Form available electronically from the Division of Planning, Roadway Systems Team or at <http://transportation.ky.gov/Planning/Pages/Coal-Haul.aspx>.



Kentucky Transportation Cabinet  
Division of Maintenance  
**COOPERATIVE AGREEMENT**

TC 71-227  
08/2008  
Page 1 of 5

THIS AGREEMENT, entered into this \_\_\_\_day of\_\_\_\_, 20\_\_\_\_, between the Department of Highways, Transportation Cabinet, Commonwealth of Kentucky and \_\_\_\_ with an address of \_\_\_\_, hereinafter referred to as "Company".

WHEREAS, the Company desires to transport coal on state-maintained highways in vehicles weighing in excess of the weight limits established by the Secretary of Transportation pursuant to KRS 189.222 on certain specified routes; and

WHEREAS, pursuant to the provisions of KRS 177.979 the Department of Highways is authorized to enter into cooperative agreements providing for an equitable apportionment of the incremental costs to the Commonwealth of Kentucky resulting from such overweight transportation; and

WHEREAS, the Department of Highways has certified that all road segments and bridges covered by this agreement as listed in the *Certified Transportation Plan* (TC 71-9 form) attached hereto are a part of the state-maintained system of highways; and

WHEREAS, the Company would like to transport coal at extended weights on segments of state-maintained roads listed in the *Certified Transportation Plan* (TC 71-9 form).

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth and the provisions of KRS 177.979, the parties hereby agree as follows:

- (1) Except as provided, below, the Company shall indemnify and hold harmless the Commonwealth of Kentucky, Transportation Cabinet, its officers, agents, and employees from all suits, actions, or claims for injuries or damages sustained as a result of the Company's hauling of coal as provided in this agreement in vehicles whose gross vehicle weight exceeds the weight limits established pursuant to KRS 189.222.
- (2) All obligations incurred under this agreement are subject to any law or administrative regulation now existing.
- (3) In carrying out any of the provisions of this agreement or in exercising any power or authority granted to them by or within the scope of this agreement, no personal or individual liability shall be threatened or imposed upon the Secretary of Transportation, the Commissioner of Highways, the State Highway Engineer, or their authorized representatives in their personal individual capacities. In all such matters, these officials are acting solely as agents and representatives of the Commonwealth.
- (4) This agreement may be amended at any time upon the written mutual agreement of both parties. Further, this agreement may be terminated by the Transportation Cabinet, Department of Highways upon 30 days written notice to the Company. This agreement may be terminated by the Company upon written notice to the Transportation Cabinet, Department of Highways. However, such termination by the Transportation Cabinet, Department of Highways or the Company shall not relieve the Company of any contractual obligations incurred prior to said cancellation.
- (5) The Company shall furnish sufficient labor, materials, and equipment or funds to restore the road segments and bridges listed in the *Certified Transportation Plan* (TC 71-9 form)



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**COOPERATIVE AGREEMENT**

TC 71-227  
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to a condition mutually agreed to by both parties as being equal to that which existed prior to the commencement of the hauling of coal pursuant to this agreement and to fulfill all obligations incurred by the Company under this agreement prior to the effective date of such termination.

- (6) It is understood by both parties that it is the intention of the Company to terminate this cooperative agreement after 50,000 tons of coal have been transported under this agreement. After the Company has fulfilled the following conditions, the road segments shall be eligible for immediate inclusion in the Extended Weight Coal and Coal By-Products Haul Road System:
- (a) Furnished sufficient labor, materials, and equipment or money to restore the road segments listed in the *Certified Transportation Plan* (TC 71-9 form) to a condition mutually agreed to by both parties as being equal to that which existed prior to the commencement of the hauling of coal pursuant to this agreement;
  - (b) Transported at least 50,000 tons of coal over the road segments;
  - (c) Reported the coal transportation to the Transportation Cabinet on the forms required by KRS 177.977 and 603 KAR 5:115; and
  - (d) Satisfied any other obligations incurred by the Company under this agreement.

The Transportation Cabinet shall execute an Official Order to include the road segments in the Extended Weight Coal and Coal By-Products Haul Road System.

- (7) It is agreed and understood that if there is a change in any of the conditions under which this agreement was executed, the Secretary of the Transportation Cabinet may suspend, alter, amend, or modify the terms and conditions of this agreement or may alter the classification of any road or bridge listed in the *Certified Transportation Plan* (TC 71-9 form) if deemed such action is necessary to promote the safety and convenience of the traveling public. In emergencies, the immediate posting or closing of a road or bridge may be affected without notice to the Company. Should such suspension, alteration, amendment, or modification result in a substantial change in the character of the Company's operations or its contractual performance as required, the parties herein may terminate this agreement or execute a supplemental agreement to provide an equitable adjustment in the terms of this agreement in accordance with paragraph 4.
- (8) The Company shall not load or cause to be loaded or operate or cause to be operated any vehicle in excess of the gross weights specified in this agreement on the road segments specified in the *Certified Transportation Plan* (TC 71-9 form).
- (9) This agreement shall not be construed as changing the trucking weight classification of the roads listed in the *Certified Transportation Plan* (TC 71-9 form) and it does not indicate a willingness by the Transportation Cabinet to allow overweight hauling except by permit or agreement.
- (10) No cartage or commodity other than coal may be transported under the terms of this agreement in vehicles whose dimensions, gross weight, gross axle weight, or tire weight exceed the limits prescribed by the Secretary of Transportation pursuant to KRS 189.222.
- (11) The Department of Highways may furnish any necessary supervision and inspection on any road construction project undertaken by the Company under this agreement. The



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Company shall furnish all labor, materials, equipment, tools, and supplies or funds deemed necessary by the Department to adequately perform maintenance and traffic operations on the road(s) and bridge(s) listed in the *Certified Transportation Plan* (TC 71-9 form) that are designated for maintenance.

- (12) The Company agrees that upon notification from the Department of Highways, it shall timely provide for the design, construction, reconstruction or maintenance over and above normal routine maintenance pursuant to KRS 177.979 for the road segments covered by this agreement.
- (13) The maximum gross weights (including vehicle and load that may be transported pursuant to this plan shall not exceed the maximum weights listed below:

Weight	Truck Type*
_____ Lbs.	IV
_____ Lbs.	V

\* Truck types are identified in 603 KAR 5:230.

- (14) Prior to receiving authorization to begin transporting coal pursuant to this cooperative agreement, the Company shall file with the Transportation Cabinet, Department of Highways a corporate bond, cash bond, or securities in the amount of \$ \_\_\_\_\_. The Company shall be the principal obligor and the Transportation Cabinet, Department of Highways shall be the obligee. The bond shall be conditioned upon the Company's compliance with the terms of this cooperative agreement and shall remain in full force and effect until released by the Transportation Cabinet, Department of Highways.
- (15) The Company acknowledges its sole responsibility for damage to a county road or city street that it utilized as part of the Company's transportation route.
- (16) The Company shall keep accurate records of coal tonnage transported pursuant to this agreement. Said records shall be available for audit by the Transportation Cabinet upon reasonable notice.
- (17) If any term or provision, or any part of any term or provision of this agreement is held to be unenforceable, it shall be severed as narrowly as possible, and the remaining terms and provisions shall be enforced in accordance with the tenor of this agreement.
- (18) The Company and the Cabinet agree that this agreement is made and entered into in the Commonwealth of Kentucky and shall in all respects be interpreted, enforced, and governed under the laws of said Commonwealth. The Company and the Cabinet agree that the venue of any action to enforce and/or interpret the provisions of said agreement shall be Franklin Circuit Court.
- (19) This agreement is non-transferable and shall not be assigned without the written consent of the Transportation Cabinet, Department of Highways.



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 Division of Maintenance  
**Certified Transportation Plan**

TC 71-009  
 06/2008  
 Page 1 of 2

<b>Company Name:</b> _____	<b>Name of Mine/Quarry/etc:</b> _____
<b>Address:</b> _____	<b>DNR Permit Number:</b> _____
<b>City, State Zip:</b> _____	<b>County:</b> _____
<b>Phone:</b> ( ) - _____	<b>Latitude:</b> _____ ° ' "
<b>Fax:</b> ( ) - _____	<b>Longitude:</b> _____ ° ' "
<b>Point of Contact:</b> _____	<b>Type of Material:</b> Coal
<b>Phone/ext:</b> ( ) - ext: _____	<b>Type of Operation:</b> Surface Mine
<b>Cell/Pager:</b> ( ) - _____	<b>Name of Destination:</b> _____
<b>e-mail:</b> _____	<b>Destination Code:</b> _____

List all State, County, and/or City Roads used on Haul Route (attach map):

COUNTY	ROUTE #	ROAD NAME	BEG MP	DIR	END MP	LENGTH	HWY CLASS
_____	_____	_____	_____	_____	_____	0.000	_____
_____	_____	_____	_____	_____	_____	0.000	_____
_____	_____	_____	_____	_____	_____	0.000	_____
_____	_____	_____	_____	_____	_____	0.000	_____
_____	_____	_____	_____	_____	_____	0.000	_____
_____	_____	_____	_____	_____	_____	0.000	_____
_____	_____	_____	_____	_____	_____	0.000	_____
_____	_____	_____	_____	_____	_____	0.000	_____
_____	_____	_____	_____	_____	_____	0.000	_____
_____	_____	_____	_____	_____	_____	0.000	_____
_____	_____	_____	_____	_____	_____	0.000	_____
_____	_____	_____	_____	_____	_____	0.000	_____

Attach additional sheets if needed

List all Bridges used on Haul Route:

COUNTY	ROUTE #	MILE POST	BRIDGE NUMBER	WEIGHT LIMIT (TONS)			
				TYPE I	TYPE II	TYPE III	TYPE IV
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Attach additional sheets if needed

County or city roads, streets and bridges shown above are not the responsibility of the Transportation Cabinet and are not certified. They are shown for informational purposes only. Certification of this plan does not constitute approval or intent to approve a cooperative agreement, and does not indicate a willingness of the Transportation Cabinet to allow overweight hauling except by permit, agreement, or license. Contact your District Highway Office for Statutory Weight Limits.

<b>CERTIFIED BY:</b> _____	<b>COMPANY NAME:</b> _____
	<b>OFFICER:</b> _____
	<b>TITLE:</b> _____

_____ Chief District Engineer	_____ Date	_____ Authorized Signature	_____ Date
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Kentucky Transportation Cabinet  
Division of Maintenance  
**COOPERATIVE AGREEMENT**

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08/2008  
Page 4 of 5

Cooperative Coal Haul Agreement with \_\_\_\_\_ in  
\_\_\_\_\_ County.

APPROVAL RECOMMENDED BY:

\_\_\_\_\_  
Chief District Engineer Highway District No.

APPROVAL AND RECOMMENDED BY:

\_\_\_\_\_  
State Highway Engineer

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Executive Director, Office of Legal Services

EXECUTED ON BEHALF OF: Transportation Cabinet

BY: \_\_\_\_\_  
Secretary of Transportation



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**COOPERATIVE AGREEMENT**

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EXECUTED ON BEHALF OF: \_\_\_\_\_  
Company Name

BY: \_\_\_\_\_  
Authorized Representative

I hereby affirm that I am the appropriate official with COMPANY to execute this agreement and full authority to do so. In addition, I affirm that the COMPANY has voluntarily entered into this cooperative agreement.

STATE OF KENTUCKY  
COUNTY OF \_\_\_\_\_

Signed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_







Kentucky Transportation Cabinet  
**Division of Motor Carriers**  
**APPLICATION FOR EXTENDED WEIGHT DECAL**

TC 95-70  
 05/2018  
 Page 1 of 2

**MAIL TO:**

PO Box 2323, Frankfort KY 40602-2323  
 Phone: (502) 564-1257 Fax: (502) 564-2950  
 Website: <http://transportation.ky.gov/Motor-Carriers>

Tax Payer Identification Number (TIN) \_\_\_\_\_  
*May be FEIN or SSN.*

KYU Number \_\_\_\_\_

Current Month \_\_\_\_\_

USDOT Number \_\_\_\_\_

Name of applicant \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Zip Code \_\_\_\_\_ Phone number \_\_\_\_\_ County \_\_\_\_\_

**Make fees payable to: Kentucky State Treasurer**

	VN	CURRENT PLATE No.	*FEES
A. 90,000 pounds - A Single truck having 1 steering axle and 2 axles in tandem	_____	_____	\$ _____
	_____	_____	\$ _____
	_____	_____	\$ _____
B. 100,000 pounds - A Single truck having 1 steering axle and 3 axles in a tridem arrangement	_____	_____	\$ _____
	_____	_____	\$ _____
	_____	_____	\$ _____
C. 120,000 pounds - A tractor semi-trailer combination with 5 or more axles	_____	_____	\$ _____
	_____	_____	\$ _____
	_____	_____	\$ _____
D. Incremental - Fee Schedule rate per 1,000 pounds over 80,000 pounds (see back for instructions)	_____	_____	\$ _____
	_____	_____	\$ _____
	_____	_____	\$ _____

List weight over 80,000 pounds for which you are applying. (for D only)

\_\_\_\_\_ pounds divided by 1,000 = \_\_\_\_\_ X \*\$ \_\_\_\_\_ = \$ \_\_\_\_\_

\*Fee comes from table on page 2 last column.

TOTAL FEES \$ \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

DISPLAY REQUIREMENTS: Per 601 KAR 35.060 (7): "The decal shall be placed on the door of the driver's side of the vehicle. The decal shall be permanently affixed on the left side of the door immediately below the window glass using decal adhesive." Failure to comply may result in a citation from Enforcement.

(See Page 2 for important information)

If using overnight delivery services, please send to Division of Motor Carriers, 200 Mero Street, Frankfort KY 40622



Kentucky Transportation Cabinet  
**Division of Motor Carriers**

TC 95-70  
 05/2018

Page 2 of 2

**Extended Weight Coal Haul Decal Fee Schedule**  
**APPLICATION FOR EXTENDED WEIGHT DECAL**

<b>Month</b>	<b>90,000 lbs.</b>	<b>100,000 lbs.</b>	<b>120,000 lbs.</b>	<b>Per 1,000 lbs. Incremental</b>
May	\$160.00	\$260.00	\$360.00	\$10.00
June	146.67	238.33	330.00	9.17
July	133.33	216.67	300.00	8.33
August	120.00	195.00	270.00	7.50
September	106.67	173.33	240.00	6.67
October	93.33	151.67	210.00	5.83
November	80.00	130.00	180.00	5.00
December	66.67	108.33	150.00	4.17
January	53.33	86.67	120.00	3.33
February	40.00	65.00	90.00	2.50
March	26.67	43.33	60.00	1.67
April	13.33	21.67	30.00	0.83

Extended Weights are only authorized on roads and segments included in the EXTENDED WEIGHT COAL HAULROAD SYSTEM. A list of those roads is included in Administrative Regulation 603 KAR 5:210. In addition, a list of those roads and the bridges which are posted for a lower weight limit is included in Administrative Regulation 603 KAR 5:230. Contact the nearest *Highway District Office* for additional information on a specific road.

- The vehicle must be registered for 80,000 pounds.
- The vehicle must have either a Kentucky commercial plate or an IRP plate.
- Vehicles plated in any other state must submit a copy of the current vehicle registration with this inspection.

**Instructions:**

*VIN - fill in the full VIN (serial number) of your vehicle.*

*Current Plate Number - fill in your current (new) plate number.*

*For Category D Applicants - fill in the weight over 80,000 pounds for which you are applying. You must be able to axle the weight as follows: 20,000 pounds per axle and 12,000 pounds on the steering axle.*

If using overnight delivery services, please send to Division of Motor Carriers, 200 Mero Street, Frankfort KY 40622



Kentucky Transportation Cabinet  
 Division of Maintenance  
**INDUSTRIAL HAUL PERMIT:  
 PERFORMANCE BOND**

TC 71-202  
 06/2008  
 Page 1 of 2

Attach Standard Power of Attorney

IHP CONTROL NO. \_\_\_\_\_ BOND NO. \_\_\_\_\_ DATE \_\_\_\_\_

**SECTION 1: SURETY INFORMATION**

COMPANY NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_  
 PHONE \_\_\_\_\_  
 FAX \_\_\_\_\_

**SECTION 2: DISTRICT INFORMATION**

DISTRICT OFFICE \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_  
 PHONE \_\_\_\_\_  
 FAX \_\_\_\_\_

**SECTION 3: RELEASE**

KNOW ALL MEN BY THESE PRESENTS: That we \_\_\_\_\_ located at \_\_\_\_\_, in the city and state of \_\_\_\_\_ as principal, and \_\_\_\_\_ located at \_\_\_\_\_ in the city and state of \_\_\_\_\_ as surety, are held and bound unto the Commonwealth of Kentucky, for the use and benefit of the Transportation Cabinet in the district office located at \_\_\_\_\_, in the city and state of \_\_\_\_\_, obligee, in the penal sum of six thousand (\$6,000.00) dollars (per truck maximum), lawful money of the United States for the payment of which will and truly be made, we bind ourselves, our heirs, executors, administrators, and assigns, jointly and severally, firmly by these presents.

Whereas the condition of foregoing obligation is such that the said \_\_\_\_\_ has obtained from the Commonwealth of Kentucky, Transportation Cabinet, a permit authorizing overweight/over-dimensional industrial haul trucking on specific "A" and "AA" state maintained roads.

Whereas under the terms of said permit, a cash indemnity or bond indemnity is required of said principal as good and sufficient surety, payable to the Commonwealth of Kentucky for the use and benefit of the Transportation Cabinet, and conditioned upon \_\_\_\_\_ fulfilling the maintenance agreement in regard to the permitted "A" and "AA" state maintained roads and being guaranteed that all nonconforming aspects resulting from the overweight/over-dimensional industrial haul trucking can be corrected, without expense to the Transportation Cabinet, by the said principal.

Now, therefore, if the above bonded principal has faithfully and honestly complies with all specifications and restrictions of the Industrial Haul Application, Transportation Plan and Maintenance Agreement, its attachments and the issued permit, and if \_\_\_\_\_ terminates all overweight/over-dimensional industrial haul trucking on said "A" and "AA" state maintained roads, and \_\_\_\_\_ requests in writing to be released from this obligation, and upon final inspection of said "A" and "AA" state maintained roads and upon approval of the District's Chief Engineer then this obligation shall be null and void; otherwise it will remain in full force and effect until completion of any repairs required as a result of the overweight/over-dimensional industrial haul trucking as determined by the District's Chief Engineer.

This obligation shall remain in full force and effect until terminated in writing by the Transportation Cabinet.

In witness thereof, we, the parties, have set our hands to this surety agreement on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.



**INDUSTRIAL HAUL PERMIT:  
PERFORMANCE BOND**

**SECTION 4: PRINCIPAL COMPANY**

**PRINCIPAL COMPANY**

**NAME** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

**CITY, STATE, ZIP** \_\_\_\_\_

**PHONE** \_\_\_\_\_

\_\_\_\_\_  
**PRINT NAME & TITLE**

\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**DATE**

**SECTION 5: KENTUCKY BONDING AGENT**

**KENTUCKY BONDING AGENT**

**NAME** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

**CITY, STATE, ZIP** \_\_\_\_\_

**PHONE** \_\_\_\_\_

\_\_\_\_\_  
**ATTORNEY IN FACT**

\_\_\_\_\_  
**PRINT NAME**

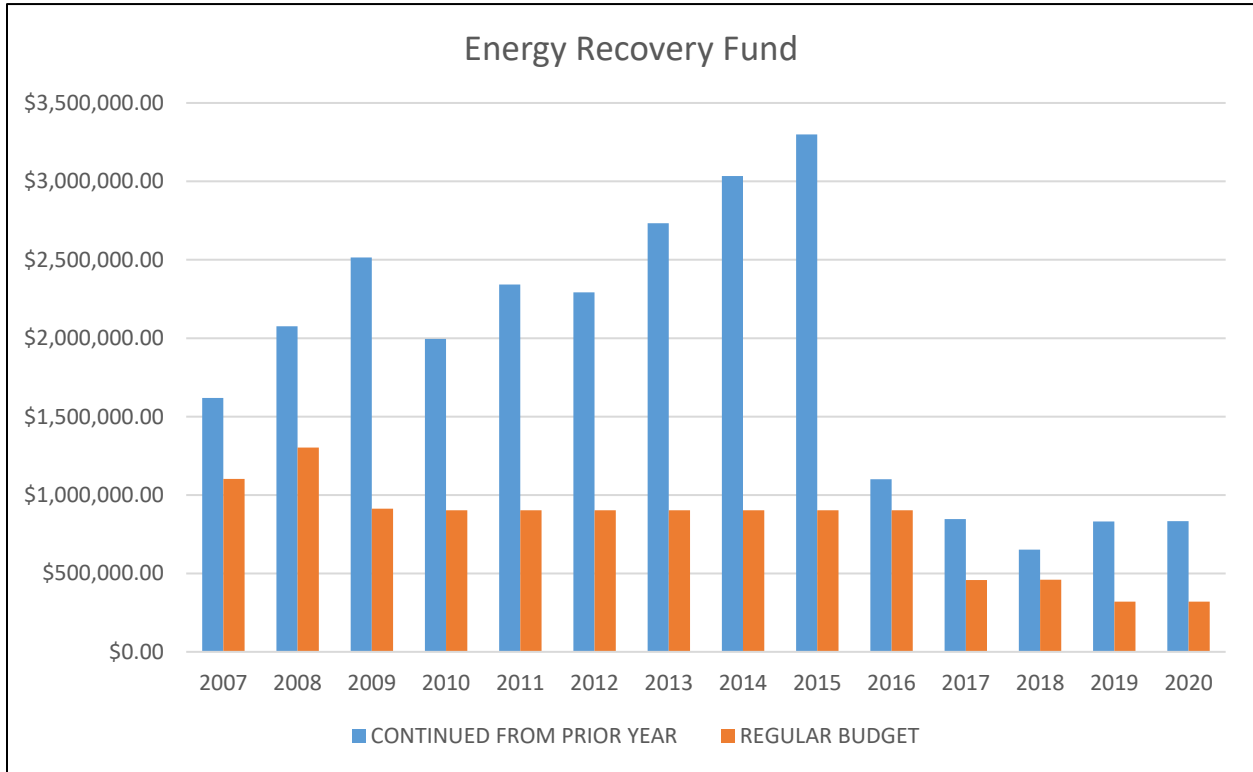
\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**DATE**

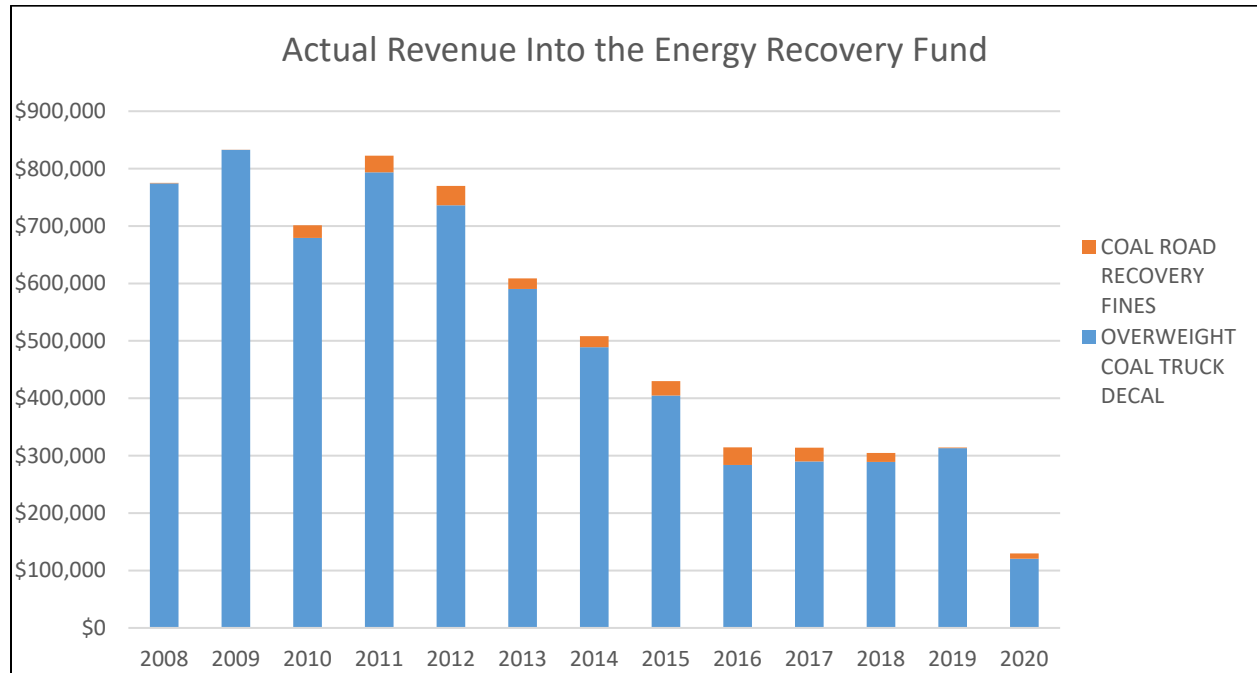


### Appendix C Kentucky Energy Fund 2008-2020

Below is the Energy Recovery Fund Allotment from the Commonwealth of Kentucky Transportation Fund Detailed Statement of Allotments and Expenditures Including Final Liquidation of Encumbrances for the Fiscal Year Ended June 30, 2020, and regular budget for the fund from the Supplementary Information to the Kentucky Comprehensive Annual Financial Report for The Fiscal Year Ended June 30, 2020. The figure shows allotments roll over from year to year collecting in excess of the expenditures allotted by the regular annual budget.



The Energy Recovery Fund (Account CD01) is comprised of revenue generated from EWCHRS decal sales and coal road recovery fines. The annual revenue into the fund from 2008-2020 are below in the figure and table.



FY	LICENSE, FEES AND PERMITS, OVERWEIGHT COAL TRUCK DECAL ACTUAL REVENUES	FINES AND FORFEITS, COAL ROAD RECOVERY FINES ACTUAL REVENUES	TOTAL ENERGY RECOVERY FUND REVENUE FROM DECALS, FINES AND FORFEITS
2020	120,460	9,409	129,869
2019	313,011	1,270	314,281
2018	289,061	15,813	304,874
2017	289,874	24,124	313,998
2016	283,942	30,609	314,551
2015	404,906	25,094	430,000
2014	489,072	19,210	508,282
2013	590,397	18,446	608,843
2012	736,223	33,663	769,886
2011	793,715	28,799	822,514
2010	679,383	21,898	701,281
2009	832,653	170	832,823
2008	774,379	934	775,313

## Allotments

Each year the CDO1 funds (i.e. allotments) are rolled over until they are used on specific EWCHRS projects. Below represents the amount rolled over from the prior year (i.e. prior year allotments), the revenue from the current year, and the total accumulated in the account in a given year.

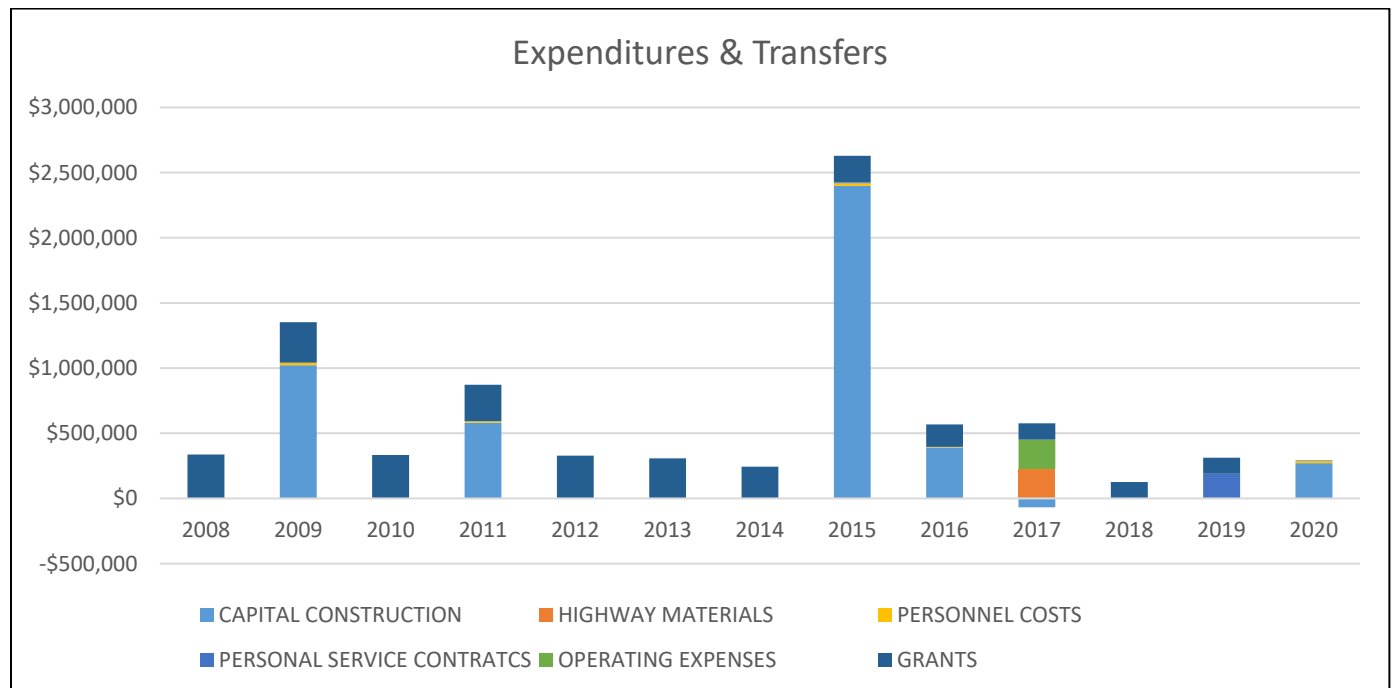
FY	PRIOR YEAR ALLOTMENTS	CURRENT YEAR ALLOTMENTS	TOTAL ALLOTMENTS
2020	833,718	129,869	963,587
2019	831,294	314,280	1,145,574
2018	652,020	304,874	956,894
2017	846,959	313,998	1,160,957
2016	1,100,424	314,550	1,414,974
2015	3,299,203	430,000	3,729,203
2014	3,034,459	508,282	3,542,741
2013	2,733,571	608,843	3,342,414
2012	2,292,691	769,886	3,062,577
2011	2,342,766	822,514	3,165,280
2010	1,995,453	701,281	2,696,734
2009	2,514,534	832,823	3,347,357
2008	2,076,534	775,313	2,851,847

## Expenditures

In certain years the EWCHRS incurs more expenses than others due to maintenance or capital construction. Costs are expended on personnel, personal service contracts, operations, construction, and materials. This table also show the 40% of Energy Recovery revenue transferred to counties in the form of grants.

### Costs & Grants: Personnel, Personal Service Contracts, Operating Expenses and Grants Awarded

FY	PERSONNEL COSTS	PERSONAL SERVICE CONTRATCS	OPERATING EXPENSE	CAPITAL CONSTRUCTION	HIGHWAY MATERIALS	GRANTS	TOTAL EXPENDITURES & TRANSFERS
2020	14,883.00	5,221.00	530.00	271,246			291,880
2019	2,377	187,336	193			121,950	311,856
2018	0.00	0.00	0.00			125,599	125,599
2017	358		225,880	-67,662	224,540	125,820	508,936
2016	4,470		26	391,519		172,000	568,015
2015	19,571	6,624	927	2,398,344		203,313	2,628,779
2014	0	0.00	0			243,537	243,537
2013	0	0.00	0			307,955	307,955
2012	0	0.00	0			329,006	329,006
2011	9,607	0.00	1,023	581,447		280,512	872,589
2010	180	0.00	0			333,130	353,968
2009	18,091	0.00	1,766	1,021,922		310,125	1,351,904
2008	0	0.00	0			337,313	337,313



Note: The dollar values on the x-axis are negative to indicate capital construction loses (-\$67,662) in 2017.

The account is balanced each year to account for any outstanding encumbrances.

**Annual Outstanding Encumbrances, Expenditures & Transfers, Balances, and Forwarded to Following Year**

FY	OUTSTANDING ENCUMBRANCES	EXPENDITURES & TRANSFERS	BALANCE	FORWARDED
2020	780,436	291,880	-108,729	671,707
2019	100,739	311,856	732,979	833,718
2018		125,599	831,295	831,294
2017		508,937	652,020	652,020
2016	29,738	568,015	817,221	846,959
2015		2,628,779	1,100,424	1,100,424
2014		243,537	3,299,204	3,299,203
2013		307,955	3,034,459	3,034,459
2012		329,006	2,733,571	2,733,571
2011		872,589	2,292,691	2,292,691
2010	584,910	353,968	1,757,856	2,342,766
2009	65,495	1,351,904	1,929,958	1,995,453
2008		337,313	2,514,534	2,514,534

Data below represents expenses for projects by county including general expenses, capital projects, road, federal, agency, and other expendable trust funds.

**County Revenue Sharing of Costs\*\***

FY	County	Bell	Clay	Knox	Magoffin	McLean	Muhlenberg	Morgan	Ohio	Owsley	Pike	Pulaski	Union	Webster	Whitley
2020						274,964.47					11,694.52		5,221.00		
2019													189,905.88		
2018	none														
2017		46,878.83	65,811.32	61,185.12							152,180.57				57,060.76
2016					40,531.08				1,986.45		394.57	353,102.42			
2015					870,081.00				523,364.00		997,961.00	34,060.00			
2014	none														
2013	none														
2012	none														
2011					341,957		250,120								
2010								-512	24,193	-8,171				4,054	
*2009	No counties reported this year														
2008	none														

## 2019 & 2020 County Shares of the EWCHRS

KYTC eMARS financial data from 2019 and 2020 are provided below. They show 40% of Energy Recovery Fund distribution to counties based on the percentage of roadway on the EWCHRS and tons of coal hauled in the county in the prior year. The table provide the number of miles within each county over which 50,000 tons or more of coal were hauled, the actual number of tons hauled on over the roads in that county, percentage of coal hauled in each county, and the distribution of the county shares.

EXTENDED WEIGHT COAL HAUL ROAD SYSTEM – FISCAL YEAR 2019							
<b>OVERWEIGHT COAL TRUCK DECALS</b>					313,010.67		
<b>COAL RECOVERY FINES</b>					1,269.60		
<b>TOTAL RECEIPTS</b>					314,280.27		
<b>ROAD FUND SHARE (60%)</b>					188,568.16		
<b>PRIOR YEAR UNDISTRIBUTED</b>					0.00		
<b>TOTAL COUNTY SHARE</b>					125,712.11		
COUNTY	MILES	%	AMOUNT	TONS	%	AMOUNT	TOTAL
			(X)			(Y)	(X+Y)
BELL	0.7	3.401%	2,137.54	111,963	1.205%	757.72	2,895.26
DAVIESS	0.4	1.927%	1,211.27	203,822	2.195%	1,379.39	2,590.66
FLOYD	1.3	6.299%	3,959.10	1,056,743	11.378%	7,151.64	11,110.74
JOHNSON	0.1	0.281%	176.58	60,782	0.654%	411.35	587.93
MAGOFFIN	0.4	2.095%	1,316.60	52,099	0.561%	352.59	1,669.19
PERRY	6.3	30.877%	19,408.24	4,481,182	48.248%	30,326.97	49,735.21
PIKE	10.5	51.912%	32,630.01	3,250,552	34.998%	21,998.52	54,628.53
PULASKI	0.7	3.208%	2,016.72	70,611	0.760%	477.87	2,494.59
<b>TOTALS</b>	20.3	100	62,856.06	9,287,754	100	62,856.05	125,712.11
	MILES	%	DOLLARS	TONS	%	DOLLARS	DOLLARS

**EXTENDED WEIGHT COAL HAUL ROAD SYSTEM FISCAL YEAR 2020**

<b>EXTENDED WEIGHT COAL HAUL ROAD SYSTEM FISCAL YEAR 2020</b>							
<b>OVERWEIGHT COAL TRUCK DECALS</b>				120,459.97			
<b>COAL RECOVERY FINES</b>				9,409.58			
<b>TOTAL RECEIPTS</b>				129,869.55			
<b>ROAD FUND SHARE (60%)</b>				77,921.73			
<b>PRIOR YEAR UNDISTRIBUTED</b>				0.00			
<b>TOTAL COUNTY SHARE</b>				51,947.82			
<b>COUNTY</b>	<b>MILES</b>	<b>%</b>	<b>AMOUNT</b>	<b>TONS</b>	<b>%</b>	<b>AMOUNT</b>	<b>TOTAL</b>
			(X)			(Y)	(X+Y)
<b>BELL</b>	0.7	3.548%	921.63	138,801	2.746%	713.22	1,634.84
<b>FLOYD</b>	1.5	7.883%	2,047.62	374,841	7.415%	1,926.09	3,973.70
<b>MAGOFFIN</b>	0.4	2.186%	567.67	225,552	4.462%	1,158.98	1,726.65
<b>PERRY</b>	6.3	32.217%	8,368.12	2,540,290	50.254%	13,053.04	21,421.17
<b>PIKE</b>	10.5	54.165%	14,068.87	1,775,373	35.122%	9,122.59	23,191.46
<b>TOTALS</b>	19.4	100	25,973.91	5,054,857	100	25,973.91	51,947.82
	MILES	%	DOLLARS	TONS	%	DOLLARS	DOLLARS



Construction Procurement Archive: Energy Fund (CD01) Awarded Jobs Let in Kentucky from January 1, 2007 To September 30, 2020

PROJECT #	PROJECT LOCATION	WORK TYPE DESCRIPTION	PROJECT DESCRIPTION	RD SYSTEM	RTE#	BEG MILEPT	END MILEPT	STATUS	LOW BID AMT	LET DATE	FUND TYPE
CD01 095 0028 008-011	FROM 40 FEET EAST OF COW CREEK CULVERT EXTENDING NORTH TO BREATHITT COUNTY LINE	ASPHALT RESURFACING	BOONEVILLE-BUCKHORN ROAD (KY 28)	KY	28	8.740	10.752	AWARD	\$320,539.67	27-Jun-08	1100
CD01 060 1231 003-005	FROM 3.277 MILES NORTH OF KY 15 EXTENDING NORTH TO 2.157 MILES NORTH OF LAKE SHORE ROAD	ASPHALT RESURFACING	IRISHMAN CREEK ROAD (KY 1231)	KY	1231	3.277	4.187	AWARD	\$229,065.90	27-Jun-08	1100
CD01 121 9004 059-070	BEGIN AT SOUTH END DEER CREEK BRIDGE EXTENDING NORTHERLY TO THEODORE ROYSTER ROAD UNDERPASS	ASPHALT RESURFACING	EDWARD BREATHITT PARKWAY (EB 9004)	PW	9004	59.280	69.674	AWARD	\$238,047.08	27-Jun-08	1100
CD01 048 0221 005-009	FROM 1.075 MILES EAST OF FRANKS BRANCH CULVERT EXTENDING EASTERLY TO US 421 AT BLEDSOE	ASPHALT RESURFACING	PINEVILLE-BLEDSOE ROAD (KY 221)	KY	221	5.900	8.859	AWARD	\$344,393.25	25-Jul-08	1100
CD01 089 0070 B00048N	BRIDGE OVER CYPRESS CREEK (MP 11.042)	BRIDGE DECK RESTORATION & WATERPROOFING	MADISONVILLE TO CENTRAL CITY	KY	70			AWARD	\$251,668.85	20-Nov-09	1100
CD01 077 3337 000-004	FROM KY 378 TO KY 30	ASPHALT RESURFACING	FRITZ-MIDDLE FORK ROAD (KY 3337)	KY	3337	0.000	3.999	AWARD	\$357,254.30	23-Apr-10	1100
CD01 092 0069 000-003	FROM BLUFF LANE EXTENDING NORTH TO EQUALITY CHURCH LANE	ASPHALT RESURFACING	SMALL HOUSE-EQUALITY ROAD (KY 69)	KY	69	0.000	2.367	AWARD	\$557,073.90	22-Aug-14	
CD01 098 1499 000-007	FROM US 460 EXTENDING NORTH TO THE SOUTH END OF LEVISA FORK OF BIG SANDY BRIDGE	ASPHALT RESURFACING	MOUTHCARD-NIGH ROAD (KY 1499)	KY	1499	0.000	6.011	AWARD	\$1,012,777.00	22-Aug-14	
CD01 100 0914 008-010	FROM EAST END OF NORFOLK SOUTHERN RAILROAD BRIDGE EXTENDING TO .513 MILES	ASPHALT RESURFACING	SOMERSET SOUTHWEST BYPASS (KY 914)	KY	914	8.637	9.763	AWARD	\$441,499.10	22-Aug-14	

	EAST OF SHOPFIELD ROAD CONNECTOR										
<b>CD01 077 1635 000- 006</b>	FROM 0.54 MILES NORTH OF JOHN BAILEY CEMETERY ROAD EXTENDING NORTH TO KY 867	ASPHALT SURFACE WITH GRADE & DRAIN	OAKLEY CREEK-TIPTOP ROAD (KY 1635)	KY	1635	0.202	5.684	AWARD	\$1,218,157.95	12-Dec-14	
<b>CD01 075 0431 000- 003</b>	BEGIN AT THE MCLEAN/MUHLENBERG COUNTY LINE EXTENDING NORTH TO 0.234 MILES NORTH OF KY 85	ASPHALT RESURFACING	SOUTH CARROLLTON TO ISLAND ROAD (US 431)	US	US 431	0.000	3.000	AWARD	\$351,054.52	21-Jun-19	1100
<b>CD01 077 0542 002- 006</b>	BEGIN 0.004 MILES WEST OF KY 1502 EXTENDING EAST TO THE LICKING RIVER BRIDGE	ASPHALT RESURFACING	WALDO TO FREDVILLE ROAD (KY 542)	KY	KY 542	2.837	5.814	AWARD	\$337,211.25	20-Sep-19	1100
<b>CD01 098 0632 006- 009</b>	BEGIN AT BLACKBERRY FORK EXTENDING EAST TO 200 FEET WEST OF PHELPS OLD MT.	ASPHALT RESURFACING	UPPER JOHNS CREEK ROAD (KY 632)	KY	KY 632	6.963	8.300	AWARD	\$349,515.42	20-Sep-19	1100

## Appendix D State Survey Responses

State	Could you provide us with a link to your states permitting fees based on vehicle type, weight, commodity, and route (if applicable)?
British Columbia	See Section 3(d) and (e) of the Commercial Transport Fees Regulation: <a href="https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/328_91">https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/328_91</a>
Arkansas	<a href="https://www.arkansashighways.com/highway_police/oversize_overweight_permits.aspx">https://www.arkansashighways.com/highway_police/oversize_overweight_permits.aspx</a>
Colorado	This type of information can be found on the CDOT COOPR and Freight websites, but accessing it on the COOPR site requires a log in. Rather than provide the website link for these fees, Colorado is providing a table in response to this question detailing information we have available to respond to this question. (see chart from email)
Connecticut	Connecticut General Statutes section 14-262 through section 14-270f (inclusive)  <a href="https://www.cga.ct.gov/2019/pub/chap_248.htm">https://www.cga.ct.gov/2019/pub/chap_248.htm</a>
Connecticut	<a href="https://portal.ct.gov/DOT/Permits/Highways/OSOW-Vehicle-Permits">https://portal.ct.gov/DOT/Permits/Highways/OSOW-Vehicle-Permits</a>
Delaware	<a href="https://deldot.gov/osow/application/policy">https://deldot.gov/osow/application/policy</a>
District of Columbia	<a href="https://dcregs.dc.gov/Common/DCMR/ChapterList.aspx?TitleNum=18">https://dcregs.dc.gov/Common/DCMR/ChapterList.aspx?TitleNum=18</a>  FHWA collects overweight citations as part of its annual OSOW vehicle enforcement certification process
Idaho	Non-Reducible Loads <a href="https://itd.idaho.gov/wp-content/uploads/2016/07/OverweightFeeSchedule.pdf">https://itd.idaho.gov/wp-content/uploads/2016/07/OverweightFeeSchedule.pdf</a>  Reducible Loads <a href="https://itd.idaho.gov/wp-content/uploads/2016/07/fee_schedule.pdf">https://itd.idaho.gov/wp-content/uploads/2016/07/fee_schedule.pdf</a>
Illinois	<a href="http://www.idot.illinois.gov/doing-business/permits/Oversize-and-Overweight-Permits/index">http://www.idot.illinois.gov/doing-business/permits/Oversize-and-Overweight-Permits/index</a>  Under the Resources - Rules, Regulations and Fees
Indiana	
Indiana	<a href="https://www.in.gov/dor/files/osw-permitting-memo-aug-2018.pdf">https://www.in.gov/dor/files/osw-permitting-memo-aug-2018.pdf</a>
Kansas	<a href="https://k-trips.com/Kansas%20Permit%20Price%20List%201-2020.pdf">https://k-trips.com/Kansas%20Permit%20Price%20List%201-2020.pdf</a>

Louisiana	TTTRES \$187.50
	TTTCOF \$187.50
	TTMUDS \$187.50
	TTTLAM \$187.50
	CIBTTF \$750.00
	CIBTCF \$750.00
	CIBTTM \$750.00
	COSLAB \$187.50
	LWSLAB \$187.50
	CNTSLB \$1,275.00
	COPCSS \$187.50
	LWPCSS \$187.50
	CPCSSC \$187.50
	CPSCCD \$750.00
	COPSCH \$750.00
	CORECH \$750.00
	COPVCD \$750.00
	COVSLB \$187.50
	CCOVSL \$1,275.00
	CODEKG \$750.00
	CNTCDG \$1,275.00
	COPSGR \$750.00
	PSGRLW \$750.00
	CPGCCD \$750.00
	CPGLSD \$750.00
	PCPSSP \$750.00
	COBTGR \$750.00
	CBTGCD \$750.00
	CPSQBG \$750.00
	CPQCCD \$750.00
	COLGGR \$750.00
	CLGGCD \$750.00
	COBXGR \$750.00
	COBXBM \$750.00
	CBXSEG \$1,275.00
	CONRCH \$750.00
	HISWNG \$1,275.00
	LOSWNG \$1,275.00
	PGSWNG \$1,275.00
	IBSWNG \$1,275.00
	TRBASC \$1,275.00
	PGBASC \$1,275.00
	STVERT \$1,275.00
	COVERT \$1,275.00
	PONTON \$1,275.00
	CONBOX \$-
	COPBOX \$-
	CONPIP \$-
	CFRCLV \$-
	STLRCH \$-
	ALURCH \$-
	STLPIP \$-

	ALUPIP \$- RRTKCR \$- RRBXCR \$- PLARCH \$- CONIBM \$750.00 CNTIBM \$1,275.00 SUSIBM \$1,275.00 CORIBM \$1,275.00 COMWEL \$750.00 CMWLLW \$750.00 CNTWEL \$1,275.00 IBMWEL \$1,275.00 STPLGR \$750.00 STCPLG \$1,275.00 SUSPLG \$1,275.00 STCAPG \$1,275.00 STCUGR \$1,275.00 STBXGR \$1,275.00 SSTBXG \$1,275.00 STCAGR \$1,275.00 STCUBX \$1,275.00 STHTR \$1,275.00 STCANT \$1,275.00 STLOTR \$1,275.00 STDKTR \$1,275.00 RRFLCR \$750.00 BAILEY \$750.00 FERRYT \$750.00 TUNNEL \$750.00 OTHERS \$750.00
Louisiana	<a href="http://wwwsp.dotd.la.gov/Business/Pages/DOTD_LaGeaux.aspx">http://wwwsp.dotd.la.gov/Business/Pages/DOTD_LaGeaux.aspx</a>  Click the Rules and Regulations link. It will download a pdf file that has all of the fees published within it.
Michigan	For questions about the MDOT Transport Permits Gateway: MDOT-MPG@michigan.gov or 844-806-0002  For general information: <a href="https://www.michigan.gov/mdot/0,4616,7-151-9623_26662_26679_27267_48606-182174--,00.html">https://www.michigan.gov/mdot/0,4616,7-151-9623_26662_26679_27267_48606-182174--,00.html</a>  MDOT permits are issued by the Transport Permits Unit. Address questions to Scott Greene.
Michigan	<a href="http://www.legislature.mi.gov/(S{l1vyznxl01wzs4ohikhsocw))/mileg.aspx?page=getobject&amp;objectname=mcl-257-725">http://www.legislature.mi.gov/(S{l1vyznxl01wzs4ohikhsocw))/mileg.aspx?page=getobject&amp;objectname=mcl-257-725</a>
Minnesota	<a href="https://www.revisor.mn.gov/statutes/cite/169.86">https://www.revisor.mn.gov/statutes/cite/169.86</a>

	See: M.S. 169.826, 169.8261, 169.8295, 169.86, 169.862, 169.863, 169.864, 169.865, 169.866, 169.868, and 169.869.
Missouri	<a href="https://www.modot.org/sites/default/files/documents/Fees%5B1%5D.pdf">https://www.modot.org/sites/default/files/documents/Fees%5B1%5D.pdf</a>
Missouri	The Missouri Department of Transportation-Motor Carrier Services regulates the permitting fees. Their phone number is 573-751-7100.
Missouri	<a href="https://www.modot.org/sites/default/files/documents/OSOWRegBook2017%5B1%5D.pdf">https://www.modot.org/sites/default/files/documents/OSOWRegBook2017%5B1%5D.pdf</a>
Montana	<a href="https://www.mdt.mt.gov/other/webdata/external/mcs/MANUALS/MT-Permitting-FAQ.PDF">https://www.mdt.mt.gov/other/webdata/external/mcs/MANUALS/MT-Permitting-FAQ.PDF</a>  The fee information begins on page 7
Nebraska	<a href="https://dot.nebraska.gov/media/2786/rules-regs-chapter-3.pdf">https://dot.nebraska.gov/media/2786/rules-regs-chapter-3.pdf</a>
New Hampshire	<a href="http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XXI-266.htm">http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XXI-266.htm</a>  RSA 266:18 to RSA 266:26
New Jersey	<a href="https://nj.gotpermits.com/njpass/Content/state/NJ/PublicMaterials/Fee-Schedule.pdf">https://nj.gotpermits.com/njpass/Content/state/NJ/PublicMaterials/Fee-Schedule.pdf</a>
New York	Statewide Divisible Load Overweight Permits: <a href="https://www.dot.ny.gov/portal/page/portal/nypermits/repository/Perm%2069%20(SW).pdf">https://www.dot.ny.gov/portal/page/portal/nypermits/repository/Perm%2069%20(SW).pdf</a>  Downstate Divisible Load Overweight Permits (Westchester, Rockland, Putnam, Orange, Dutchess, Nassau and Suffolk Counties): <a href="https://www.dot.ny.gov/portal/page/portal/nypermits/repository/Permit%2069%20(DS).pdf">https://www.dot.ny.gov/portal/page/portal/nypermits/repository/Permit%2069%20(DS).pdf</a>  Special Hauling Permits: <a href="https://www.dot.ny.gov/nypermits/special-hauling-permits/fees">https://www.dot.ny.gov/nypermits/special-hauling-permits/fees</a>
Ohio	<a href="http://www.dot.state.oh.us/Divisions/Operations/Maintenance/Permits/Pages/PermitInformation.aspx">http://www.dot.state.oh.us/Divisions/Operations/Maintenance/Permits/Pages/PermitInformation.aspx</a>  Below included in a response back to KYTC.
Ohio	Ohio Department Of Transportation (ODOT). <a href="https://www.transportation.ohio.gov">https://www.transportation.ohio.gov</a>
Oregon	<a href="https://www.oregon.gov/odot/Forms/Motcarr/9973.pdf">https://www.oregon.gov/odot/Forms/Motcarr/9973.pdf</a> <a href="https://www.oregon.gov/odot/Forms/Motcarr/9926-2020.pdf">https://www.oregon.gov/odot/Forms/Motcarr/9926-2020.pdf</a>
Tennessee	<a href="https://www.tn.gov/tdot/central-services/oversize---overweight-permits/single-trip---annual.html">https://www.tn.gov/tdot/central-services/oversize---overweight-permits/single-trip---annual.html</a>  You can also find our rules and regulations as well as laws.
Texas	<a href="https://www.txdmv.gov/motor-carriers/oversize-overweight-permits">https://www.txdmv.gov/motor-carriers/oversize-overweight-permits</a>
Texas	<a href="https://www.txdmv.gov/motor-carriers/oversize-overweight-permits/texas-size-weight-limits">https://www.txdmv.gov/motor-carriers/oversize-overweight-permits/texas-size-weight-limits</a>
Virginia	<a href="https://www.dmv.virginia.gov/general/#hauling.asp">https://www.dmv.virginia.gov/general/#hauling.asp</a>
West Virginia	<a href="https://transportation.wv.gov/highways/maintenance/hauling_permits/Pages/default.aspx">https://transportation.wv.gov/highways/maintenance/hauling_permits/Pages/default.aspx</a>
Wisconsin	see attachment from email
Wyoming	Our permitting fees are in Wyoming State Statute 31-18-804

State	Does your state have any routes/corridors/or networks for overweight/extended weight trucks transporting specific commodities?	Please describe the route, commodity, weight permitted, and any other pertinent information.
British Columbia	Yes	Please see: - The Project Cargo Corridors website: <a href="https://www2.gov.bc.ca/gov/content/transportation/vehicle-safety-enforcement/services/permitting/project-cargo-corridors">https://www2.gov.bc.ca/gov/content/transportation/vehicle-safety-enforcement/services/permitting/project-cargo-corridors</a> - 9-axle Logging B-Trains approved under our Reducible Load Overweight Policy: <a href="http://www.th.gov.bc.ca/CVSE/CTPM/Notices/Notice_03-20-9-Axle_Tridem_Drive_Steer_Weight_GCVW_and_CVSE1016.pdf">http://www.th.gov.bc.ca/CVSE/CTPM/Notices/Notice_03-20-9-Axle_Tridem_Drive_Steer_Weight_GCVW_and_CVSE1016.pdf</a>
Arkansas	No	
Colorado	yes	<p>CDOT offers an overweight permit for divisible loads, but these loads cannot travel on the interstate system while using that permit type. This permit is known as a Non-Interstate Overweight Divisible (NIOWD) permit, and depending on the trailer configuration the company may be able to obtain a permit that allows them to operate up to 97,000 lbs. if they have a 2 or 3 axle trailer and up to 110,000 lbs. if they have a quad axle trailer. This permit is utilized mostly by the aggregate hauling industry and these trucks using this permit must use the state highway system.</p> <p>The Colorado Hazardous Materials Transport and Routing Rules, 8 CCR 1507-25, also outline restrictions for LVCs- Longer Vehicle Combinations- who operate pursuant to the provisions of §43-4-505, CRS, prohibiting LVCs from transporting any quantity of hazardous materials that are within the hazard classes listed in 49 CFR 172.504 Table 1. With respect to commodities falling with the hazardous materials classes set forth within 49 CFR 172.504 Table 2, LVCs are restricted from transporting any of the listed commodities where they exceed 55 gallons per package or are transported in bulk commodities (in excess of 3,500 water gallons), except as specifically exempted by 8 CCR 1507-25. 8 CCR 1507-25 Part HMP3.4.3. specifically exempts identified petroleum-based products from the quantity restrictions applicable to LVCs where an LVC of the type described in §42-4-505 (c) and (d), CRS, is transporting the following petroleum-based products in bulk: Gasoline (UN1203); Diesel Fuel (NA1993); Crude Oil (UN1267); Liquefied Petroleum Gas (LPG) (UN1075); Aviation Fuel (UN1863); and Transmix (UN1268).</p>
Connecticut	Yes	It is more a function or routes where over weight vehicles are not permitted.
Connecticut	No	
Delaware	No	
District of Columbia	No	

Idaho	No	
Illinois	No	
Indiana	Yes	
Indiana	No	
Kansas	No	
Louisiana	No	
Louisiana	No	
Michigan	No	
Michigan	No	
Minnesota	No	
Missouri	Yes	We do not have any specific route(s) but have rather certain roads that allow for different dimension or weight traffic.
Missouri	Yes	We have commercial zone in several of our large metro areas that allow increased weights. We allow increased weights for log trucks, ag haulers, solid waste haulers, etc.
Missouri	Yes	Milk haulers are given an allowance in northern Missouri to transport overweight loads that would otherwise be reducible.
Montana	Yes	I-15 from AB/MT border to 35 miles south to Shelby MT. US-93 BC/MT border to 10 miles south to Eureka MT. MT-16 SK/MT border to 20 miles south to Plentywood MT. These routes can haul any commodity up to legal Canadian Weights. For example, legal in Montana is 34,000 lbs. for a tandem or 43,500 lbs. for a 10' tridem. Legal Canadian Weights are 37,500 lbs. for a tandem and 50,700 lbs. for a tridem. The bridge formula does not apply. These loads must a valid overweight permit for Montana.
Nebraska	No	
New Hampshire	No	
New Jersey	No	
New York	No	
Ohio	No	
Ohio	No	
Oregon	No	
Rhode Island	No	
Tennessee	No	
Texas	Yes	The answer is technically a "No" however, there are commodity-based permits and exemptions that are not necessarily routed. There are also routed (or corridor permits) where the GVW and axle group loads have to stay under X but those are not limited to a particular hauled commodity.



Texas	Yes	
Virginia	Yes	
West Virginia	Yes	Coal - Coal Resource Transportation System (CRTS) I-77 in Coal counties <a href="https://transportation.wv.gov/highways/programplanning/preliminary_engineering/Pages/CRTS.aspx">https://transportation.wv.gov/highways/programplanning/preliminary_engineering/Pages/CRTS.aspx</a>
Wisconsin	Yes	<p>The state has defined freight/OSOW corridors that have been mitigated to better accommodate movements. A primary example would be for wind tower loads. WI typically permits over 1,200 wind tower loads annually. Those permits are only on tower segments and does not include blades, hubs, or nacelles. The defined corridors have widened ramps approaches, intersections, widened ramps/shoulders with dyed concrete to accommodate off tracking, engineered/widened ramps at truck scales, select rest areas to allow OSOW parking on these primary freight/OSOW corridors. Specific high clearance routes to/from the Milwaukee port to accommodate OSOW traffic to/from the port and those designated routes are identified/protected in statute.</p> <p>Wisconsin's highways support the movement of regular and oversize/overweight (OSOW) loads in accordance with state and federal statutes. OSOW loads are trucks whose dimensions and/or weight exceed the legal limits and, with some exceptions, cannot be split into multiple smaller loads. A vehicle that exceeds the legal statutory dimensions usually requires an OSOW permit and must pay associated additional fees to legally travel on designated roadways. OSOW truck routes have been developed by Wisconsin DOT and can be found at: <a href="https://wisconsin.gov/Pages/doing-business/eng-consultants/cns/transportation/planning-maps.aspx">https://wisconsin.gov/Pages/doing-business/eng-consultants/cns/transportation/planning-maps.aspx</a>.</p> <p>The truck operator map (<a href="https://wisconsin.gov/Pages/dmv/com-drivers-vehicles/mtr-car-truck/truck-routes.aspx">https://wisconsin.gov/Pages/dmv/com-drivers-vehicles/mtr-car-truck/truck-routes.aspx</a>) identifies the Wisconsin highways for the operation of vehicles and combinations of vehicles the overall lengths of which cannot be limited. Chapter Trans 276 (<a href="https://docs.legis.wisconsin.gov/code/admin_code/trans/276.pdf">https://docs.legis.wisconsin.gov/code/admin_code/trans/276.pdf</a>) provides more information on other statutory provisions or federal rules affecting the weight, width, and length of vehicles and combinations of vehicles and the number of vehicles in combination. More information on Oversize-Overweight permits can be found here: <a href="https://wisconsin.gov/Pages/dmv/com-drivers-vehicles/mtr-car-truck/osowgeneral.aspx">https://wisconsin.gov/Pages/dmv/com-drivers-vehicles/mtr-car-truck/osowgeneral.aspx</a></p>
Wyoming	No	

State	In the past, have cooperative agreements or bonding been useful tools for your state in dealing with (and enforcing) provisions of overweight trucks?	Please explain why cooperative agreements have or have NOT been a useful tool.
British Columbia	Not sure	
Arkansas	Not sure	
Colorado	no	Colorado does not and has not used cooperative agreements or bonding, but we do require a signed route survey for large loads.
Connecticut	No	Our requirement only applies to habitual offenders and is based on convictions. Connecticut General Statute 14-267a(f)
Connecticut	Does not apply	
Delaware	Does not apply	
District of Columbia	Does not apply	
Idaho	Does not apply	
Illinois	Not sure	
Indiana	Not sure	
Kansas	Not sure	
Louisiana	Not sure	
Louisiana	Not sure	

Michigan	No	<p>MDOT has jurisdiction over only 9,500 miles of Michigan's 122,000 road miles. The remaining miles are under county or city or village jurisdiction. These agencies also issue permits, and many counties use bonds.</p> <p>Michigan allows truck and trailer combinations on up to 11 axles, generally at 13,000 lbs. per trailer axle, limited only by overall length, for a theoretical maximum GVW of 164,000 lbs. This weight limit obviates the need for exemptions on state highways and many local roads.</p> <p>Some counties have maximum weights of 73,280 lbs. for 5-axle combinations, and may employ permits or bonds for access by Interstate-standard trucks to destinations removed from the National Truck Network. Questions should be addressed to the County Road Association, <a href="mailto:info@micountyroads.org">info@micountyroads.org</a> or 517-482-1189.</p>
Michigan	Does not apply	
Minnesota	Not sure	
Missouri	Does not apply	
Missouri	Not sure	
Missouri	Does not apply	
Montana	Not sure	
Nebraska	Does not apply	
New Hampshire	Not sure	
New Jersey	Not sure	
New York	No	N/A
Ohio	Yes	
Ohio	Does not apply	
Oregon	Does not apply	
Rhode Island	No	
Tennessee	Not sure	
Texas	Not sure	
Texas	Yes	
Virginia	Not sure	

West Virginia	Yes	Department of Highways makes log truck haulers (companies) post a bond when working a certain area to cover the cost of any damage incurred.
Wisconsin	Not sure	<p>There are a couple of local county governments which have worked with private companies who needed access to their facilities during the spring road thaw period when roads are posted. An agreement was reached in which a bond was posted on the roadway to cover extreme damage if it occurred.</p> <p>The success depends on the parties involved. In one case it has worked well with not claims. In another, significant road damage occurred. It is believe it was from the party involved in the bonding. When a claim was filed that company stated it was not his damage. He stated in the middle of the night there are all kinds of trucks driving by and prove they did not do the damage. This is a very rural area and it was a large farmer involved. There was little other traffic.</p>
Wyoming	Does not apply	

State	We are interested in learning more about the thickness of asphalt/pavements in your state, especially along extended weight networks. Can you share this information or provide us with a contact who may be able to answer this question?
British Columbia	You could inquire with Geotechnical & Standards Engineer Crystal Bleackley: Crystal.Bleackley@gov.bc.ca
Arkansas	Michael Benson 501-569-2185
Colorado	You can certainly speak with Mr. Craig Hurst, whose information appears at the beginning of this survey, who will either be able to answer your questions himself or get you over to another member of the CDOT team who can. A good person to speak with is State Maintenance Engineer Tyler Weldon. He is a top engineer from the CDOT maintenance division and can answer questions or bring together the right people to do so when needed. Mr. Weldon's email is likely the best way to reach him and is Tyler.Weldon@state.co.us.
Connecticut	I forwarded the survey to CT DOT, David Hiscox 860.594.2626, or david.hiscox@ct.gov as they issue size and weight permits and have a second perspective on some of the questions asked.
Connecticut	Edgardo Block edgardo.block@ct.gov
Delaware	Delaware Department of Transportation
District of Columbia	Please route follow up questions through me and I'll track down the right person to contact.
Idaho	We need more information. Are you speaking of Interstate or non-interstate roads. I would reach out to Jesse.Barrus@itd.idaho.gov
Illinois	Mike Brand in our Bureau of Design and Environment is over pavement design.  Michael.Brand@illinois.gov
Indiana	Please contact Jeremy Hunter - <a href="mailto:jhunter@indot.in.gov">jhunter@indot.in.gov</a>
Kansas	Ryan Barrett: <a href="mailto:ryan.barrett@ks.gov">ryan.barrett@ks.gov</a>
Louisiana	Asphalt /Pavement - Geotechnical Section  Contact Info: Sect Head: NICKEL, CHRISTOPHER J  Tel: 225-379-1016  email: chris.nickel@la.gov
Michigan	Address MDOT's Bureau of Development, Design Division, at 517 335-4421.
Michigan	We do not have any extended weight routes.  Some general pavement cross-section information:  <ul style="list-style-type: none"> <li>• Typically 24" of aggregate materials under the HMA pavement (usually 6" of dense-graded aggregate base over 18" of sand subbase)</li> <li>• Typically 16" of aggregate materials under the concrete pavement (usually 6" of open-graded aggregate base over 10" of sand subbase)</li> <li>• In our Metro Detroit area we use 16" of open-graded base under both pavements. The overall 24" and 16" are still maintained (i.e. the increase in the base is offset by a commensurate decrease in the sand subbase).</li> <li>• Minimum HMA pavement thickness is 6.5" for all roadways on the state network. Minimum concrete thickness is 8" on non-freeways, 9" on freeways. Local roads tend to be less than these minimums.</li> </ul>
Minnesota	No idea. MN Department of Transportation would need be to contacted.
Missouri	Llans Taylor or Jay Whaley. <a href="http://epg.modot.mo.gov/index.php/121.5_Asset_Management">http://epg.modot.mo.gov/index.php/121.5_Asset_Management</a>

Missouri	Please contact the the Missouri Department of Transportation.
Montana	Mary Gayle Padmos, mpadmos@mt.gov, 406-444-6149
Nebraska	Roadway Design at NDOT
New Hampshire	NHDOT would be who you want to talk to.
New Jersey	NJ lacks extended weight networks
New York	Please refer to the link below, which contains the appropriate point of NYS DOT contact for evaluating and managing pavements Statewide:  <a href="https://www.dot.ny.gov/divisions/engineering/technical-services/pavement-management">https://www.dot.ny.gov/divisions/engineering/technical-services/pavement-management</a>
Ohio	<a href="https://www.transportation.ohio.gov">https://www.transportation.ohio.gov</a> Ohio Department of Transportation
Texas	Pavements are designed with a variety of layer thicknesses, generally based on the anticipated truck traffic (in terms of ESALs) over the pavement's lifespan. The presence or absence of OS/OW traffic is usually not considered in pavement design though its effect (when boiled down to 20yr ESALs in consideration of traffic volume and axle loads).. is.
Texas	All asphalt pavements are designed for the traffic projections along that particular roadway. Each road needs to be designed for a 20 year ESAL projection using the FPS 21 software. There is also an additional check to ensure that the overall structure is thick enough to provide protection for heavy loads; this check takes into consideration the average of the ten heaviest wheel loads daily and the type of subgrade.
Virginia	Tanveer Chowdhury, P.E. Assistant Division Administrator Maintenance Division 1401 E. Broad St. Richmond, VA 23219 (804)786-0694 (W) (804)501-8015 (C)
West Virginia	<a href="http://transportation.wv.gov/highways/contractadmin/specifications/Documents/2010%20Standard%20Specifications%20Roads%20and%20Bridges/Complete%20Publications/2010StandardRoadsnBridges.pdf">http://transportation.wv.gov/highways/contractadmin/specifications/Documents/2010%20Standard%20Specifications%20Roads%20and%20Bridges/Complete%20Publications/2010StandardRoadsnBridges.pdf</a>
Wisconsin	No additional compensation is given to pavements to accommodate for extended weights. The pavements in Wisconsin are designed based on the American Association of State Highway and Transportation Officials 72 (AASHTO 72) structural pavement design methodology. The asphalt pavements are designed based on the required structural number which is calculated from traffic load information and pavement soil stiffness. Wisconsin still requires OSOW permitted vehicles to limit loads to 18 kips per axle. IoH permitted vehicles are allowed to exceed this weight to a maximum of 23 kips. Any new overweight permit is evaluated by assessing the increase in Equivalent Single Axle Loads (ESALs) from the current statute (Figure 348.15 (3) (g) in <a href="https://docs.legis.wisconsin.gov/statutes/statutes/348.pdf#page=9">https://docs.legis.wisconsin.gov/statutes/statutes/348.pdf#page=9</a> ). It is calculated by estimating the ESALs of the requested vehicle based on the current statute and based on the increased gross vehicle weight.