

# HOUSE BILL REPORT

## HB 1192

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### As Reported By House Committee On:

Transportation

**Title:** An act relating to vehicle loads.

**Brief Description:** Revising vehicle load fees.

**Sponsors:** Representatives Robertson, R. Fisher and K. Schmidt; by request of Department of Transportation.

### **Brief History:**

#### **Committee Activity:**

Transportation: 2/1/95, 2/8/95 [DPS].

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## HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 25 members: Representatives K. Schmidt, Chairman; Benton, Vice Chairman; Mitchell, Vice Chairman; R. Fisher, Ranking Minority Member; Hatfield, Assistant Ranking Minority Member; Backlund; Blanton; Brown; Buck; Cairnes; Chandler; Chopp; Hankins; Horn; Johnson; Koster; McMahan; Ogden; Patterson; Quall; Robertson; Romero; D. Schmidt; Scott and Tokuda.

**Staff:** Mary McLaughlin (786-7309).

**Background:** The federal bridge formula is a nationally recognized weight table that states are required to use when determining the maximum gross weight a vehicle may legally carry on a highway. The formula is based on the relationship between gross weight, the number of axles used and the spacing between axles. A recent review by the Federal Highway Administration concluded that Washington's statutory weight table, which is based on the federal bridge formula, contained five inconsistencies.

The overweight fee schedule is the statutory fee schedule, designed to recover costs associated with vehicles carrying nondivisible loads that exceed legal vehicle weight limitations. The schedule reflects the geometric increase in pavement damage as overlegal weights increase. Legal limitations are 105,500 pounds gross vehicle weight and/or 20,000 pounds on a single axle, 34,000 pounds on a tandem axle. The schedule is a graduated fee per mile, based on excess weight "over total registered gross weight." The schedule is currently capped at 80,000 pounds "over total

registered gross weight." A recent review by the department indicates two problems with this verbiage:

(1) "Over total registered gross weight." It is possible for a vehicle to be within the limits of its legal registered gross weight but, because of the type of nondivisible load it is carrying, certain axles may have exceeded legal axle limits.

To ensure that both registered gross weight and axle weight limitations are considered when determining when to apply the overweight fee schedule, the term "weight over total registered gross weight" needs to be changed to "excess weight over legal capacity."

(2) 80,000 pound cap. Because the current fee schedule is capped, loads exceeding the fee schedule are not paying in proportion to the added cost to the highway. The current fee schedule falsely assumes that, at 80,000 pounds over total registered gross weight, the cost no longer increases. Example: A vehicle registered at 105,500 pounds carrying an additional 80,000 pounds (total of 185,500 pounds) pays the same fee as a vehicle registered at 105,500 pounds carrying an additional 150,000 pounds (total of 255,500 pounds). Five years ago, this fee schedule would have handled almost anything that moved on the highway without reaching the capped upper limit. In the last few years, however, there has been a growth in specialized moves exceeding the cap. A few of these moves have been in the 300,000 to 400,000 pound gross weight range (i.e., hydroelectric plant transformers). To help ensure cost recovery is in proportion to cost incurred, the cap needs to be removed.

**Summary of Substitute Bill:** Washington State's statutory weight table is brought into compliance with the federal bridge formula.

The overweight fee schedule applies to "excess weight over legal capacity" to ensure that both the registered gross weight and axle weight limitations are considered when applying the schedule.

The 80,000 pound cap on the state's overweight fee schedule for nondivisible loads is removed. The graduated schedule is revised to recover cost per mile for vehicles exceeding either gross weight or axle weight legal limits. The schedule begins at 7 cents per mile for 0 to 9,999 pounds over legal capacity and graduates geometrically to \$4.25 per mile for 100,000 pounds over legal capacity. The schedule continues with a fixed increment of 50 cents for each 5,000 pounds in excess of the 100,000 pound fee.

**Substitute Bill Compared to Original Bill:** A technical amendment to the statutory weight table was made to correct an inaccurate number.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Revising Washington's weight table will bring it into compliance with other states. Removing the 80,000 pound cap for nonreducible loads ensures that overweight carriers are paying in proportion to the added cost to the highway. Changing the verbiage of the overweight fee schedule reflects that both total gross weight and axle weight limitations are considered when applying the fee schedule.

**Testimony Against:** Increased fees for hauling overweight, nonreducible loads will impact heavy haulers.

**Testified:** Barry Diseth, Department of Transportation (pro); John Woodring, Washington Trucking Association (con); and Mark Triplett, NC Machinery and Washington Aggregate Concrete Association (con).