

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Date: 3/28/8

Report B

TRANSPORTATION

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1576; L.D. 2209, Bill, "An Act To Amend the Axle Weight Laws for Trucks Transporting Unprocessed Agricultural Products and Forest Products"

Amend the bill by striking out the title and substituting the following:

'An Act To Amend the Axle Weight Laws'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the price of diesel fuel in Maine is at an all-time high and is devastating to the Maine economy, especially with regard to the trucking industry; and

Whereas, this legislation seeks to reduce the economic burdens imposed by axle weight limits on the trucking industry; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 29-A MRSA §2353, sub-§4-A is enacted to read:

4-A. Exemption. A vehicle that exceeds the axle weight limits and axle weight tolerance restrictions imposed under this chapter is not subject to a fine for a violation of those limits and restrictions unless the vehicle exceeds the maximum gross vehicle weight limits, including tolerances imposed under this chapter.

COMMITTEE AMENDMENT

1       **Emergency clause.** In view of the emergency cited in the preamble, this  
2       legislation takes effect when approved.

3   **SUMMARY**

4       This amendment, which is one of 2 minority reports, replaces the bill. The  
5       amendment provides that any vehicle that exceeds the axle weight limits and axle weight  
6       tolerance restrictions imposed under Maine law is not subject to a fine for a violation of  
7       those limits and restrictions unless the vehicle exceeds the maximum gross vehicle weight  
8       limits, including tolerances.

9   **FISCAL NOTE REQUIRED**

10    **(See attached)**



# 123rd MAINE LEGISLATURE

LD 2209

LR 3477(02)

## An Act To Amend the Axle Weight Laws for Trucks Transporting Unprocessed Agricultural Products and Forest Products

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Transportation

Fiscal Note Required: Yes

---

---

### Fiscal Note

Potential current biennium cost increase - Highway Fund  
Potential current biennium revenue decrease - Federal Expenditures Fund  
Current biennium revenue decrease - Highway Fund

#### Correctional and Judicial Impact Statements

This bill allows an axle weight limit exception for any vehicle. The exception will reduce the number of overweight truck violations and result in an undetermined reduction in Highway Fund fine revenue beginning in fiscal year 2008-09.

#### Fiscal Detail and Notes

The Department of Transportation indicates that allowing vehicles to exceed the axle weight limits and axle weight tolerance restrictions could result in a significant fiscal impact due to additional highway and bridge deterioration. Additional pavement wear and tear could be millions of dollars per year and bridge remaining service life could be decreased. The Department indicates that additional highway and bridge postings may be necessary to protect asset serviceability. Additionally, capital projects may be deferred to cover the additional cost.

The bill as written would exceed the Federal weight limits specified within the United States Code Title 23 for the portion of the Maine Turnpike designated Interstate 95 and 495 and that portion of Interstate 95 from the southern terminus of the Maine Turnpike to the New Hampshire state line. The Federal Highway Administration indicates that because of this the bill could result in the withholding of Maine's National Highway Apportionment, which is approximately \$29 million per year.