

112TH CONGRESS
1ST SESSION

S. 1322

To permit commercial vehicles at weights up to 129,000 pounds to use certain highways on the Interstate System in the State of Idaho, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 30, 2011

Mr. CRAPO (for himself, Mr. RISCH, Mr. HATCH, and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To permit commercial vehicles at weights up to 129,000 pounds to use certain highways on the Interstate System in the State of Idaho, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Idaho Efficient Vehicle
5 Demonstration Act of 2011”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) certain States, including Montana, Nevada,
9 Utah, and Wyoming, have been grandfathered the

1 right to operate 129,000-pound or greater vehicle
2 combinations on 9 axles or more on Federal-aid
3 highways;

4 (2) laws governing Federal highway funding ef-
5 fectively impose a limit of 105,500 pounds on the
6 weight of vehicles permitted to use the Interstate
7 System within the State of Idaho;

8 (3) the State of Idaho is surrounded by the
9 States specified in paragraph (1), which allow higher
10 weight limits on the Interstate System, and that
11 puts the State of Idaho at a disadvantage in moving
12 freight within Idaho and into those surrounding
13 States;

14 (4) in 2003, the legislature of the State of
15 Idaho adopted House Bill 395, which established a
16 10-year pilot project that allows vehicle combinations
17 up to 129,000 pounds to be operated on 10 axles on
18 specific routes in Idaho, but does not address the
19 Interstate System;

20 (5) in enacting the pilot project, the legislature
21 required the Idaho Transportation Department to
22 report to the legislature on the effect of the project;

23 (6) the Idaho Transportation Department is re-
24 quired to submit reports every 3 years during the
25 10-year life of the pilot project that describe the re-

1 sults of monitoring and evaluation of all important
2 impacts, including impacts to safety, bridges, and
3 pavement, on all pilot project routes;

4 (7) the pilot project terminates on July 1,
5 2013, unless the project is otherwise extended or
6 sooner repealed by the legislature;

7 (8) the administration of the pilot project, cou-
8 pled with the fact that vehicle combinations cannot
9 operate at 129,000 pounds on the Interstate System,
10 has forced those heavier vehicle combinations to di-
11 vert onto small State and local roads on which high-
12 er vehicle weight limits are allowed under State law;

13 (9) the diversion of those vehicles onto those
14 roads increases fuel costs because of increased idling
15 time and total travel time along those roads;

16 (10) the cost of transportation fuel has in-
17 creased more than 80 percent between calendar
18 years 2007 and 2008; and

19 (11) permitting commercial vehicles to travel on
20 a select few Interstate System highways within the
21 State at increased weight limits would provide—

22 (A) significant savings in the transpor-
23 tation of goods throughout the State; and

1 (B) substantial data and an opportunity
2 for analysis of the impacts of the vehicles on
3 bridges, highway safety, and pavements.

4 **SEC. 3. DEFINITIONS.**

5 In this Act, the following definitions apply:

6 (1) COVERED INTERSTATE SYSTEM HIGH-
7 WAY.—The term “covered Interstate System high-
8 way” means any portion of a highway designated as
9 a route on the Interstate System that, as of the date
10 of enactment of this Act, is not exempt from the re-
11 quirements of section 127(a) of title 23, United
12 States Code, pursuant to a waiver under that sec-
13 tion.

14 (2) DIRECTOR.—The term “Director” means
15 the Director of the Idaho Transportation Depart-
16 ment.

17 (3) INTERSTATE SYSTEM.—The term “Inter-
18 state System” has the meaning given that term in
19 section 101(a) of title 23, United States Code.

20 (4) PILOT PROJECT.—The term “pilot project”
21 means the 10-year pilot project of the State, estab-
22 lished in 2003 under House Bill 395 of the State,
23 that permits vehicle combinations weighing up to
24 129,000 pounds to be operated on specific routes in
25 the State.

1 (5) SECRETARY.—The term “Secretary” means
2 the Secretary of Transportation.

3 (6) STATE.—The term “State” means the State
4 of Idaho.

5 **SEC. 4. WAIVER OF HIGHWAY FUNDING REDUCTION RELAT-**
6 **ING TO WEIGHT OF VEHICLES USING INTER-**
7 **STATE SYSTEM HIGHWAYS.**

8 (a) PROHIBITION RELATING TO CERTAIN VEHI-
9 CLES.—Notwithstanding section 127(a) of title 23, United
10 States Code, the total amount of funds apportioned to the
11 State under section 104(b)(1) of such title for any period
12 may not be reduced under such section 127(a) on the basis
13 that the State permits a vehicle described in subsection
14 (b) to use a covered Interstate System highway in the
15 State in accordance with this section.

16 (b) VEHICLES COMBINATIONS.—A vehicle referred to
17 in subsection (a) is a vehicle that—

18 (1) has a weight in excess of 105,500 pounds
19 but not more than 129,000 pounds;

20 (2) consists of a power unit hauling 2 or more
21 trailers or semitrailers;

22 (3) does not exceed any vehicle weight limita-
23 tion that is applicable under State law to the oper-
24 ation of the vehicle on highways in the State that
25 are not part of the Interstate System, as those laws

1 are in effect on the date of enactment of this Act;
2 and

3 (4) is limited to travel only on—

4 (A) the portion of Interstate Route 15 ex-
5 tending from the Montana border to the Utah
6 border;

7 (B) the portion of Interstate Route 86 ex-
8 tending from the junction of Interstate Route
9 15 to the junction with Interstate Route 84;
10 and

11 (C) the portion of Interstate Route 84 ex-
12 tending from the Utah border to the Oregon
13 border.

14 (c) TERMINATION OF AUTHORITY.—

15 (1) IN GENERAL.—Subject to paragraph (2),
16 this section and the authority provided under this
17 section shall terminate on July 1, 2013.

18 (2) EXCEPTIONS.—This section and the author-
19 ity provided under this section shall terminate on—

20 (A) a date that is later than the date spec-
21 ified in paragraph (1), if the project is extended
22 to that later date by the State; or

23 (B) any date that is before, on, or after
24 the date specified in paragraph (1), if the Sec-
25 retary—

1 (i) determines that—

2 (I) operation of vehicles described
3 in subsection (b) on covered Interstate
4 System highways has adversely af-
5 fected safety on the overall highway
6 system; or

7 (II) the Director has failed to
8 collect the data described in section
9 5(2); and

10 (ii) publishes the determination, to-
11 gether with the date of termination of this
12 section, in the Federal Register.

13 (d) CONSULTATION REGARDING TERMINATION FOR
14 SAFETY.—In making a determination under subsection
15 (c)(2)(B)(i), the Secretary shall consult with the Director.

16 **SEC. 5. RESPONSIBILITIES OF STATE.**

17 For the purpose of section 4, the State shall be con-
18 sidered to meet the conditions under this section if the
19 Director—

20 (1) submits to the Secretary a plan for use in
21 meeting the conditions described in paragraph (2);
22 and

23 (2) collects data on the net effects that the op-
24 eration of vehicles described in section 4(b) on cov-
25 ered Interstate System highways in the State have

- 1 on the safety of the overall highway system, in ac-
- 2 cordance with the terms of the pilot project.

