

STATEMENT OF
THE HONORABLE JAMES L. OBERSTAR
HEARING ON TRUCK WEIGHTS AND LENGTHS:
ASSESSING THE IMPACTS OF EXISTING LAWS AND REGULATIONS
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
JULY 9, 2008

I am pleased that the Subcommittee on Highways and Transit is meeting today to examine laws governing size and weight limits for trucks, and I look forward to the testimony from all our witnesses.

The trucking industry is a cornerstone of the nation's economy. There are more than 2.7 million large trucks on the road in the United States today, carrying approximately 65 percent of the value of goods moved and 61 percent of the freight tonnage in the United States.

Commercial truck traffic has doubled over the past two decades, and the Department of Transportation estimates that vehicle miles traveled by truck will continue to increase by more than **3 percent annually** through 2020.

Given this volume, truck size and weight policies have significant and far-reaching consequences. They impact the physical condition of our roads and bridges, safety on our highways, and the efficient movement of goods in interstate commerce.

Federal Role

Establishing truck size and weight limits has historically been a State function. Yet Congress recognized the critical importance of the Federal Government's involvement by enacting the first Federal truck weight and size limitations in 1956 as part of the Federal-Aid Highway Act. This legislation authorized significant new Federal funds for the construction of our nation's Interstate Highway System and included maximum truck weights and lengths to ensure that heavy and large trucks would not destroy the roads.

The Federal Government therefore has an important role to play in setting size and weight standards for roads that receive Federal funds, and overseeing and vigorously monitoring implementation of these standards by States.

As we will hear in the discussion today, the current system does not necessarily fit this model of strong Federal oversight to ensure uniform standards that protect infrastructure and the traveling public. Truck size and weight regulations are a patchwork of Federal standards from which there are seemingly countless exceptions based on grandfather rights granted to States over the last 50 years. In addition, the authority of States to liberally issue oversize and overweight permits has led to a system in which it is difficult to know which is more prevalent – the rules or the exceptions.

This lack of uniformity, coupled with tightening State budgets, has led to serious enforcement challenges.

Infrastructure Protection

Congress has a responsibility to ensure that size and weight laws adequately protect our nation's investment in highway and bridge infrastructure.

Today, we face a crisis of aging infrastructure in this country in desperate need of maintenance and reconstruction. Many of the nation's surface transportation facilities are being stretched to the limit of their design life and beyond.

The collapse of the I-35W bridge in Minneapolis almost one year ago served as a reminder of the critical importance of our infrastructure. Although this tragedy directly impacted the residents of my home state of Minnesota, aging infrastructure is a problem not confined to one State.

As we look to the upcoming surface transportation authorization bill, we must put policies in place that ensure our highway and bridge infrastructure is brought to, and kept in, a state-of-good repair.

Current truck size and weight policies do not align with this vision because heavy trucks do not pay their share of the infrastructure damage they impose. In 2000, the Federal Highway Administration ("FHWA") published a Federal Highway Cost Allocation Study which found that trucks weighing between 75,000 and 80,000 pounds **pay only 80 percent of their share** of Federal highway costs. Trucks between 80,000 and 100,000 pounds pay only **one-half of their share** of costs.

The practice of state permit issuance compounds this trend. In 2007, according to FHWA data, States issued over **4.6 million oversize and overweight permits**. While the number of permits has risen sharply in the past 20 years, the fees for permits have changed little in that time. As we will hear from witnesses, these fees are not set based on damage to infrastructure. Most States set fees to recover the costs to administer the permit programs, and some fees do not even cover those expenses.

Safety

Congress also has the important responsibility of safeguarding the traveling public. Ensuring the safety of passengers on our nation's roads and other transportation systems is among the most imperative responsibilities of this Committee.

Tragically, we have made little progress in the number of deaths from crashes involving large trucks in the last decade. In 2006, 4,995 individuals were killed, approximately the same number as in 1995. Since the last major overhaul of truck size and weight laws 25 years ago, 126,107 people have died in truck crashes.

Studies have documented a variety of safety issues involving heavier and longer trucks. Witness testimony, particularly from the experienced drivers we have with us this morning, will attest that heavier and longer trucks:

- require significantly longer stopping distances;
- are far more difficult to maneuver safely, especially in exit and merge lanes because these on and off ramps were not built for longer trucks;
- are less stable and harder to handle than lighter, shorter vehicles;
- have difficulty staying in the flow of traffic, particularly on steep grades;
- add to stress-induced driver fatigue;
- have a higher rollover risk; and
- have a higher overall fatal crash rate, particularly Longer Combination Vehicles ("LCV"s).

Proposals for Change

In advance of reauthorization, some have come forward advocating for changes to our existing truck size and weight laws. We will hear witnesses today talk of pilot programs, lifting the LCV freeze, and mandating higher *minimums* at the Federal level for length.

Since the first truck size and weight laws of the 1950s, trucks have consistently gotten heavier and longer.

History has taught us that once truck weight and length allowances are increased, they are never rolled back. What happens in reality is an increase in one locale leads to an upward ratcheting of truck sizes and weights across the country.

Implementing size and weight changes first and evaluating consequences later is a naïve and dangerous approach. Before any changes to truck size and weight laws are contemplated, we must therefore carefully study the impacts of any proposed changes. We don't know with any

certainty what even heavier combinations would cost the Federal Government, and what other consequences would result, in order to set appropriate fees to recover infrastructure costs. Congress must have some degree of certainty in the expected impact on safety.

With this in mind, I proposed a limited, very narrowly-crafted pilot program last year in two states that would include a rigorous analysis of safety and infrastructure impacts, and would have required users and States to “pay to play”.

Ultimately, the two States I engaged on this concept and other players had little interest in meeting these terms and conditions.

Conclusion

We are at a crossroads in the history of our nation’s surface transportation system.

We must make a renewed commitment to providing the vision and leadership needed to rebuild and expand our aging transportation infrastructure.

A thorough review of the nation’s truck size and weight laws and their implementation by States is an important element in addressing our infrastructure needs.

I am pleased we will hear from witnesses today on this important issue, and I commend Chairman DeFazio and Ranking Member Duncan for holding this hearing.