

**HOUSE TRANSPORTATION COMMITTEE
January 7, 2021 1:00 PM – Fort Totten Room**

**North Dakota Department of Transportation
Wayde Swenson, P.E., Office of Operations Director**

SB 2026 – Road Train Excess Limit Authorization

Good morning Mr. Chairman and members of the committee. I'm Wayde Swenson, Office of Operations Director for the North Dakota Department of Transportation (DOT). I'm here today to give testimony on Senate Bill 2026.

Senate Bill 2026 would allow the governor to permit and prescribe definite excess limitations as to size and weight for the operation of road trains.

North Dakota's state and local roadway system was built many years ago and as you can imagine did not take into account all of the changes that we have seen in regards to the size, weight and length of vehicles that travel on these roadways so continuing to invest in the state and local roadway system is critical so we are better prepared to accommodate those vehicles that need to travel the roadway system. The Governors 10 year infrastructure proposal would start to address this issue.

When it comes to weight or length neither the state nor the Federal government took into account these vehicles proposed in this bill. What we have found in our research neither the State of North Dakota or Federal government agencies can waive related statutes or federal regulations for weight on interstates and length on the National Network (NN) respectively, that can only be changed by the U.S. Congress. Appendix A is a map showing North Dakota's NN.

The 23 Code of Federal Regulations (CFR) 658.23 Longer Combination Vehicle (LCV) Freeze, Cargo-Carrying Unit Freeze does not allow a state to increase the weight limit on interstates and the load carrying length on the NN.

Under 23 US Code 127(d), Special Permits During Periods of National Emergency, allows that a state may issue special permits during an emergency to overweight vehicles and loads that can easily be dismantled or divided if,

- a) the President has declared the emergency to be a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act;
- b) the permits issued in accordance with state law; and
- c) the permits are issued exclusively to vehicles and loads that are delivering relief.

In addition, there currently is not a mechanism to test or license the driver or vehicle for “Road Train” truck combinations longer than the national standard of doubles or triples.

If this bill is passed, it can potentially create a situation that could go against federal law that does not allow for these changes without Congressional approval on Interstate and National Network.

This concludes my testimony, and I am available to answer questions the committee may have. Thank You.

APPENDIX A

North Dakota National Network

