

111TH CONGRESS
1ST SESSION

S. 856

To establish a commercial truck highway safety demonstration program in the State of Maine, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2009

Ms. COLLINS (for herself and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish a commercial truck highway safety demonstration program in the State of Maine, 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 “Commercial Truck
5 Highway Safety Demonstration Program Act of 2009”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Public safety on the highways of the United
9 States is a paramount concern of all who use the

1 highways and all who prescribe public policy for the
2 use of those highways, including public policy on the
3 operation of heavy commercial trucks on highways.

4 (2) Federal highway funding law effectively im-
5 poses a limit of 80,000 pounds on the weight of ve-
6 hicles permitted to use Interstate System highways.

7 (3) The administration of this law in Maine has
8 forced heavy tractor-trailer and tractor-semitrailer
9 combination vehicles traveling into Maine from
10 neighboring States and Canada to divert onto small
11 State and local roads where higher vehicle weight
12 limits apply under Maine law.

13 (4) The diversion of those vehicles onto such
14 roads causes significant economic hardships and
15 safety challenges for small communities located
16 along those roads.

17 (5) Permitting heavy commercial vehicles, in-
18 cluding tanker trucks carrying hazardous material
19 and fuel oil, to travel on Interstate System highways
20 in Maine—

21 (A) would enhance public safety by reduc-
22 ing—

23 (i) the number of heavy vehicles that
24 use town and city streets in Maine; and

1 (ii) as a result, the number of dan-
2 gerous interactions between those heavy
3 vehicles and such other vehicles as school
4 buses and private vehicles; and

5 (B) would reduce the net highway mainte-
6 nance costs in Maine because the Interstate
7 System highways, unlike the secondary roads of
8 Maine, are built to accommodate heavy vehicles
9 and are, therefore, more durable.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) COVERED INTERSTATE SYSTEM HIGH-
13 WAY.—The term “covered Interstate System high-
14 way”—

15 (A) means, except as provided under sub-
16 paragraph (B), a highway within the State of
17 Maine that is designated as a route on the
18 Interstate System; and

19 (B) does not include any portion of high-
20 way that, as of the date of the enactment of
21 this Act, is exempted from the requirements of
22 subsection (a) of section 127 of title 23, United
23 States Code, by the last sentence of such sub-
24 section.

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

4 **SEC. 4. MAINE TRUCK SAFETY DEMONSTRATION PROGRAM.**

5 The Secretary of Transportation shall carry out a
 6 program to demonstrate the effects on the safety of the
 7 overall highway network in the State of Maine that would
 8 result from permitting vehicles described in section 5(b)
 9 to be operated on Interstate System highways within the
 10 State.

11 **SEC. 5. WAIVER OF HIGHWAY FUNDING REDUCTION RELAT-**
 12 **ING TO WEIGHT OF VEHICLES USING INTER-**
 13 **STATE SYSTEM HIGHWAYS.**

14 (a) PROHIBITION RELATING TO CERTAIN VEHI-
 15 CLES.—Notwithstanding section 127(a) of title 23, United
 16 States Code, the total amount of funds apportioned to the
 17 State of Maine under section 104(b)(1) of such title for
 18 any period may not be reduced under such section 127(a)
 19 on the basis that the State of Maine permits a vehicle de-
 20 scribed in subsection (b) to use a covered Interstate Sys-
 21 tem highway.

22 (b) COMBINATION VEHICLES IN EXCESS OF 80,000
 23 POUNDS.—A vehicle described in this subsection is a vehi-
 24 cle having a weight in excess of 80,000 pounds that—

1 (1) consists of a 3-axle tractor unit hauling a
2 single trailer or semitrailer; and

3 (2) does not exceed any vehicle weight limita-
4 tion that is applicable under the laws of the State
5 of Maine to the operation of such vehicle on high-
6 ways in Maine not in the Interstate System, as such
7 laws are in effect on the date of the enactment of
8 this Act.

9 (c) EFFECTIVE DATE AND TERMINATION.—

10 (1) EFFECTIVE DATE.—

11 (A) DATE OF SATISFACTION OF ADMINIS-
12 TRATIVE CONDITIONS BY MAINE.—Subsection
13 (a) shall take effect on the date on which the
14 Secretary of Transportation notifies the Com-
15 missioner of Transportation of the State of
16 Maine in writing that—

17 (i) the Secretary has received the plan
18 described in section 6(1); and

19 (ii) the Commissioner has established
20 a highway safety committee described in
21 section 6(2) and has promulgated rules
22 and procedures for the collection of high-
23 way safety data as described in section
24 6(3).

1 (B) PERMANENT EFFECT.—After taking
 2 effect, subsection (a) shall remain in effect un-
 3 less terminated under paragraph (2).

4 (2) CONTINGENT TERMINATION.—Subsection
 5 (a) shall not remain in effect beyond the date that
 6 is 3 years after the effective date applicable under
 7 paragraph (1) if, before the end of such 3-year pe-
 8 riod, the Secretary of Transportation—

9 (A) determines that—

10 (i) operation of vehicles described in
 11 subsection (b) on covered Interstate Sys-
 12 tem highways in Maine has adversely af-
 13 fected safety on the overall highway net-
 14 work in Maine; or

15 (ii) the Commissioner of Transpor-
 16 tation of the State of Maine has failed
 17 faithfully to use the highway safety com-
 18 mittee as described in section 6(2)(A) or to
 19 collect the data described in section 6(3);
 20 and

21 (B) publishes the determination, together
 22 with the date of the termination of the prohibi-
 23 tion, in the Federal Register.

24 (d) CONSULTATION REGARDING TERMINATION FOR
 25 SAFETY.—In making a determination under subsection

1 (c)(2)(A)(i), the Secretary of Transportation shall consult
 2 with the highway safety committee established by the
 3 Commissioner in accordance with section 6.

4 **SEC. 6. RESPONSIBILITIES OF THE STATE OF MAINE.**

5 For the purposes of section 5, the State of Maine sat-
 6 isfies the conditions under this section if the Commis-
 7 sioner of Transportation of the State of Maine—

8 (1) submits to the Secretary of Transportation
 9 a plan for satisfying the conditions set forth in para-
 10 graphs (2) and (3);

11 (2) establishes and chairs a highway safety
 12 committee that—

13 (A) the Commissioner uses to review the
 14 data collected pursuant to paragraph (3); and

15 (B) consists of representatives of—

16 (i) agencies of the State of Maine that
 17 have responsibilities related to highway
 18 safety;

19 (ii) municipalities of the State of
 20 Maine;

21 (iii) organizations that have evalua-
 22 tion or promotion of highway safety among
 23 their principal purposes; and

24 (iv) the commercial trucking industry;
 25 and

1 (3) collects data on the net effects that the op-
2 eration of vehicles described in section 5(b) on cov-
3 ered Interstate System highways have on the safety
4 of the overall highway network in Maine, including
5 the net effects on single-vehicle and multiple-vehicle
6 collision rates for such vehicles.

○