



Weight Limit Posting Workshop

- Inspector Andrew Quenneville
- Vermont DMV
- Commercial Vehicle Enforcement



Protecting the infrastructure

- Town highways shall be under the general supervision and control of the selectmen of the town where the roads are located. Selectmen shall supervise all expenditures.

19 V.S.A. § 303 Town Highway Control

- (a) If the use of a town highway is to be restricted, the selectmen shall post copies of the rules in at least two public places in the town. Posting signs provided by the Agency informing the traveler of the restriction shall be conspicuously placed at each end of the highway or portion of the highway. The Secretary shall be responsible for furnishing notice of any restricted use of State highways.
- (b) A person who violates these rules shall be guilty of a traffic offense under 23 V.S.A. chapter 23, for which he or she shall be fined not more than \$100.00, and shall be liable to the State or town in which the damage is done for all damages to the highway to be recovered in a civil action.

19 V.S.A. § 1110 Posting of Highways

- (a) A person or corporation owning or operating a traction engine, tractor trailer, motor truck, or other motor vehicle that desires to operate it in excess of the weight limits provided in this subchapter over highways and bridges under the jurisdiction of a municipality with the exception of class 1 town highways and subject to the provisions of subsection 1400(c) of this title shall make application for a permit to the appropriate legislative body, or its designee.

• 23 V.S.A. § 1400a. Special local highway and bridge limits; reimbursement for damages; special permits Filing of restrictions, publication

- (b) The application form for such a permit shall be of a uniform type, and shall be developed by the Commissioner of Motor Vehicles, after consulting with municipal officials and representatives of the State's trucking industry.

- 23 V.S.A. § 1400a. Special local highway and bridge limits; reimbursement for damages; special permits Filing of restrictions, publication

- (c)(1) The selectboard, trustees, or the mayor are authorized to accept for the municipality compensation commensurate with the extra wear or maintenance required on the highway traveled over or on any bridge by reason of the overweight allowed by any permit approved by them or any exemption provided under section 1400d of this title, which shall be used for the maintenance of highways and bridges within the town, village, or city. The following factors, at a minimum, shall be taken into consideration when determining the amount of compensation due:
 - (A) the amount of weight allowed in excess of the normal limit;
 - (B) the configuration and number of axles of the vehicle involved;
 - (C) the number and length of trips the vehicle will be making;
 - (D) the condition of the highway before and after use by the vehicle, and costs associated with any needed repair.

• 23 V.S.A. § 1400a. Special local highway and bridge limits; reimbursement for damages; special permits Filing of restrictions, publication

- (c) (2) If the agreement for the compensation to be paid is in writing, failure on the part of the applicant to pay the sum or sums agreed upon shall be sufficient cause for the selectboard, trustees, or mayor to withdraw approval for the permit. A fee not in excess of \$5.00 may be charged for the written approval of a municipality furnished under this section.

- 23 V.S.A. § 1400a. Special local highway and bridge limits; reimbursement for damages; special permits Filing of restrictions, publication

- (d) A \$5.00 fee for administration of permits imposed under this section shall be for the period expiring March 31 of each year. As an alternative, upon payment of an administrative fee of \$10.00, an applicant may obtain a permit to operate all of his or her registered vehicles in that municipality, under the conditions of the permit, for the period of the permit. In the event a fleet permit is obtained, individual permits need not be carried in each vehicle permitted.

• 23 V.S.A. § 1400a. Special local highway and bridge limits; reimbursement for damages; special permits Filing of restrictions, publication

- (a) Any municipality which has enacted special weight limits which are other than State legal limits for highways or bridges within its jurisdiction shall file a complete copy of the limitations with the Department of Motor Vehicles not later than February 10 of each year. The information filed shall contain a concise listing of each highway or bridge posted, the time of the year the restrictions apply, weight limitations in effect on that highway or bridge, and the name, address, and telephone number of the principal person or persons responsible for issuing the local permit. Additions or deletions to the listing may be made from time to time, as required, by filing with the Department.

23 V.S.A. § 1400b Filing of restrictions, publication

- (b) Any special municipal weight limits on highways or bridges shall be unenforceable unless they are on file with the Department of Motor Vehicles within three working days of the date of posting. It shall be the responsibility of the municipality to keep records documenting the time and date a highway or bridge is posted, and to keep current restrictions on file with the Department. The Department may prescribe the format which is to be used when filing restrictions under this section.

23 V.S.A. § 1400b Filing of restrictions, publication

- (c) The Department shall publish, on an annual basis, a list of municipal highways or bridges and their current weight limits. This publication shall be based on the information submitted by the municipalities under subsection (a) of this section, as well as information available through the Agency of Transportation, and shall be available to the public, at a charge not in excess of \$25.00, on or before April 1 of each year.

23 V.S.A. § 1400b Filing of restrictions, publication

- (d) The Department shall also publish, on a quarterly basis, a periodic update of current weight limits for municipal highways and bridges, and shall make that available to the general public at a cost of not more than \$5.00.
- (e) Any person may request information on specific municipalities from the Department, and shall pay the Department a fee of \$3.00 per request. A single request shall be made for information on each municipality. In the event nothing is filed by a particular municipality, the Department shall provide that information, in written form, and charge the \$3.00 fee.
- (f) The Commissioner may require prepayments for information requested pursuant to this section. (Added 1993, No. 186 (Adj. Sess.), § 7, eff. Jan. 1, 1995.)

23 V.S.A. § 1400b Filing of restrictions, publication

- When a town bridge or highway is posted for State limits, the gross weight limits on town highways and bridges shall be the weight allowed by the State, including any additional weight allowed by permit. (Added 1993, No. 186 (Adj. Sess.), § 8.)

23 V.S.A. § § 1400c. Gross limits on town highways and bridges

- (a) An agricultural service vehicle, as defined in subdivision 4(71) of this title, shall be exempt from the provisions of sections 1400 and 1400a of this title if the gross weight does not exceed 60,000 pounds.
- (b) Municipalities shall not be liable for injuries or damages to agricultural service vehicles or their operators that result from crossing a posted bridge with an agricultural service vehicle that weighs more than the posted weight limit.

23 V.S.A. § § 1400d. Agricultural service vehicles

- (a)(1) On all highways in a city, the legal load shall be as prescribed for the State Highway System in section 1392 of this title, unless otherwise restricted and posted by the local authorities as provided in this subchapter.

23 V.S.A. § § 1393. Weight limits in cities; adoption by towns or incorporated villages of State limits

- (2) With the approval of the Secretary of Transportation, the legislative body of a town or incorporated village may designate any highway under its jurisdiction to carry the same legal load as specified in section 1392 of this title for the State Highway System. When a certain highway has been so approved by the Secretary and the legislative body as to the legal load limit, then the Secretary shall have the highway posted for the legal load limit.

23 V.S.A. § § 1393. Weight limits in cities; adoption by towns or incorporated villages of State limits

- (3) Except as provided in subdivision 1392(1) of this title, State Highway System weight limits as specified in section 1392 of this title shall apply to class 1 town highways.

23 V.S.A. § § 1393. Weight limits in cities; adoption by towns or incorporated villages of State limits

- (a) When the weight limit on a highway or bridge has been adjusted by the Secretary of Transportation, the selectboard of a town, the trustees of an incorporated village, or the city council of a city, as to the legal load limit, then the Secretary, selectboard, trustees, or city council shall have each restricted highway or bridge posted for the legal load limit permitted. The notices shall be of a permanent nature and shall be placed at each end of each restricted highway in each town, village, or city affected or on the approaches to each restricted bridge. The notices shall state the legal load limit permitted to be operated over the highway or bridge.
- (b) The notices specified in subsection (a) of this section may be omitted when the restricted highway is a class 4 town highway or a class 3 town highway serving only one residence.

23 V.S.A. § § 1397. Signs

Signage

- **Section 2B.59 Weight Limit Signs (R12-1 through R12-5)**
- Option:
 - 01 The Weight Limit (R12-1) sign carrying the legend WEIGHT LIMIT XX TONS may be used to indicate vehicle weight restrictions including load.
 - 02 Where the restriction applies to axle weight rather than gross load, the legend may be AXLE WEIGHT LIMIT XX TONS or AXLE WEIGHT LIMIT XX LBS (R12-2).
 - 03 To restrict trucks of certain sizes by reference to empty weight in residential areas, the legend may be NO TRUCKS OVER XX TONS EMPTY WT or NO TRUCKS OVER XX LBS EMPTY WT (R12-3).
 - 04 In areas where multiple regulations of the type described in [Paragraphs 1](#) through [3](#) are applicable, a sign combining the necessary messages on a single sign may be used, such as WEIGHT LIMIT XX TONS PER AXLE, XX TONS GROSS (R12-4).

Signage

- **Section 2B.59 Weight Limit Signs (R12-1 through R12-5)**
- 05 Posting of specific load limits may be accomplished by use of the Weight Limit symbol sign (R12-5). A sign containing the legend WEIGHT LIMIT on the top two lines, and showing three different truck symbols and their respective weight limits for which restrictions apply may be used, with the weight limits displayed to the right of each symbol as XX T. A bottom line of legend stating GROSS WT may be included if needed for enforcement purposes.
- **Standard:**
06 If used, the Weight Limit sign (see [Figure 2B-29](#)) shall be located in advance of the applicable section of highway or structure.
- *Guidance:*
07 If used, the Weight Limit sign with an advisory distance ahead legend should be placed at approach road intersections or other points where prohibited vehicles can detour or turn around.
- Source: <https://mutcd.fhwa.dot.gov/>

Signage

- Regulatory signs and warning signs shall not be installed on the same post assembly.
- Care should be taken to install signs at the proper height (5 feet minimum, as measured from bottom of sign to edge of pavement – not the ground. If parking or pedestrian movements occur, the appropriate height is 7 feet.).

Reporting to DMV

- All Vermont municipalities are required to file a report with the Vermont DMV of special weight limits for highways and bridges within their jurisdiction. Find a concise listing of each highway or bridge posted, weight limitations in effect, and the time of the year restrictions apply. Contact information is also provided for the individual(s) responsible for issuing local permits, if required.
- <https://dmv.vermont.gov/mydmv/town-highways-bridges-weight-restrictions>

Reporting to DMV

- Any special municipal weight limits on highways or bridges are unenforceable unless the municipality has filed a report of special weight limits with the Vermont Department of Motor Vehicles within 3 working days of the date of the weight limit posting. It is the responsibility of the municipality to keep records documenting the time and date a highway or bridge is posted, and to keep current restrictions on file with the Vermont DMV. **Failure of a municipality to file this information with the Vermont DMV results in such postings being null and void.**

Reporting to DMV

- If the municipality has not filed a report or if the report presently on file with this department is for a year ending prior to the current date any weight limit restrictions/postings made by that municipality are invalid.

Reporting to DMV

- Please note that those municipalities that have filed a current, unexpired report with the Vermont DMV appear in the listing with a link to their completed report. Those municipalities that are linked to blank report or an expired report do not currently have highways/bridges that have legally posted weight limits.
- All Municipal Highways & Bridges Weight Limit Records that are currently on file with the Vermont DMV are available for viewing/printing.

Reporting to DMV

12 Total Restrictions							
Town of: Pittsford							
MUNICIPALITY	TYPE	YEAR	NUMBER	ROAD NAME	START DATE	END DATE	
Pittsford	Highway	2019	45	TH45	2019-02-20	2019-05-15	DETAILS
Pittsford	Bridge	2019	20	BRANDON T/L	2019-02-20	2019-05-15	DETAILS
Pittsford	Highway	2019	28	TH 3	2019-02-20	2019-05-15	DETAILS
Pittsford	Highway	2019	40	TH 45	2019-02-20	2019-05-15	DETAILS
Pittsford	Bridge	2019	45	TH 45	2019-02-20	2019-05-15	DETAILS

Reporting to DMV

Highway and Bridge Weight Restrictions Details

Town Highway and Bridge Weight Restriction Information

Municipality:	Pittsford
Filing Year:	2019
Restriction Type:	Highway
Bridge Number:	
Highway Number:	45
Start Date:	2019-02-20
End Date:	2019-05-15
Status:	Inactive

Reporting to DMV

Weight Limit

2 Axle Weight Limit:	15,000 lbs
3 Axle Weight Limit:	18,000 lbs
4 Axle Weight Limit:	20,000 lbs
5 Axle Weight Limit:	0 lbs
6 Axle Weight Limit:	0 lbs
Maximum Allowable Weight:	0 lbs

Reporting to DMV

Permits, Fees, and Instructions

Town Permit Required:	Yes
Town Fees Required:	Yes
Permit Available:	Yes
Special Instructions or Other Info:	



Permits

- [https://dmv.vermont.gov/sites/dmv/files/documents/CV O-108-Uniform Municipal Excess Weight Permit.pdf](https://dmv.vermont.gov/sites/dmv/files/documents/CV%20O-108-Uniform%20Municipal%20Excess%20Weight%20Permit.pdf)

Permits

Vermont Agency of Transportation
Department of Motor Vehicles
Uniform Municipal Excess Weight Permit

(Municipality)



Fleet



Single Vehicle

Approval is hereby given for the granting of a permit under the provisions of VSA Title 23, Sec. 1400a, and any amendments thereto, covering the operations of motor vehicles over local highways and bridges with gross loads as follows:

Registrant:

Address:

Street/Road

City

State

Zip

Contact:

Phone:

Type of
Vehicles

of
Axles

Product
Carried

Max. Weight
Requested

Max Weight
Approved

Approved for the following highways (list may be attached):

The following restrictions apply (list may be attached):

This approval shall be effective for no more than a one-year period ending March 31, _____. If a fleet permit, this approval covers all vehicles bearing the registrant's name. If the permit is to cover unmarked company trucks, please attach a list to this form giving the year, make, VIN number, maximum weight and registration number.

The holder of a permit shall be liable for any damage to highways or bridges per VSA Title 23, Sec. 1400a © and is required to furnish the municipality a valid Certificate of Insurance in the following amounts: a minimum of \$100,000/\$300,000 Personal Injury Liability Coverage and \$100,000 Property Damage Coverage.

Approved:

Title:

Date:

VX-008 01/2017 MTC

Permits

Instructions for Applicant

1. Permit is valid for up to one year, expiring on March 31.
2. Please include an administrative fee of \$5.00 for each single vehicle application, or \$10.00 for a fleet permit:
 - a. A municipal permit fee of _____.
3. Single vehicle permits must be carried in the permitted truck. Fleet permits are not required to be carried in the trucks.
4. Please use the following codes:

Type of Vehicle		Products	
TK	Truck	A	All Products
TR	Tractor		
TT	Tractor Trailer	M	Unprocessed Milk Products

Instructions for Municipality

1. You may attach a copy of approved highways and/or restrictions to this form.
2. A Vermont blanket permit is not required for issuance of Municipal Excess weight permits.
3. Special weight limits which are higher or lower than legal limits for highways or bridges within your jurisdiction must be on file with the Vermont department of Motor Vehicles as outlined in 23 V.S.A. §1400b.

Enforcement



Enforcement

- 1. DMV will not enforce local weight limits unless we are asked for assistance from the governing board (ie: select board, road foreman, highway superintendent, town manager, mayor, etc.).

Enforcement

- 2. Any posted road that differs from statutory limits must be on file with DMV.

Enforcement

- 3. Any town highway leading off a state highway must be posted with a 24,000 lbs. legal load limit sign which is provided by the state.

Enforcement

- 4. Every road that is not a dead end must be posted on both ends, unless the road leading to an end is already posted with the same weight limit. A person operating an overweight vehicle must have had to pass a legal load limit sign to be in violation.



Mud Season





Mud Season

- The selectboard of a town is authorized by 19 V.S.A. §§ 303 and 1110 to restrict the use of a town highway or even close that highway for a period of time when necessity demands. Selectboards frequently use this authority to prevent damage that might otherwise occur to a town highway during mud season. This authority is not seasonal, however; the selectboard may restrict or close a highway at any time when conditions are such that the traveling public, or the highway itself, might suffer harm caused by vehicles.



Mud Season

- To restrict or temporarily close a town highway, a selectboard must pass a resolution at a duly warned open meeting. An example of such a resolution is as follows:

Mud Season

- RESOLUTION FOR TEMPORARY CLOSURE of [insert name of town highway] [insert name of town], VERMONT WHEREAS the present conditions on [insert name of highway] are such that the traveling public, or the highway itself, might suffer harm caused by vehicular use of that highway due to [insert reason such as “excessive mud,” “erosion from recent storm,” etc.], and WHEREAS, the [insert name of town] Selectboard is authorized under 19 V.S.A. §§ 1110, 23 V.S.A. § 1112 and 24 V.S.A. § 2291(4), to regulate the use of motor vehicles on town highways and to adopt rules to restrict the use of town highways, NOW THEREFORE, the [insert name of town] Selectboard does RESOLVE that motor vehicle travel on [insert name of town highway] shall be [insert “prohibited” if the highway is to be closed; otherwise, insert restriction such as “prohibited except for travel by residents”] from [insert dates/times of closure]. DATED [insert date] Signed [insert signatures].



Mud Season

- Notice of the restriction or closure must be posted in at least two public places in town and signs provided by the Agency of Transportation must be “conspicuously placed” at each end of the portion of the highway that is restricted. 19 V.S.A. § 1110. The Municipal Assistance Center recommends as a best practice that the town maintain documentation of the time and date that a highway or bridge is posted for a seasonal restriction or closure and keep this documentation on file with the Vermont Department of Motor Vehicles (DMV), even though such documentation is not explicitly required in statute. The selectboard may also have physical barriers placed in the highway to prevent travel as long as those barriers are clearly visible and are accompanied by clear signage. 23 V.S.A. § 1112.



Mud Season

- The penalty for violating a road closure is set by statute and therefore a town may not alter that penalty. Nineteen V.S.A. § 1110 states that “A person who violates these rules shall be guilty of a traffic offense under 23 V.S.A. chapter 23, for which he or she shall be fined not more than \$100.00, and shall be liable to the State or town in which the damage is done for all damages to the highway to be recovered in a civil action.” This means that the person who is found to be in violation may be issued a traffic ticket by a law enforcement officer. In addition to that ticketing process, the town may sue the person in small claims court or superior court for the cost of repairing the damage caused to the road. A town may also recover the cost of aiding a stranded operator or moving a disabled vehicle that has been operated on a closed highway. 23 V.S.A. § 1112(c).



Mud Season

- A selectboard may also lower the allowable weight limits on a town highway or bridge at any time, provided that it follows statutory process. Maximum allowable weight limits on highways and bridges are set by 23 V.S.A. § 1392. However, a selectboard may set lower limits on any of its class 2, 3, and 4 town highways or bridges based on its judgment of the best interest of the town. 23 V.S.A. § 1396. It is sometimes in the best interest of a town to lower weight limits on certain highways during mud season (or at other times) when operation by heavy vehicles might otherwise cause significant ruts or structural problems to the highway.



Mud Season

- Local weight limits are set when the selectboard passes a resolution on the subject at a duly warned open meeting. In addition, the town must follow the procedures in 23 V.S.A. §§ 1397, 1400b. Specifically, signs giving notice of the limits must be posted at each end of each restricted highway or on the approaches to each restricted bridge. 23 V.S.A. § 1397. The town must also maintain documentation of the time and date a highway or bridge is posted, and keep all current restrictions on file with the DMV. Weight limits must be filed with the DMV within three working days of the date of posting in order to be enforceable. In addition, the town must annually file a “complete copy of the limitations” with the DMV not later than February 10 of each year. 23 V.S.A. § 1400b. Once conditions improve and the selectboard decides it is appropriate to raise the weight limits, it must go through the entire process of passing a resolution to change the local limit, posting the road, and notifying the DMV.



Mud Season

- Certain vehicles are exempt from locally imposed weight restrictions, even when those weight limits are imposed to protect roads during mud season. The vehicles that are exempt include state and municipal fire-fighting and construction machinery as well as “agricultural service vehicles” that weigh less than 60,000 pounds.



Mud Season

- An “agricultural service vehicle” is defined as “a motor truck” that is registered with the DMV and “is used for the purpose of transporting to or from a farm either: (A) agricultural inputs, including lime, fertilizer, commercial feed, or forages; or (B) agricultural outputs, including milk, vegetables, fruit, horticultural crops, forages, or livestock.” 23 V.S.A. § 4(71). Vehicles that fit such definition do not have to abide by local weight limits, even if they are set specifically to protect a highway during mud season.



Mud Season

- Outside of the above exemptions, the operation of a vehicle in excess of the posted weight limit of a town highway without a permit is a statutory traffic violation for which the operator may be issued a state traffic ticket from a law enforcement officer. The penalties for violation of weight limits are established in 23 V.S.A. § 1391a and may not be changed by the municipality. In addition to that ticketing process, the town may sue the offender in small claims court or superior court for the cost of any damage caused to the road.