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## ***Detailed Fiscal Analysis***

Current law prescribes maximum wheel loads and vehicle and load weight limits for vehicles. Section 5577.042(B) of the Revised Code makes a limited exception to these weight limitations by providing that a farm truck or farm machinery transporting farm commodities, a log truck transporting timber, or trucks carrying bulk milk, corn, soybeans, tobacco, and wheat between points of harvest or production, to the first point of delivery where the commodities are weighed and title to the commodities or timber is transferred, may exceed by no more than 5% the statutory weight limitations, and the prescribed criminal penalty that otherwise would be applicable cannot be imposed. Current law allows local governments to set weight limits and establish fines for vehicles that violate these limits. The exemption does not apply to trucks or farm vehicles travelling on interstate highways or roadways and bridges with weight restrictions nor does it apply during the months of February and March, when thawing roadways are most susceptible to damage. As stated in Section 5577.99 of the O.R.C., the current fine for violation of the weight provisions are listed below.

### Fine structure for violation of the weight provisions

Truck Weight Overload	Fine Assessed
2000 lbs.	\$80.00
2000-5000 lbs.	\$100.00 and \$1 per additional 100 lbs. of overload
5000-10,000 lbs.	\$130.00 and \$2 per additional 100 lbs. of overload or imprisoned not more than thirty days, or both
>10,000 lbs.	\$160.00 and \$3 per additional 100 lbs. of overload or imprisoned not more than thirty days, or both

The provisions of this bill extend the 5% weight limit exemption to coal trucks. It is unclear just how the state, counties, municipalities, and townships will fare from the increased weight limits of coal trucks on their roads. A spokesperson from the Delaware County Engineer's office was unable to place a fiscal amount on any possible damage that may be caused by increased weight. Most roads are built with a maximum weight limit of 80,000 lbs. in mind. The 5% weight limit exception allows coal trucks to travel to their destinations at no more than 84,000 lbs. The increased weight, along with a number of other variables, would accelerate the deterioration of certain roads; the timeframe of this deterioration is not known. This spokesperson also questioned how it would be possible to whom to attribute to anyone any accelerated deterioration of roads, as it would be unclear how to determine damage from a coal truck as opposed to those transporting livestock, etc. The State Highway Patrol reports that in about a one-month period, from 12/16/98 to 1/22/99, there were 24 citations in a 10-county area for overweight coal trucks. Of the 24 citations, 2 were within 5% of their weight limit, and would have been exempted under the provisions of this bill.

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