



Town of Rockingham Village of Bellows Falls

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Testimony on matter of Motor Vehicle Weight Limits in Incorporated Villages (H.917)
VT House Transportation Committee

April 18, 2018

Presented by:

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Dear Members of the House Transportation Committee:

Good morning, my name is Shane O'Keefe and I serve as the Municipal Manager of both the Town of Rockingham and the Village of Bellows Falls, and I wish to thank you for your willingness to consider the following matter that affects not only the Village of Bellows Falls, but all incorporated villages in Vermont.

There is a discrepancy in the State statutes that allows for overweight vehicles (weight limits for State Highways) in incorporated villages while treating towns differently.

In Bellows Falls Village our downtown main street is a series of class 2 Town Highways, including Westminster Street, the Square, and Rockingham Street. We have a continual flow of large tractor trailer trucks streaming through our historic village core, and both our Town Selectboard and Village Trustees are eager to reduce this disruptive through truck traffic. Our downtown streets and buildings are taking a pounding.

Here are my comments on several pertinent sections of House Bill 917

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Sec. 30 -- 23 VSA 1392

We are fully supportive of this section of the Bill, which already provides that the legal load limit in a village is 24,000 lbs.

Sec. 31 -- 23 VSA 1393

It is this section of law where there is a direct conflict with the previous section, and is the reason that, on behalf of the Rockingham Selectboard and Bellows Falls Village Trustees, I have been working with the Senate Transportation Committee and VLCT on this legislation. Here it indicates that, in incorporated villages, the legal load limit is as prescribed for the State highway system, which as you know can extend to almost 100,000 lbs. I have inquired of the VTrans and its Assistant Attorney General, who has indicated that this is the ruling statute. This means that vehicles of all types and weights normally allowed on State highways are allowed on all of our class 2, 3 & 4 roads in Bellows Falls Village and all other villages in the state. And to prevent that (and establish the preferred 24,000 lb. weight limit on local roads) we would need to restrict by ordinance, and properly post, each and every road in the village for which we wish to reduce weight limits below that allowed on State roads. Towns do not have that requirement. It simply does not make sense that roads in a large town such as Brattleboro, Springfield and Colchester are, by statute, protected from overweight vehicles, while villages such as Bellows Falls, North Bennington, Poultney and Johnson are without local control of weight limits on their town highways.

There is no practical or honest reason that incorporated villages such as Bellows Falls should be treated any differently than towns insofar as truck load limits are concerned. We are fully supportive of this section of the Bill.

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Sec. 32 -- 23 VSA 1394

This section of the Bill raises significant questions for me. It proposes a new requirement whereby towns must post legal load limit signs for every class 2, 3 or 4 town highway that 1) connects to a class 1 town highway and 2) has a load limit that differs from the class I road limit, which is set by the State. At present there is no requirement to do this – though posting such roads is required for town roads off of State highways. While the Bill mandates that that the State will provide the signs initially and on an ongoing basis, it will be the responsibility of communities to provide the hardware and manpower to erect the signs in compliance with MUTCD standards. The cost to comply with this provision for both the State and towns (and their taxpayers) will be enormous. Just think about the number of local roads throughout the state that intersect with class 1 town highways – it must be thousands.

VTrans has indicated that the reason for this provision that the Agency has proposed is that truckers might be confused or uncertain if there is an unsigned local road with a load limit different than the truck route. I respectfully disagree with this assertion. If the law provides that all local roads in Vermont are limited to 24,000 lbs., then that should be notice enough – or if deemed necessary by VTrans, the State could post at each roadway entrance to a community (or the state) that the load limit is 24,000 lbs. unless otherwise posted. Vermont statute already provides, under 23 VSA 1396 and 1397, that communities can vary the legal load limit if they so choose and must post signage on their own. Why should the default be to sign for load limits that already meet the legal load maximum? Why not post only those roads with load limits that differ from the legal limits? Let this be a local decision and not an expensive mandate from above.

Thank you for your consideration of this testimony, and for your willingness to take up and consider this important matter.

Sincerely,

Shane O’Keefe, AICP