

CHAPTER 30 – LOAD AND SPEED RESTRICTIONS ON CONSTRUCTION VEHICLES

Public law states that overweight loads are not allowed on public roadways, except by permit. When the Contractor is operating construction vehicles and Equipment outside of the Project limits, or is operating on a segment of Roadway within the Project limits that will not be reconstructed during that Project, the Contractor must comply with all legal load and speed restrictions.

The Contractor can haul non-legal loads over portions of the Project that are outside of the Roadway area or that will be reconstructed as part of the Project. If a portion of the Roadway must still carry public traffic until it is reconstructed, the Contractor is responsible for maintaining that portion of the Roadway if its construction vehicles or operation cause any damage.

Load and speed limitations for construction vehicles and Equipment that are operating within the Project limits are identified in Section 00150.60.

When the Contractor's vehicles must comply with legal load restrictions, those vehicles must not exceed the legal load limits unless allowed to do so by permit. The Contractor must have a procedure to assure that overweight loads are not hauled over public Roadways or that the overweight load is reduced to the legal limit before it enters the public Roadway.

The Project Manager (PM) shall:

- Discuss the restrictions on overweight loads at the pre-construction conference and before Materials are to be hauled over public Roadways; and
- Periodically review of the weigh memos (tickets) to determine that loads are within legal limits.

If the Contractor and its weigher are allowing overweight loads to travel over Roadways, the PM must take appropriate action to assure that overweight loads are not allowed. This action may include placing an Agency weigher at the scale, at the Contractor's expense, to assure that only legal loads are allowed. The PM may need to suspend the Contractor's operations until the Contractor implements positive measures to prevent overloads.

If an overweight load does reach the Project site and the Material is incorporated into the Project, the PM must include the full quantity of the load that was incorporated in the monthly pay estimate.

The PM should not send an overweight load back to the Material source to be reduced to the legal limit. Since the overweight load has already done damage to the Roadway, do not compound the damage by sending it back as an overweight load.

ODOT's Field Motor Carrier Services Unit can be of assistance in determining legal loads and in helping to enforce the law. The Agency has the right to have representatives from that unit on the Project Site to weigh vehicles if non-legal loads are suspected. The Contractor does not have the right to order those representatives off the Project Site if they are enforcing the law.

Take the appropriate action to prevent non-legal loads on public roadways. ORS 818.440 states, in part, that it is a violation of statute for any person to knowingly and willfully procure, aid, or abet in allowing non-legal loads on the public Roadway.