129,000 Pound Route Subcommittee

February 2021 Update

Charter

This Charter is developed from guidance provided in the combination of 2013 Senate Bills 1064, and 1117, House Bill 322 and the Governor’s transmittal of Senate Bill 1117 to the Secretary of State on April 1, 2013. Membership of the 129,000 Pound Route Subcommittee shall include Idaho Transportation Board (ITB) members, Idaho Transportation Department (ITD) Headquarters (HQs) staff, applicable Districts and advisors as determined by the Chairman of the Board.

The Idaho Transportation Board, in collaboration with Idaho State Police (ISP), must draft rules both for criteria that will be used in assessing the suitability of any nominated stretch of interstate or state highway and for the public participation process in considering any proposed designation. (The Governor “…must be satisfied with the process before any rules are approved”.)

Safety must be the highest priority, addressing necessary and prudent restrictions on use of designated routes, enforcement processes from jurisdiction to jurisdiction, mechanical requirements for trucks and trailers, driver certification requirements, pavement and roadbed conditions, bridge conditions and load carrying capacities, route geographic conditions, weather conditions, possible restrictions caused by horizontal and vertical alignment, and other factors unique to each area in question. The process of considering nominated routes also must include timely, well-noticed public hearings and notification of adjacent property owners. (This does not mean that adjacent property owners will receive individual notification. Notification will be provided via news releases and information posted on the 129,000 Pound Route website.)

Rules developed by the Idaho Transportation Department and approved by the Idaho legislature for the 129,000 Pound Pilot Project referenced in Senate Bill 1064 shall be incorporated as baseline for implementing the thirty-five (35) routes made permanent by SB1064. Rules for assessing the suitability of any additional routes that are nominated by the state or any local highway jurisdiction having authority over a nominated highway or highway segment will be developed for consideration and approval by the Idaho legislature as part of the formal rules review process.

The 129,000 Pound Route Subcommittee will meet on an as-needed basis. Subcommittee meetings shall be open to the public and minutes will be taken.
Membership

Chairman
**Dwight Horsch** - Member, District 5, Idaho Transportation Board

Board Members
**Jim Thompson** - Member, District 1
**Julie DeLorenzo** – Floating Member*, District 3

*The floating member will serve on the Subcommittee unless a route in a non-Subcommittee member’s District is on the agenda. In that case, the member from that respective District will serve to ensure the District is represented by its Board member.

Staff and Coordinating Agencies
Chief Engineer (CE), Idaho Transportation Department (ITD)
Highway Safety Manager, ITD
Bridge Asset Management Engineer, ITD
Motor Vehicles Administrator, ITD
ITD District Engineer from requested route’s district
Division of Motor Vehicles, Office of Compliance, ITD
Idaho State Police
Executive Assistant to the Board
Department of Commerce
Trucking Advisory Council (TAC)
Idaho Trucking Association (ITA)
Freight Program Manager**

Advisors
Deputy Attorney General
Office of Communication Manager, ITD
Governmental Affairs Manager, ITD
Representative from the Local Highway Technical Assistance Council
Others as required

** The Chief Engineer has designated ITD’s Freight Program Manager as the 129,000 Pound Route Program manager and as such is responsible for coordinating the 129,000 Pound Program.
Process

1. Application Submission: The application is submitted using ITD Form 4886 to the Idaho Transportation Department Office of the Chief Engineer by the requestor (applicant). The applicant will forward to the adjacent (contiguous) local jurisdictions and the Local Highway Technical Assistance Council (LHTAC) in accordance with guidance on ITD Form 4886.

2. Review/Analysis: Following submission of ITD Form 4886, the request will be reviewed for completeness by the Freight Program Manager (FPM). If the application is incomplete, it will be returned to the applicant with an explanation for returning the form. If the application is complete, the department’s analysis for engineering and safety criteria will commence. Analysis criteria shall include assessment of pavement and bridges to allow legal tire, axle, and gross weight limits as per section 49-1001 and 49-1002, Idaho Code, and route off-track requirements, which includes road width and curvature. Additional consideration shall be given to traffic volumes and other safety factors. (Appendix 1)

   - The FPM creates a case file and coordinates a “Kick Off” meeting to synchronize the processing of the application. The goal of the kick off meeting is to establish the application processing timeline using the Idaho Transportation Board meeting as the starting point and backwards plan the application timeline. The goal is to establish an executable timeline that takes no more than three (3) months to complete the application process.

   - Participants in the kick off meeting are:
     - Division of Motor Vehicles Representative
     - Applicable District Engineer Representative
     - Applicable District Public Information Officer
     - Office of Highway Safety Representative
     - Bridge Asset Management Representative
     - Executive Assistant to the Board
     - Government Affairs Representative
     - Office of Communications Representative

   - The FPM will provide the completed ITD Form 4886 to, Office of Highway Safety, Bridge Asset Management, the applicable ITD District and the Division of Motor Vehicles to conduct their respective evaluation of the applicable route(s).

   - The FPM sends the application to the Executive Assistant to the Board, who in turn, sends the application to the Board member whose district the application is being requested.

   - The FPM will forward the application to ITD’s Office of Communications for posting to the 129,000 Pound Route website.

   - The applicable District, Office of Highway Safety, Bridge Asset Management and DMV will complete a review/analysis of the requested route(s) and return the review/analysis to the FPM with documented recommendation to approve, or reject, or to recommend the applicant provide additional information. District Engineers shall also contact the local jurisdictions that the route(s) travels through to ensure they are aware of the route request.
• Where an applicant’s proposal may include local road sections, District Engineers will engage with appropriate (affected) local government officials. ITD will provide assistance in local bridge analyses where required.

• Once the staff analysis is complete, the FPM will finalize an evaluation on the application and forward the evaluation to the CE for review.

• If the evaluation is favorable toward the application, a public hearing is scheduled to gather public testimony.

• If the evaluation is not favorable toward the application, the FPM will present the findings to the 129,000 Pound Route Subcommittee for its consideration. If the Subcommittee concurs with the unfavorable evaluation, the Subcommittee can elect to;
  - Return the evaluation to the FPM who will coordinate a re-evaluation with the applicant, HQs staff, DMV and applicable district. Should the re-evaluation be favorable to the request, the FPM will present the updated evaluation to the Subcommittee. If the Subcommittee concurs with the revised evaluation, the FPM will coordinate with the applicable District PIO for a public hearing (Appendix 2); or
  - Recommend the Transportation Board deny the application (Appendix 3)

3. Public Hearing: If the evaluation is favorable toward the application, the Executive Assistant to the Board will work with the appropriate (affected) Board member(s), the District Public Information Officer (PIO) and respective District Engineer(s) to schedule a hearing. If more than one route has been requested in a district, one hearing may be held to gather testimony on all of the routes in that district.

• The District PIO will post information on the ITD 129,000 Pound Route website announcing the hearing and date of closure for public comment; date and time for closure of public comment to be at least 15 days after posting notification of the hearing.

• The Governmental Affairs Manager will notify appropriate legislators and local elected officials of the time, date and place of the hearing.

• The FPM will inform the applicant of the hearing date and time.

• The District PIO will provide a script for the hearing officer (Board member) to the Executive Assistant to the Board.

• The District PIO will forward all public communications (oral, letters, e-mails etc…) received to the FPM who will consolidate the public’s comments and coordinate for the posting of the comments to the ITD 129,000 Pound Route website and forward a copy to the Executive Assistant to the Board.

• The Executive Assistant to the Board will provide information packets, including public comments received, to the affected Board member prior to the hearing.

• Hearings will be open to the public.
• The affected Board member will take testimony. The District PIO is responsible to transcribe the testimony and forward the transcript to the FPM. The FPM will then post it on the ITD 129,000 Pound Route website.

4. Chief Engineer’s Recommendation to the 129,000 Pound Route Subcommittee:
The FPM will present findings and relevant information to the 129,000 Pound Route Subcommittee along with a recommendation to approve or reject the application based on the evaluation of the application.

5. Subcommittee Meeting:

• The Executive Assistant to the Board will work with the Subcommittee Chair on scheduling meetings. Subcommittee meetings will be held at ITD Headquarters with audio/visual connections to affected district offices, or at a location determined by the Subcommittee Chair.

• The Governmental Affairs Manager will notify appropriate legislators and local elected officials of the time, date and place of the Subcommittee meeting.

• The Executive Assistant to the Board and the Office of Communications will issue a news release regarding the Subcommittee meeting date, time and place. The Office of Communications will post the meeting agenda on the ITD 129,000 Pound Route website.

• The FPM will inform the applicant(s) of the meeting.

• The Executive Assistant to the Board will provide information packets, including public comments or reference to public comments, posted on the ITD 129,000 Pound Route website prior to the Subcommittee meeting.

• Subcommittee meetings will be open meetings without additional public testimony; however, comments received up until the published closing date will be considered and specifically addressed by an advisory member of the Subcommittee or ITD staff as required.

• The FPM will present the analysis of the route(s) and a recommendation for Subcommittee action.

• If the recommendation is favorable, the Subcommittee will discuss, and the voting Subcommittee members as identified in bold face on page 3 shall vote on a motion to hold the request for additional information or recommend the full Board reject or approve the application.

• The result of the decision on the motion or the direction taken on the unfavorable report will be provided to the Idaho Transportation Board at the first available meeting scheduled by the Chairman of the Board.

• The Executive Assistant to the Board will take minutes. The minutes will be posted on the ITD 129,000 Pound Route website by the FPM.

6. Idaho Transportation Board Meeting: The 129,000 Pound Route Subcommittee will make a recommendation (options include, but are not limited to, hold the request for additional
information or recommend the full Board reject or approve the application) to the Idaho Transportation Board based upon the department’s analysis.

- The FPM will present the analysis of the route(s).

- A summary of relevant comments received on the request will be provided. If appropriate, a responsible party (i.e. ITD staff, the Department of Commerce, or State Police) will address comments.

- The Subcommittee Chair will present the Subcommittee’s recommendation.

7. If the Idaho Transportation Board rejects or approves the Subcommittee’s recommendation to either approve or deny the request, the FPM will prepare a CE Letter of Determination for CE endorsement. The Letter of Determination will be sent to the requester and posted on the ITD 129,000 Pound Route website. An applicant has 14 days to file an appeal with the ITD Director. The Director then appoints a hearing officer to review the appeal in accordance with the Idaho Administrative Appeals Act. If no action is taken, the decision becomes final 14 days after the Letter of Determination is posted.

- The FPM will send a copy of the CE’s Letter of Determination to the DMV. If the decision is to approve the route, the DMV will update the “route for up to 129,000 pound vehicle combinations map”.

- The FPM will post the CE’s Letter of Determination on the ITD 129,000 Pound Route website with the date of the posting.

- The original CE’s Letter of Determination will be maintained by the FPM.
Appendix 1

129,000 Pound Time Line

- ITD Receives Application
  - 0 Day
- ITD & Applicant Validate Application
  - 2 Day
- Kick Off Meeting
  - 4 Day
- Application Posted to 129K Webpage
  - 5 Day
- Inform LHTAC, effected LHJ and/or MPO
  - 14 Day
- ITD Staff, DMV & District Complete Evaluation
  - 15 Day
- Evaluation Posted on the 129K Webpage
  - 20 Day
- Public Comment Period Opens
  - 35 Day
- Public Comment Period Closes
  - 40 Day
- Public Hearing
  - 47 Day
- FPM completes and submits Subcommittee packet to EAB
  - 51 Day
- Comment Posted on the 129K Webpage
  - 67 Day
- 129K Subcommittee Meeting
  - 68 Day
- FPM completes and submits Board packet to EAB
  - 82 Day
- Application Posted to Extra Length/Excess Weight Up to 129,000 Pound Map

- 15 Day - Open Comment Period
- 7 Days - Meeting packet submitted to Subcommittee
- 17 Days - Board agenda submission to Board Meeting
- 14 Days - Open appeal dates from published Letter of Determination to when approved route is published on the “Designated Routes up to 129K” Map.
Appendix 2

129,000 Pound Time Line
“Request Returned to ITD Staff”

ITD Receives Application

0 Day

ITD & Applicant Validate Application

2 Day

Kick Off Meeting

4 Day

Application Posted to 129K Webpage
Inform LHTAC, effected LHJ and/or MPO

5 Day

ITD Staff, DMV & District Complete Evaluation
Evaluation Posted on the 129K Webpage

14 Day

If the application analysis is unfavorable then
FPM presents the application to the
Subcommittee for its consideration

20 Day

If the Subcommittee rejects the application
the request is returned to the FPM for staff,
District or DMV re-evaluation

25 Day

ITD Staff, DMV & District Complete re-evaluation. If favorable FPM coordinates
Public comment period and hearings with
District PIO

27 Day

Process starts with Day 20 of Appendix 1

30 Day
Appendix 3

129,000 Pound Time Line
“Request Denied”

0 Day
ITD Receives Application

2 Day
ITD & Applicant Validate Application

4 Day
Kick Off Meeting

5 Day
Application Posted to 129K Webpage
Inform LHTAC, effected LHJ and/or MPO

14 Day
ITD Staff, DMV & District Complete Evaluation
Evaluation Posted on the 129K Webpage

24 Day
If the application analysis is unfavorable
then FPM presents the application to the
Subcommittee for it’s consideration

26 Day
If the Subcommittee denies the application
the application is submitted to the Board
with a recommendation to deny the application

43 Day
Application presented to the ITD Board
and denied.

FPM drafts Letter of Determination for CE’s
Endorsement. FPM submits the letter to
the applicant and posts to the 129K web
Page