

In the Matter of the Applications for the)
Designation of 129,000 Pound Route on)
US Highway 26)
Case Nos. 202002US26)

LETTER OF DETERMINATION

The Idaho Transportation Department received an applications requesting that sections of US Highway 26 be designated as a route in which transports weighing up to 129,000 pounds would be allowed. Specifically, the applications sought the designation of US Highway 26 from milepost (MP) 24.830 to MP 34.302. The application was submitted to the Idaho Transportation Department (ITD) pursuant to Idaho Code section 49-1004A.

The staff at ITD, Bridge Section and the Office of Highway Safety of ITD Headquarters, District 3 and the Division of Motor Vehicles evaluated the proposed routes applying the criteria set forth in the administrative rules that implement the statute. See IDAPA 39.03.22.200.04. Staff found the proposed route satisfied engineering and safety standards set forth in the rule. I received the information from staff and recommended that the matter proceed to a public hearing.

A virtual public comment and hearing period were noticed and conducted: using virtual presentation means from 15 October, 2020 to 13 November, 2020 where written and verbal testimony was received. Idaho Transportation Board Member DeLorenzo presided over the virtual public comment period and hearing. Following a thirty-day period, the time for submitting written comment closed.

The Board Sub-Committee held an open meeting on December 2, 2020. At that meeting I recommended approval of the proposed route. The Sub-Committee considered staff's analysis, my recommendation, the testimony received at the public hearing and the written comments

submitted. The Sub-Committee voted to recommend approval of the proposed route to the full Idaho Transportation Board.

The Board Sub-Committee and my representative presented this matter to the Idaho Transportation Board at its regularly scheduled meeting of December 17, 2020. The Board received the submitted applications, maps of the proposed routes and Staff's evaluation of the proposed routes. The Board also received transcripts of the testimony submitted at the public hearing and the written comments received by Staff. The Board accepted the recommendations to approve the route and adopted a resolution during the meeting, directing me to process a Letter of Determination approving the route for weights of up to 129,000 pounds.

THEREFORE, it is now DETERMINED that the application identified above are hereby APPROVED and the requested routes are designated as routes in which vehicles combinations of up to 129,000 pounds may operate with a permit.

This Letter of Determination is an administrative action of the Idaho Transportation Department and will become a final agency action unless an appeal or pleading is filed with me within fourteen (14) calendar days from the date of service indicated below. The right to file an appeal or pleading is set forth in title 67, chapter 52, Idaho Code and IDAPA 04.11.01, referred to as the Idaho Rules of Administrative Procedure of the Attorney General.

Dated this 18 day of December 2020.

BLAKE RINDLISBACHER
Chief Engineer
Idaho Transportation Department

CERTIFICATE OF SERVICE

I hereby certify that on this 18 day of December, 2020, a copy of the within and foregoing LETTER OF DETERMINATION was served by sending the same by United States mail, postage prepaid, in an envelope addressed to:

IDAHO MILK TRANSPORT
P.O. BOX 1185
Burley, ID 83318
