



States ease overweight trucking regulations in response to COVID-19

April 9, 2020

Responding to the COVID-19 pandemic, states across the country are waiving requirements and lifting restrictions to promote transportation of emergency relief supplies. While states generally impose weight restrictions and an assortment of permitting requirements, many are finding ways to alleviate the burden of such requirements and enable the efficient movement of supplies. States are taking a variety of approaches; a sampling of waivers and suspensions follows:

Colorado

In Governor Jared Polis' [executive order](#) on March 20, 2020, he suspended the gross weight provisions for vehicles weighing 80,001 – 84,999 pounds to allow safe and efficient delivery of emergency goods and services. A related [memorandum](#) explains that although other states have increased their interstate weights to 90,000 – 100,000 pounds, after working closely with Colorado State Patrol and industry representatives, the Colorado Department of Transportation believes 85,000 pounds is the appropriate cutoff at this time.

Georgia

Georgia Governor Brian Kemp issued an [emergency declaration](#) on March 14, 2020. The order suspends the regulations limiting operating hours of commercial vehicles to ensure carriers may transport emergency supplies. Commercial vehicles operating outside the normal weight, height, and length restrictions will be issued permits by the Georgia Department of Public Safety.

Illinois

On March 15, 2020, Governor J.B. Pritzker signed an [emergency declaration](#) also related to overweight trucking permits. The order provides that the Illinois Department of Transportation may waive fees related to overweight permits for the transportation of emergency response and relief supplies. A permit issued under this order, however, does not authorize the operation of any vehicle with a maximum gross weight over 88,000 pounds.

Maryland

In Maryland, Governor Larry Hogan issued an [order](#) declaring a transportation emergency throughout the state. He announced that motor vehicles transporting equipment and supplies directly related to COVID-19 and the catastrophic health emergency are allowed a 15 percent tolerance above any weight limit imposed by statute.

Texas

Effective March 13, 2020, the Texas Department of Motor Vehicles issued a [suspension](#) of certain trucking regulations to enable commercial vehicle operators to provide disaster assistance in Texas. The suspension waives three key sets of restrictions:

- The oversize and overweight permitting requirements for all divisible and non-divisible vehicles and loads.
- The 72 and 144-hour temporary registration permit requirements.
- The International Registration Plan (IRP) vehicle registration requirements.

Such waivers only apply to the transportation of supplies, medical equipment, and similar materials necessary to respond to COVID-19.

Virginia

On March 19, 2020, The Virginia Department of Transportation issued a temporary [waiver](#) of registration and licensing requirements, including a temporary waiver of normal weight and width restrictions for the purpose of ensuring essential emergency supplies and services reach impacted areas in a timely manner. The order provides that weight exemptions are not valid on interstate highways unless there is an associated federal emergency declaration. Because, at this time, there is a presidential declaration of emergency under the Stafford Act, carriers shall have special permitting authority when traveling on the interstate while responding to the COVID-19 pandemic.

Conclusion

Many other states have issued similar, but nuanced, orders. These waivers dovetail with federal action by the Federal Motor Carrier Safety Administration to temporarily provide an exemption from certain federal safety regulations. This exemption is discussed in further detail [here](#). The recently passed Coronavirus Aid, Relief, and Economic Security Act, or CARES Act, also includes legislative language directing the Federal Highway Administration to clarify that states can issue special permits for overweight vehicles to allow for the free flow of critical relief supplies.

Lifting weight restrictions and waiving permitting fees will improve states' ability to efficiently deliver essential supplies in this time of crisis. However, because such suspended restrictions apply only to operators of commercial vehicles traveling in and through a particular state, operators may face challenges when traveling across jurisdictional lines. Commercial carriers should be aware of the distinctions of each state's measures to ensure compliance with all regulations.

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