

1 **MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT**

2 **AMENDMENTS**

3 2011 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kevin T. Van Tassell**

6 House Sponsor: Julie Fisher

7
8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Multistate Highway Transportation Agreement by changing the
11 name from the Multistate Highway Transportation Agreement to the Western States
12 Transportation Alliance.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ changes the name of the Multistate Highway Transportation Agreement to the
16 Western States Transportation Alliance; and
17 ▶ makes technical changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **41-23-1**, as enacted by Laws of Utah 1981, Chapter 179

25 **41-23-2**, as last amended by Laws of Utah 2001, Chapter 72

26
27 *Be it enacted by the Legislature of the state of Utah:*



28 Section 1. Section 41-23-1 is amended to read:

29 CHAPTER 23. WESTERN STATES TRANSPORTATION ALLIANCE

30 41-23-1. Enactment.

31 The [~~Multistate Highway Transportation Agreement~~] Western States Transportation
32 Alliance is hereby enacted into law and entered into with all other jurisdictions legally joining
33 therein.

34 Section 2. Section 41-23-2 is amended to read:

35 41-23-2. Text.

36 The text of this [~~agreement~~] alliance is as follows:

37 [~~MULTISTATE HIGHWAY TRANSPORTATION AGREEMENT~~]

38 WESTERN STATES TRANSPORTATION ALLIANCE

39 Pursuant to and in conformity with the laws of their respective jurisdictions, the
40 participating jurisdictions, acting by and through their officials lawfully authorized to execute
41 this agreement, do mutually agree as follows:

42 ARTICLE I

43 Findings and Purposes

44 Section 1. Findings. The participating jurisdictions find that:

- 45 (a) The expanding regional economy depends on expanding transportation capacity;
- 46 (b) Highway transportation is the major mode for movement of people and goods in the
47 western states;
- 48 (c) Uniform application in the West of more adequate vehicle size and weight
49 standards will result in a reduction of pollution, congestion, fuel consumption, and related
50 transportation costs, which are necessary to permit increased productivity;
- 51 (d) A number of western states, already having adopted substantially the 1964 Bureau
52 of Public Roads recommended vehicle size and weight standards, still find current federal
53 limits more restrictive; and
- 54 (e) The participating jurisdictions are most capable of developing vehicle size and
55 weight standards most appropriate for their economy and transportation requirements,
56 consistent with and in recognition of principles of highway safety.

57 Section 2. Purposes. The purposes of this agreement are to:

- 58 (a) Adhere to the principle that each participating jurisdiction should have the freedom

59 to develop vehicle size and weight standards that it determines to be most appropriate to its
60 economy and highway system.

61 (b) Establish a system recommending the operation of vehicles traveling between two
62 or more participating jurisdictions at more adequate size and weight standards.

63 (c) Promote uniformity among participating jurisdictions in vehicle size and weight
64 standards on the basis of the objectives set forth in this agreement.

65 (d) Secure uniformity insofar as possible, of administrative procedures in the
66 enforcement of recommended vehicle size and weight standards.

67 (e) Provide means for the encouragement and utilization of research which will
68 facilitate the achievement of the foregoing purposes, with due regard for the findings set forth
69 in section 1 of this article.

70 (f) Study and recommend appropriate highway user fees.

71 (g) Facilitate communication between legislators, state transportation administrators,
72 and commercial industry representatives in addressing the emerging highway transportation
73 issues in participating jurisdictions.

74 ARTICLE II

75 Definitions

76 Section 1. As used in this agreement:

77 (a) "Cooperating Committee" means a body composed of the designated
78 representatives from the participating jurisdictions.

79 (b) "Designated representative" means a legislator or other person authorized under
80 Article XII to represent the jurisdiction.

81 (c) "Jurisdiction" means a state of the United States or the District of Columbia.

82 (d) "Vehicle" means any vehicle as defined by statute to be subject to size and weight
83 standards which operates in two or more participating jurisdictions.

84 ARTICLE III

85 General Provisions

86 Section 1. Qualifications for Membership. Participation in this agreement is open to
87 jurisdictions which subscribe to the findings, purposes, and objectives of this agreement and
88 will seek legislation necessary to accomplish these objectives.

89 Section 2. Cooperation. The participating jurisdictions, working through their

90 designated representatives, shall cooperate and assist each other in achieving the desired goals
91 of this agreement pursuant to appropriate statutory authority.

92 Section 3. Effect of Headings. Article and section headings contained herein shall not
93 be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the
94 provisions of any article or section hereof.

95 Section 4. Vehicle Laws and Regulations. This agreement shall not authorize the
96 operation of a vehicle in any participating jurisdiction contrary to the laws or regulations
97 thereof.

98 Section 5. Interpretation. The final decision regarding interpretation of questions at
99 issue relating to this agreement shall be reached by unanimous joint action of the participating
100 jurisdictions, acting through the designated representatives. Results of all such actions shall be
101 placed in writing.

102 Section 6. Amendment. This agreement may be amended by unanimous joint action of
103 the participating jurisdictions, acting through the officials thereof authorized to enter into this
104 agreement, subject to the requirements of section 4, article III. Any amendment shall be placed
105 in writing and become a part hereof.

106 Section 7. Restrictions, Conditions or Limitations. Any jurisdiction entering this
107 agreement shall provide each other participating jurisdiction with a list of any restriction,
108 condition or limitation on the general terms of this agreement, if any.

109 Section 8. Additional Jurisdictions. Additional jurisdictions may become members of
110 this agreement by signing and accepting the terms of the agreement.

111 **ARTICLE IV**

112 **Cooperating Committee**

113 Section 1. Each participating jurisdiction shall have two designated representatives.
114 Pursuant to section 2, article III, the designated representatives of the participating jurisdictions
115 shall constitute the Cooperating Committee which shall have the power to:

116 (a) Collect, correlate, analyze, and evaluate information resulting or derivable from
117 research and testing activities in relation to vehicle size and weight related matters.

118 (b) Recommend and encourage the undertaking of research and testing in any aspect of
119 vehicle size and weight or related matter when, in their collective judgment, appropriate or
120 sufficient research or testing has not been undertaken.

121 (c) Recommend changes in law or policy with emphasis on compatibility of laws and
122 uniformity of administrative rules or regulations which would promote effective governmental
123 action or coordination in the field of vehicle size and weight related matters.

124 (d) Recommend improvements in highway operations, in vehicular safety, and in state
125 administration of highway transportation laws.

126 (e) Perform functions necessary to facilitate the purposes of this agreement.

127 Section 2. Each designated representative of a participating jurisdiction shall be entitled
128 to one vote only. No action of the committee shall be approved unless a majority of the total
129 number of votes cast by the designated representatives of the participating jurisdictions are in
130 favor of the action.

131 Section 3. The committee shall meet at least once annually and shall elect, from among
132 its members, a chairman, a vice-chairman, and a secretary.

133 Section 4. The committee shall submit annually to the Legislature of each participating
134 jurisdiction a report setting forth the work of the committee during the preceding year and
135 including recommendations developed by the committee. The committee may submit such
136 additional reports as it deems appropriate or desirable.

137 ARTICLE V

138 Objectives of the Participating Jurisdictions

139 Section 1. Objectives. The participating jurisdictions hereby declare that:

140 (a) It is the objective of the participating jurisdictions to obtain more efficient and more
141 economical transportation by motor vehicles between and among the participating jurisdictions
142 by encouraging the adoption of standards that will, as minimums, allow the operation on all
143 state highways, except those determined through engineering evaluation to be inadequate, with
144 a single-axle weight of 20,000 pounds, a tandem-axle weight of 34,000 pounds, and a gross
145 vehicle or combination weight not in excess of that resulting from application of the formula:

146
$$W=500 \{LN/(N-1) + 12N+36\}$$

147 where W = maximum weight in pounds carried on any group of two or more consecutive axles
148 computed to nearest 500 pounds.

149 L = distance in feet between the extremes of any group of two or more consecutive
150 axles.

151 N = number of axles in group under consideration.

152 (b) It is the further objective of the participating jurisdictions that the operation of a
153 vehicle or combination of vehicles in interstate commerce according to the provisions of
154 subsection (a) of this section be authorized under special permit authority by each participating
155 jurisdiction for vehicle combinations in excess of statutory weights of 80,000 pounds or
156 statutory lengths.

157 (c) It is the further objective of the participating jurisdictions to facilitate and expedite
158 the operation of any vehicle or combination of vehicles between and among the participating
159 jurisdictions under the provisions of subsection (a) or (b) of this section, and to that end the
160 participating jurisdictions hereby agree, through their designated representatives, to meet and
161 cooperate in the consideration of vehicle size and weight related matters including, but not
162 limited to, the development of: uniform enforcement procedures; additional vehicle size and
163 weight standards; operational standards; agreements or compacts to facilitate regional
164 application and administration of vehicle size and weight standards; uniform permit
165 procedures; uniform application forms; rules and regulations for the operation of vehicles,
166 including equipment requirements, driver qualifications, and operating practices; and such
167 other matters as may be pertinent.

168 (d) The Cooperating Committee may recommend that the participating jurisdictions
169 jointly secure congressional approval of this agreement and, specifically of the vehicle size and
170 weight standards set forth in subsection (a) of this section.

171 (e) It is the further objective of the participating jurisdictions to:

172 (1) Establish transportation laws and regulations to meet regional and economic needs
173 and to promote an efficient, safe, and compatible transportation network;

174 (2) Develop standards that facilitate the most efficient and environmentally sound
175 operation of vehicles on highways, consistent with and in recognition of principles of highway
176 safety; and

177 (3) Establish programs to increase productivity and reduce congestion, fuel
178 consumption, and related transportation costs and enhance air quality through the uniform
179 application of state vehicle regulations and laws.

180 **ARTICLE VI**

181 **Entry Into Force and Withdrawal**

182 **Section 1.** This agreement shall enter into force when enacted into law by any two or

183 more jurisdictions. Thereafter, this agreement shall become effective as to any other
184 jurisdiction upon its enactment thereof, except as otherwise provided in section 8, article III.

185 Section 2. Any participating jurisdiction may withdraw from this agreement by
186 cancelling the same but no such withdrawal shall take effect until 30 days after the designated
187 representative of the withdrawing jurisdiction has given notice in writing of the withdrawal to
188 all other participating jurisdictions.

189 ARTICLE VII

190 Construction and Severability

191 Section 1. This agreement shall be liberally construed so as to effectuate the purposes
192 thereof.

193 Section 2. The provisions of this agreement shall be severable and if any phrase, clause,
194 sentence or provision of this agreement is declared to be contrary to the constitution of any
195 participating jurisdiction or the applicability thereto to any government, agency, person or
196 circumstance is held invalid, the validity of the remainder of this agreement shall not be
197 affected thereby. If this agreement shall be held contrary to the constitution of any jurisdiction
198 participating herein, the agreement shall remain in full force and effect as to the jurisdictions
199 affected as to all severable matters.

200 ARTICLE VIII

201 Filing of Documents

202 Section 1. A copy of this agreement, its amendments, and rules or regulations adopted
203 thereunder and interpretations thereof shall be filed in the highway department in each
204 participating jurisdiction and shall be made available for review by interested parties.

205 ARTICLE IX

206 Existing Statutes Not Repealed

207 Section 1. All existing statutes prescribing weight and size standards and all existing
208 statutes relating to special permits shall continue to be of force and effect until amended or
209 repealed by law.

210 ARTICLE X

211 State Government Departments

212 Authorized to Cooperate with Cooperating Committee

213 Section 1. Within appropriations available therefor, the departments, agencies and

214 officers of the government of this state shall cooperate with and assist the Cooperating
215 Committee within the scope contemplated by article IV, section 1 (a) and (b) of the agreement.
216 The departments, agencies and officers of the government of this state are authorized generally
217 to cooperate with said Cooperating Committee.

218 **ARTICLE XI**

219 **Funding Section**

220 Section 1. Funds for the administration of this agreement, including participation in the
221 Cooperating Committee and the actual expenses of the designated representatives, shall be
222 budgeted or expensed as determined appropriate.

223 **ARTICLE XII**

224 **Selection of Designated Representatives**

225 Section 1. The process for selecting the designated representatives to the Cooperating
226 Committee shall be established by law under this section.

227 Section 2. The persons authorized to represent the state of Utah as the designated
228 representatives to the committee shall be the chairperson of the Senate Transportation
229 Committee and the chairperson of the House Transportation Committee or a legislator or a
230 state agency official that the chairperson assigns.

231 Section 3. The transportation chairpersons in each house shall also designate one
232 alternative designated representative who shall also be a legislator or state agency official to
233 serve in their absence.

Legislative Review Note
as of 12-14-10 6:21 AM

Office of Legislative Research and General Counsel

FISCAL NOTE

S.B. 118

SHORT TITLE: **Multistate Highway Transportation Agreement Amendments**

SPONSOR: **Van Tassell, K.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.