

RULES TO ESTABLISH SEASONAL LOAD RESTRICTIONS ON CERTAIN LOCAL ROADWAYS

SUMMARY: The following rules define the heavy load restrictions on posted Local Roadways between November 15 to June 1, pursuant to Municipal Officer's authority under Title 29-A M.R.S.A., Section 2395

SECTION 1. DEFINITIONS

1. The definitions contained in Title 29-A, Section 101 of the *Maine Revised Statutes Annotated* are hereby included.
2. **Limited Load Permit** - A written permit issued by the Board of Assessors of Sandy River Plantation authorizing the transport of certain commodities under certain specified circumstances as defined in these rules.
3. **Exemption Certificate** – A permit that was issued by the Maine Department of Transportation and/or the Board of Assessors of Sandy River Plantation prior to the establishment of Limited Load Permits and allows for a partial load defined by axle configuration.
4. **Perishable Product** – Any commodity (typically food items) that require expeditious transportation in a controlled atmosphere for protection against heat or cold to prevent deterioration.
5. **Special mobile equipment.** "Special mobile equipment" means a motor vehicle with permanently mounted equipment not designed or used primarily for the transportation of persons or property. "Special mobile equipment" includes, but is not limited to, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, trucks used only to plow snow and for other duties pertaining to winter maintenance, including sanding and salting, well drillers and wood-sawing equipment or similar types of equipment.
6. **Special Commodity** – Includes any of the following:
 - a) Home delivered heating fuel (oil, gas, coal, stove size wood that is less than 36" in length, propane and wood pellets);
 - b) Petroleum products;
 - c) Groceries;
 - d) Bulk milk;

- e) Bulk feed;
- f) Solid waste;
- g) Animal bedding;
- h) Returnable beverage containers;
- i) Sewage from private septic tanks or porta-potties;
- j) Medical gases; or
- k) United States mail.

SECTION 2. DESIGNATED CLOSED WAYS

In order to prevent excessive damage to Sandy River Plantation Local Roadways, the Board of Assessors of Sandy River Plantation may close all or part of a highway to heavy vehicles during any time from November 15 to June 1. No heavy vehicles shall travel over closed ways except those permitted by this rule.

SECTION 3. NOTICE

Notice shall be given by erecting an orange poster at each end of a closed highway indicating the following: (1) the date of the posting, (2) a description of the highway that is closed, (3) a summary of the vehicles exempt from the closing, (4) the name of the Plantation's Representative(s), and (5) the applicable statutory and regulatory references.

SECTION 4. EXEMPTION – FROZEN HIGHWAYS

This rule shall not apply to a closed highway which is frozen. A highway is considered “frozen” if the air temperature is 32 degrees Fahrenheit or below and no water is showing in the cracks of the road. Alternatively, if the air temperature is 32 degrees Fahrenheit or below and there is water showing in the cracks of the highway, the highway will be considered “frozen” if the adjacent gravel driveways, shoulders, or lawns remain frozen.

SECTION 5. EXEMPT VEHICLES

The following vehicles are exempt from this rule and do not require any type of permit from the Board of Assessors of Sandy River Plantation:

1. Any vehicle or combination of vehicles registered for a gross weight of 23,000 pounds or less.
2. Any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and traveling without a load other than tools or equipment necessary for the proper

operation of the vehicle. This exemption does not apply to special mobile equipment. It shall be a defense to a violation of this sub-section if the combined weight of any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and its load is in fact less than 23,000 pounds.

3. Board of Assessors of Sandy River Plantation highway vehicles or other vehicles authorized by the Board of Assessors of Sandy River Plantation to maintain the roads under their authority.
4. Authorized emergency vehicles as defined in 29-A MRSA §2054, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and vehicles with three axles or less under the direction of a public utility and engaged in utility infrastructure maintenance or repair.
5. Any two axle vehicles registered for a gross weight in excess of 23,000 pounds and less than or equal to 34,000 pounds that are carrying any of the Special Commodities defined herein may operate without a permit.

SECTION 6. ELIGIBILITY FOR LIMITED LOADS

A Limited Load Permit specifies a reduced weight for a truck based upon its axle configuration and tire width. Applications for a Limited Load Permit must include a copy of the vehicle registration and a certified weigh slip for the empty weight of the vehicle. A Limited Load Permit is valid for as long as it is used to transport the same commodity and is owned by the same owner.

1. A Limited Load Permit is available for vehicles with a Gross Vehicle Weight Rating over 34,000 pounds and carrying a Special Commodity (Vehicles with a GVW from 23,000 pounds and up to 34,000 pounds are covered in Section 5). These vehicles must be carrying a partial load and the total vehicle with load weight equal to or less than that indicated on the Limited Load Permit issued by the Board of Assessors of Sandy River Plantation. This permit shall accompany the vehicle at all times as shall weigh slips, delivery slips, or bills of lading for the load being carried.
2. “Exemption Permits” issued prior to the implementation of this rule remain valid as long as the vehicle owner and registration number on the permit are still consistent with the vehicle’s registration.

SECTION 7. EXCEPTIONS

The Board of Assessors of Sandy River Plantation, in its sole discretion, may allow heavy loads over posted roadways during times of emergency or in such instances where singular, nonrecurring moves are deemed to be unique, essential, and reasonably unforeseen. Permission for such moves will be made in writing specifying the limitations and shall accompany the vehicle at all times.