

Big Trucks in New Jersey: From Crisis Management to Strategy

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ABSTRACT

This paper is a discussion of problems created or brought to the fore by passage of the Surface Transportation Assistance Act of 1982 and of the efforts of the New Jersey Department of Transportation to address them.

Historically, the New Jersey Department of Transportation (NJDOT) had little need to be interested in trucks and trucking. Intrastate trucking was and is "unregulated." Such regulation as has existed--registration, licensing, and inspection--has been done by the Division of Motor Vehicles, which in New Jersey reports to the Attorney General not to the Commissioner of Transportation. The state police enforce truck size and weight laws.

Passage of the Surface Transportation Assistance Act (STAA) of 1982 and subsequent regulations issued by the FHWA made longer and wider trucks a major issue in New Jersey and a high-priority concern of the NJDOT. The watershed event was notification on April 5, 1983, of FHWA's proposed "designated routes" for longer and wider trucks in the state. That network was much bigger than had been anticipated and contained many routes that were totally unacceptable both on political and public opinion grounds and on technical grounds. What had been an issue for transportation professionals became, overnight, front-page news. There ensued a period of crisis management, involving legislation, emergency regulations, negotiations with FHWA, considerable press attention, and the personal involvement of Governor Thomas Kean. The issue of designated routes was not resolved until September 1984 when FHWA published its final rule, which acquiesced to New Jersey's designated network.

Although the department "won" on the issue of designated routes, the main effect on transportation professionals was an increased awareness of the complexity and apparent intractability of many truck problems and the high level of controversy attached to them. This effect was compounded by a variety of other truck issues that arose in the same period. Perhaps most notable for its complexity has been the implementation of the federal bridge formula. The bridge formula was incorporated into state law only in September 1983 and only after years of discussion among lawyers for the New Jersey Attorney General and for FHWA, an ultimatum from FHWA, substantial political pressure from the motor carrier industry over the issue of permanent and temporary exemptions from the bridge formula, and agreement by the department to become actively involved in the exemptions issue. NJDOT is still involved in ironing out residual legal and regulatory issues concerning these exemptions.

During these periods of crisis management, the department found itself in a reactive, defensive posture. As one complication and policy issue succeeded

another, it became apparent that the department needed a comprehensive strategy for incorporating trucks into the overall transportation system on satisfactory terms. Although this strategy is far from complete, progress has been made in defining objectives on several issues that form key pieces of the puzzle. The main issues that are being worked on are

1. Development of settled truck size and weight standards in conformity with the needs of the highway system. It appears that a more or less stable situation has been achieved with regard to rules governing two of the three STAA combinations, but there still is no solution for the third. Combinations with 48-ft semitrailers are accepted universally under New Jersey law. This outcome was a result of the reasoning that because 48-ft semitrailers had been in actual and lawful use in New Jersey before STAA (within a 55-ft overall limit and no semitrailer limit), it would be impossible to "roll back" the limit to something less than 48 ft on the non-STAA system. Indeed, the department had agreed in principle with the trucking industry before passage of the STAA to accept an increase in the overall limit to 60 ft, provided that a 48-ft semitrailer limit was enacted.

A settlement appears to have been reached--temporarily at least--on the issue of "double bottoms." Doubles are now permitted to travel on an integrated network of Interstates, freeways, and toll roads. Reasonable access is granted freely for services within 1 mi of the system. Access to terminals is much more restricted, requiring a written permit, but has caused relatively few complaints. Although there are problems with the regulations for doubles--especially due to gaps in the Interstate system--in general the introduction of these vehicles into New Jersey has gone remarkably smoothly. This is especially interesting because these vehicles have accounted for the lion's share of controversy over big trucks.

The third STAA vehicle--102-in.-wide trucks--provides an interesting contrast to doubles. Wide trucks attracted almost no attention in the press but have proved to be the most difficult problem for the department. At the moment, 102s are limited to the STAA network in New Jersey. Although this dual system--102-in.-wide trucks on the STAA system and 96-in.-wide trucks off it--is far from satisfactory, the department's engineers remain skeptical about the advisability of permitting wide trucks free travel throughout the state, especially on roadways with substandard lane widths.

Truck size and weight issues are not confined to STAA vehicles of course. Two examples will suffice

to demonstrate the continuing problems. First is the question of applying the federal bridge formula off the Interstate system. NJDOT is still assessing the costs and benefits associated with what would be, at best, a difficult change to accomplish. The department is under pressure from segments of the industry to support their legal and political efforts to carve out "grandfather" exemptions from the bridge formula even on the Interstate system.

A second example comes from the solid waste industry. In New Jersey the transportation of solid waste has become a subject of considerable controversy and complexity as landfills close and environmental rules tighten. The solid waste hauling industry, which is now relieved from axle weight limits for 60,000-lb collector vehicles, has recently approached the NJDOT with the proposal that they be relieved from axle weight limits for 70,000-lb collectors and 80,000-lb transfer trailer combinations. It is easy to say "no" to such a request, but to what extent should the department become involved in the problems of a troubled industry that is already notorious for running overweight? Should the department be attempting to find and promote transportation solutions?

These examples illustrate the size and weight policy problems that confront decision makers in New Jersey and other states. In New Jersey, the process of achieving stability in this area has been slow and painstaking and is, of course, always subject to upset from sources beyond the control of the NJDOT.

2. Integration of new truck requirements into design and operations standards. The department's current view on this subject is that the main requirement is to maintain an open process for receiving, reviewing, developing, and applying technical information that may affect design and operations standards. In 1985 the department undertook a study of the need to correct geometric deficiencies on the designated system and also made plans to participate in a study sponsored by the FHWA entitled "Operation of Larger Trucks on Restricted Geometry."

3. Recognition of the needs of truck movements and truck access in the planning and project selection processes. To date this has happened only on a case-by-case basis. It is expected that improved knowledge of actual commodity flows; stronger comprehensive planning at state, county, and municipal levels; better liaison with industry; and more sophisticated programming techniques will lead to a more comprehensive approach.

4. Requiring trucks to pay their "fair share" of highway costs. Highway finance in New Jersey is not supported by dedicated user fees. However, the New Jersey Transportation Trust Fund Authority, established in 1984, provides stable funding for transportation capital projects through short-term bonds backed by anticipated earmarked appropriations. An essential element in enacting and implementing this

legislation was a \$30 million increase in truck user fees—including increases in registration fees, motor fuel decal fees, and diesel taxes—that were earmarked for the trust fund program. The \$30 million figure is a major step toward a fair share contribution, but it was not based on any systematic highway cost allocation study.

5. Development of an adequate data base on trucks. Progress has been made in a number of areas, notably in a statistical understanding of pavement damage caused by trucks and in mapping commodity flows. However, in general, the department's knowledge of the population of trucks on the state's highways is poor and is inadequate for supporting informed decisions on many of the issues discussed here. This frustration is no doubt widely shared in state and federal agencies where decisions about trucks must be made. Time and time again in New Jersey all the obtainable, relevant data on a policy question have been gathered and found to be pitifully inadequate. Unfortunately, it is all too clear that the efforts being made in this area will still leave NJDOT in an unsatisfactory situation in the foreseeable future.

6. Better enforcement of truck size and weight laws. The department is now in the process of designing modern, new truck weigh stations for enforcement by the state police. In addition, a comprehensive review of the current penalties for size and weight violations has been started. This is another area in which the department traditionally had little interest.

7. Better liaison with motor carriers and shippers. The controversies over truck size and weight and increased truck fees caused serious strains between the industry and the department. Fortunately, the atmosphere has cooled considerably on these issues and the department and the industry have established a joint advisory committee that has led to vastly improved communications.

8. Rationalization of truck policy and regulatory responsibilities within the department and with other state agencies. The unsystematic and uncoordinated growth of truck responsibilities within the department and in other agencies has created the need for a fresh look at the best way to assign these responsibilities.

In sum, the New Jersey Department of Transportation has been forced by circumstances—especially enactment of the STAA—to move from a posture in which truck issues received minimal attention to a position in which a steady stream of truck problems and issues has made apparent the need for a comprehensive truck strategy. Although that comprehensive strategy has not yet been achieved, progress has been made in identifying important component issues, in defining goals for a number of those issues, and in moving toward several of these goals.