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STATE POLICE ESCORTS FOR OVERSIZE AND OVERWEIGHT VEHICLES

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ISSUE

You want to know if Connecticut and nearby states require state police to escort oversize and overweight vehicles. You also asked whether police escort requirements that vary by state hinder interstate freight shipments.

SUMMARY

Vehicles that exceed state truck size and weight limits (oversize and overweight vehicles) must get permission to travel in each state in which they operate, but the conditions set by states for such travel may vary greatly. These conditions may include the need for civilian or police escort vehicles, the days and hours the oversize and overweight vehicles may travel, and which routes and bridges they may use.

The Connecticut Department of Transportation (DOT), which issues permits for oversize and overweight vehicles operating in this state, may require state police escorts as a condition of a permit, depending on such variables as the dimensions of the vehicle's load and the vehicle's destination and route. Any police escorts DOT may require would be in addition to civilian escort vehicles.

Most of the surrounding states require state police escorts in certain instances.

According to a 2016 report, *Multi-State, Multimodal, Oversize/Overweight Transportation,* (http://www.trb.org/Publications/Blurbs/174838.aspx) published by the National Cooperative Highway Research Program, carriers and shippers say that different state operational restrictions often hinder or delay transport by oversize and overweight vehicles.

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The American Association of State Highway Transportation Officials (AASHTO), a nonprofit, nonpartisan association that represents highway and transportation officials in the 50 states, the District of Columbia, and Puerto Rico, is seeking to harmonize state oversize vehicle permit requirements, including requirements for escort vehicles. AASHTO's recommendations would not be binding, and states would have to accept and adopt its recommendations.

CONNECTICUT ESCORT VEHICLE REQUIREMENTS

The requirements oversize and overweight vehicles ("nonconforming vehicles") must meet to travel in Connecticut are set by statute, regulation, and the DOT permitting process. For example, state statutes require a single civilian escort vehicle to precede a nonconforming vehicle transporting a load between 12' and 13.5' wide on an undivided highway (CGS § 14-270 (b)).

The same statute authorizes DOT to issue permits allowing overweight and oversize vehicles to operate on Connecticut roads (CGS § 14-270). These permits may require civilian or police escort vehicles.

Carriers must provide civilian escort vehicles for nonconforming vehicles if a permit requires them. The escort vehicles must be at least five feet wide and in radio communication with the nonconforming vehicle. They must display (1) top mounted flashing or rotating amber lights visible from at least 1,000 feet away and (2) specific signs. State regulations specify where the escort vehicle should travel on the highway and in relation to the permitted vehicle (Conn. Agency Regs. § 14-270-21).

Although neither law nor regulation requires state police escorts, a DOT permit for nonconforming vehicles may specify the presence and number of escort vehicles (including but not limited to police escorts) for vehicles that exceed certain widths, heights, and lengths, as well as for vehicles hauling mobile or modular homes and specific types of vehicles, such as mobile truck cranes. For example, according to DOT, it generally requires:

- One civilian escort for loads between (1) 8.5' and 13.5' feet wide or (2) 14' and 15' 4" high,
- Two state police escorts for loads more than 13.5' wide, and
- Two state police escorts and one civilian escort for loads more than 15' 4" high.

There are exceptions, however. For example DOT, after consulting with state police, requires two state police escorts on loads more than 8.5’ feet wide in active construction zones.

POLICE ESCORTS REQUIRED BY NEARBY STATES

Most of the surrounding states (Maine, Massachusetts, New Hampshire, New York, and Rhode Island) require police escorts in certain circumstances. The following are some examples of when these states require police escorts.

Maine regulations require police escorts when a vehicle’s load is at least (1) 125’ long or (2) 16’ wide. State officials may require police escorts even when these thresholds have not been exceeded (29-250 CMR Ch. 157, § 17).

Massachusetts regulations require two state police vehicles to escort vehicles wider than 15’ or longer than 135’. These are in addition to required civilian escorts. A state police car also may be required to accompany any slow moving vehicle whose operation may pose a danger to people, property, or the safe operation of a road (700 CMR 7.06).

New Hampshire regulations require

- one state police escort, in addition to a civilian escort, when a load is at least 100’ long, unless the police determine that weather and traffic conditions do not hinder safe movement;
- two state police escorts for a load more than 14’ wide; and
- three state police escorts if (1) a load is both more than 14’ wide and 100’ long, or (2) a vehicle’s movement requires closing all or part of a highway (NH ADC TRA 304.17).

New York regulations allow for a police escort to be substituted for additional escort vehicles if more than two escorts are required to accompany a mobile home or modular building wider than 14’ (17 NYCRR 1545-1.11).

Rhode Island regulations require two civilian escorts and a police escort when moving a building from each city or town through which the move occurs (RI Admin. Code 47-1-6:5.0).

POLICE ESCORTS AND INTERSTATE MOVEMENT OF OVERSIZE AND OVERWEIGHT VEHICLES

According to the NCHRP report, states generally require a police escort when they believe a civilian escort is insufficient to ensure that a freight shipment moves through the state safely. In general, the report says, states tend to require police escorts when a vehicle is overwide, rather than when it exceeds length, height, or weight limits.

However, state police escort requirements that differ from state to state are "a frequent cause of delay and a large source of cost," the report said. It attributed much of the delay to "variability in regulations governing police hours of duty and jurisdictions."

For example, some states do not allow civilian escorts to control traffic and require state police to shut down intersections. Other states leave the number of state police required up to regional offices, leaving the transporters unsure of how many officers will be required.

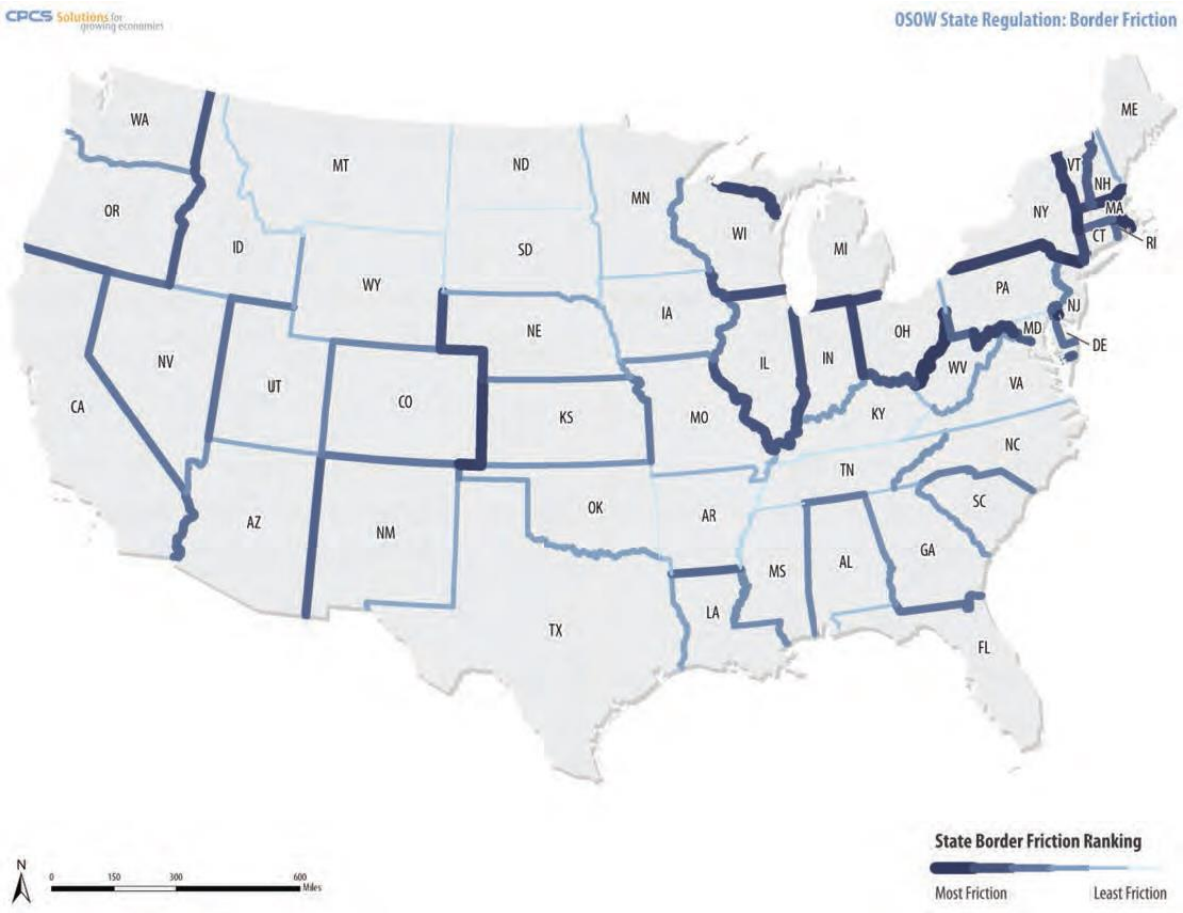
Also, the report said, transporters may incur higher costs because "states often require a minimum number of hours police must be paid per…move. In some cases, even if police escorts are only needed for a small portion of a move, regulations may require that the police accompany the load for the entirety of its trip within the jurisdiction. From an operational perspective, carriers have to work around the hours police work…and plan for exchanges at jurisdictional boundaries. In some states the police are only available during the eight-hour standard business day, which includes traveling home from the load's location."

Varying state police escort requirements are only one of several areas where inconsistent state regulations can frustrate carriers and shippers, the report said. Carriers and shippers "are unanimous in citing inconsistent road transportation regulations and permitting across state lines as the dominant and overarching challenge to efficient multi-state oversize and overweight transportation in the U.S. Carriers must plan for and adopt to differences in state regulations, such as the maximum permitted axle weight limits, civilian and police escort requirements, and truck configuration restrictions while moving oversize and overweight cargo across multiple states."

"This patchwork of regulations, permitting processes, and available information can result in inefficiencies in multi-state…transportation, which can lead to increased costs for carriers and shippers, as well as for the society more broadly," the report said.

The map in Table 1, reproduced from the NCHRP report, represents the relative difficulty of transporting oversize and overweight cargo in the contiguous 48 states. The map is "based on an index representing a combination of regulations, operational restrictions, and permitting requirements. The thicker the line along a state border, the greater the inconsistency or regulatory and permitting 'friction' between the neighboring states."

Table 1: "Border Friction" Map



Source: *Multi-State, Multimodal, Oversize/Overweight Transportation,* National Cooperative Highway Research Program Report 830, Transportation Research Board, National Academy of Sciences, 2016.

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