

September 13, 2006

Honorable John Elias Baldacci, Governor
State of Maine
Office of the Governor
#1 State House Station
Augusta, ME 04333-0001

Dear Governor Baldacci:

Citizens of Maine and safety advocates are alarmed by a plan being pushed by Maine's Department of Transportation (Maine DOT) and the trucking industry that will jeopardize motorists and lead to further destruction of Maine's roads and bridges. We are referring to the aggressive lobbying campaign to open all of Interstate 95 in Maine to trucks weighing as much as 100,000 pounds.

For many years Maine has allowed overweight tractor-trailer rigs in increasing numbers on all of Maine's state highways and streets, even local township roads. In the mid-1990s, Maine violated federal law and permitted trucks in excess of the federal weight limit to use the Maine Turnpike portion of I-95. Despite a challenge from the Federal Highway Administration (FHWA), this illegal action was turned into a special interest exemption to federal law in the Transportation Equity Act for the 21st Century (TEA-21), 1998.

Now Maine wants to open the remainder of I-95 to the Canadian border to these dangerous rigs, thereby allowing them to travel on any road or street within the state. Unfortunately, Maine's citizens and even its political representatives have been deceived by state officials and trucking interests into believing that opening the untolled section of I-95 to 100,000-pound, 6-axle and 88,000-pound, 5-axle combination trucks will divert these big rigs from their local streets and county roads.

However, there are no legislative or regulatory proposals being considered by Maine government officials to stop these big trucks from traveling on non-Interstate roads and neighborhood streets. Furthermore, Maine DOT estimates an increase of *more than 50 percent in heavy truck volume by 2020*. This explosive growth in freight traffic makes it certain that these big, dangerous rigs will continue to use Maine's local roads and streets.

Maine Families Will Suffer as Highway Fatalities Rise. Several major studies conducted by the federal government since the late 1990s, such as the *Comprehensive Truck Size and Weight Study* and the *Western Uniformity Scenario Analysis*, as well as recent updated information provided by FHWA, have shown that bigger, heavier trucks (88,000 and 100,000 pounds GVW) are less safe and have a greater risk of crashing than the maximum 80,000-pound GVW, 5-axle trucks currently allowed by federal law and regulation. Your own State of the State report from Maine DOT in 2002 emphasizes that truck crashes continue to rise in Maine each year as a result of more and more freight being diverted from rail to trucks. In 1999, Maine reported 623 fatal and non-fatal truck crashes in the state. By 2003, that number had nearly tripled to 1,705.

Maine's Bridges are at Risk of a Structural Failure. Several national and regional organizations, including The Road Information Program (TRIP), the American Society of Civil Engineers, and the Maine Better Transportation Association, sharply criticize Maine every year for allowing destruction of its roads and bridges while repeatedly failing to provide adequate funds to reconstruct these roads and bridges to

create safer and more structurally sound conditions. The FHWA also has shown in several studies and in recent analyses that Maine's 100,000-pound, 6-axle trucks are severely stressing many Maine bridges, including those on the Turnpike portion of I-95, and are destroying pavement at a rapid rate. FHWA also rejects Maine DOT's claims about bridge damage being acceptable in Maine inflicted by 88,000 and 100,000 pounds combination trucks. An analysis by FHWA of Maine's Interstate bridges indicates three-quarters will be overstressed with the additional weights. Furthermore, FHWA's analysis states that at least 7 of Maine's Interstate bridges could be stressed beyond yield point and could fail. As a result of allowing overweight trucks, Maine could face a catastrophic bridge collapse on an Interstate highway of the magnitude of the 1983 Mianus River bridge failure in Connecticut or the 1987 Schoharie Creek bridge disaster in New York.

Maine Citizens Will Grossly Overpay for Road Repairs, while the Trucking Industry Will Continue to Underpay its Fair Share. A cost responsibility study requested by the Legislature from Maine DOT showed that even at 80,000 pounds GVW, a 5-axle semi-trailer combination is *underpaying* its fair share of highway user costs by *28 percent each year* or \$1,717, while cars are *overpaying* their fair share by a *staggering 36 percent*, or \$285 per passenger vehicle (*Final Report of the Task Force on Rail Transportation*, State of Maine, 120th Legislature, Second Regular Session, November 2002). The percentage of underpayment at higher truck weights is even greater. Moreover, the Maine Legislature found that violations of the existing truck weight limits were chronic and widespread, and that enforcement of these violations was poor.

Maine Families Will Likely Face Higher Gas Taxes. Among New England states, Maine imposes the largest state fuel tax on its citizens. Yet, Maine is already facing a funding and infrastructure crisis, as shown in the Report of the Maine Governor's Capital Funding Working Group released in January 2006. In fact, Maine DOT was forced to defer transportation projects, including many for bridges, valued at 20 percent of Maine DOT's 2006-2007 Capital Work Plan, because of unprecedented increases in costs and other funding shortfalls in the Fall of 2005. If Maine DOT and trucking interests prevail, Maine citizens likely will face even bigger fuel taxes to pay for the destruction caused by these bigger trucks on roads, highways and bridges.

Maine DOT Officials Have Become the Mouth Piece of the Trucking Industry Rather than Proponents for Public Safety. This past June, Maine DOT officials collaborated with national and state trucking interests to launch a coordinated campaign and public relations effort to lobby for bigger trucks. Documents requested under the Maine Freedom of Access Act substantiate that Maine DOT Commissioner David Cole and two senior Maine DOT officials participated in a two-day lobbying junket that was planned by the Maine Motor Transport Association (MMTA) with support from the American Trucking Associations (ATA). The MMTA provided Maine DOT officials with a lobbying packet, including industry prepared "talking points" about the need for 100,000-pound trucks on the entire length of the Interstate system in Maine. The MMTA paid for meals, even hosting Maine DOT officials at a "Dinner with Maine Business Leaders Attending" in a Washington, D.C., restaurant. The ATA also hosted the Maine officials at a reception held at the ATA's corporate lobbying offices on Capitol Hill and arranged for reduced hotel rates. Maine DOT officials worked in tandem with state and national trucking interests to lobby Congress for heavier trucks statewide, rather than with the citizens of Maine and safety groups for safer roads.

Instead of supporting the corporate agenda of the trucking industry, we urge you to put the safety of Maine families first and take actions that will improve, rather than degrade, highway safety. Maine state officials

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should be considering policies that reduce the threat of big trucks on local roads rather than pursuing a misguided solution that further expands the reach of these bigger rigs. If Maine allows these giant rigs everywhere in the state, it will be used as a stepping-stone for the spread of huge trucks across the U.S. map, endangering motorists throughout the country. Safety, fiscal responsibility and good public policy should “outweigh” private industry special interests.

Sincerely,

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