

# Oklahoma Department of Transportation

## Overweight Deliveries Construction Control Directive No. 20020213

March 1, 2002

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Scope: To establish the payment procedure for materials delivered to the project in overweight vehicles.

This Directive supersedes the tare requirements of page 6, section 100 of the Contract Administration Manual and cancels Construction Control Directive No. 990413.

The Department is obligated by state statute ([47 O.S. § 14-109](#)) and by policy ([ODOT Policy Directive No. D-404-3](#)) to monitor the delivery weights of vehicles supplying materials to our construction projects. In the last legislative session, 47 O.S. § 14-109 was modified to read, in part, as follows:

D. Except for loads moving under special permits as provided in this title, no department or agency of this state or any county, city, or public entity thereof shall pay for any material that exceeds the legal weight limits moving in interstate or intrastate commerce in excess of the legal load limits of this state.

This modification in the statute has prompted the Department to reexamine the method in which we accept-and eventually pay for-materials delivered to our construction projects.

### Procedure

Delivery tickets received on the project **and used to support payment for those contract items paid by delivery weight**, shall contain-at a minimum-the following information printed on each delivery ticket:

1. The maximum gross vehicle weight of the delivery vehicle allowed by statute.
  - It shall be the responsibility of the supplier to determine the legal gross vehicle weight of the delivery vehicle. The Department reserves the right to verify that the maximum gross vehicle weight allowed by statute-printed on each ticket-actually matches the associated delivery vehicle.

2. The total gross weight of the delivery vehicle.
  - When plant operations weigh the net weight of the payload material rather than the gross weight of the loaded vehicle, the producer shall add the tare weight to the weight of the payload material to obtain the total gross weight of the vehicle.
3. The tare weight of the delivery vehicle.
  - When the tare weight is used for determination of the payload weight, the tare weight of the delivery vehicle should be obtained once daily unless there is evidence that the tare weight has increased (accumulation of dirt & debris, an added passenger, etc.).
  - When the tare weight is used only for determination of the gross weight, the tare weight of the delivery vehicle should be obtained once at the beginning of the project.
4. The payload weight of the delivered material.

The Resident Engineer or his designated agent shall, upon receipt of the delivery ticket, determine the amount of material he or she will pay for by comparing the total gross vehicle weight to the allowable gross vehicle weight printed on the delivery ticket. If the gross vehicle weight exceeds the allowable gross vehicle weight, that difference will be subtracted from the payload weight of the material.

It should be noted that the tables in 47 O.S. § 14-109 apply only to deliveries traveling on non-Interstate roadways within the State of Oklahoma. Section E Subparagraph 3(c) of 47 O.S. § 14-109 further limits the gross vehicle weights traveling on Interstate roadways. The maximum gross vehicle weight for loads traveling on Interstate roadways is limited to 80,000 pounds.

#### Implementation

The Resident Engineer may continue using the existing delivery weight verification system described in Construction Control Directive No. 990413 on projects currently under contract. The system outlined in this Directive

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may be used on current projects, if the contractor agrees, with no additional costs to the contract.

The delivery weight verification system outlined in this Directive shall begin on all contracts awarded at the April, 2002 Transportation Commission Meeting.

Overweight Deliveries Originating Within The Project Limits

47 O.S. § 14-109 makes no distinction as to whether the delivery originates inside or outside the project limits, whether the road is open or closed, behind the project barricades or not.

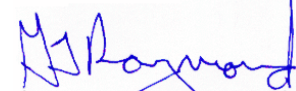
Section 105.13 of the Standard Specifications addresses overweight loads originating within the project as follows:

The Contractor shall comply with all legal load restrictions in the hauling of materials on public roads beyond the limits of the Project. A special permit does not relieve the Contractor's liability for damage that results from moving material or equipment.

Legal load limits within the Project limits may not be exceeded unless permitted in writing by the Resident Engineer. Operation of equipment or hauling loads that cause damage to structures, roadway, or any construction is not permitted. The Resident Engineer will determine acceptable load limits for bridges. The hauling of materials over any completed work within the Project limits will be restricted as directed by the Resident Engineer. No loads will be permitted on hydraulic cement concrete construction before the minimum curing time or strength specified is obtained.

If the Resident Engineer wishes to allow overweight deliveries within the project limits, written permission must be provided to the contractor. A copy of this written permission shall become a part of the permanent project record.

A copy of this directive along with the statute shall be given to the prime contractor and discussed at the Preconstruction Conference.



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