

HEAVY COMMERCIAL VEHICLE EXCLUSION

FREQUENTLY ASKED QUESTIONS (FAQs)

What is a Heavy Commercial Vehicle Exclusion?

A Heavy Commercial Vehicle Exclusion (HCVE) is a truck exclusion for any commercial vehicle with a carrying capacity over 2.5 tons from traveling along a public way. It is commonly referred to as a “Truck Ban” or “Truck Restriction”.

What types of commercial vehicles/trucks have a carrying capacity over 2.5 tons and would be subject to an exclusion?

Vehicle/Truck classifications are determined by the Federal Highway Administration (FHWA) and are broken up into 13 classifications. Classes 1 through 4 are exempt from any exclusion and consist of motorcycles, passenger cars, pickups, vans and buses. Classes 5 through 13 are those commercial vehicles that have a carrying capacity over 2.5 tons and would be subject to an exclusion and consists of vehicles ranging in size from single unit 2-axle truck such as camper/motorhome and box trucks (for example FedEx and UPS delivery trucks) to multi-trailer 6-axle trucks (See FHWA’s Vehicle Classification Chart).

Does my road have an existing Heavy Commercial Vehicle Exclusion?

The map is showing those roadways that have an existing HCVE.

Who regulates whether a Heavy Commercial Vehicle Exclusion can be placed on a particular roadway?

The State regulates Heavy Commercial Vehicle Exclusions. According to MassDOT, any public way is eligible for a Heavy Commercial Vehicle Exclusion provided a suitable alternate route is available and approved by MassDOT. The alternate route must meet one of the following conditions:

- Lie wholly within the community making the application to MassDOT
- Lie partially in the adjacent community but only on State Highway, or
- Lie partially in an adjacent community but have the adjacent community’s written approval.

Numbered routes are **ineligible** for heavy commercial vehicle exclusions (as of the 2012).

Along with the alternate route, the State requires an engineering study to be conducted and must meet at least one or more of the following warrants:

1. A volume of heavy commercial vehicles, which usually is in the range of 5 to 8%, reduces the utilization of the facility and is cause for a substantial reduction in capacity and safety.
2. The condition of the pavement structure of the route to be excluded indicates that further repeated heavy wheel loads will result in severe deterioration of the roadway.

3. Notwithstanding the foregoing, in certain instances where land use is primarily residential in nature and a municipality has requested exclusion only during hours of darkness, a specific night exclusion may be granted.

Should an HCVE meet the State's requirements mentioned above, then the DPW Engineering Department at the request of the Traffic Safety Committee, shall perform/contract a full study and report following the latest version of "The Massachusetts Amendments to the 2009 Manual on Uniform Traffic Control Devices and the Standard Municipal Traffic Code" as prepared by MassDOT. Once approved by the Traffic Safety Committee, the final study and report will then be submitted to the Select Board for their approval prior to being sent to MassDOT for consideration. All HCVEs are regulated by MassDOT and cannot be established without their approval.

The road I live on has a Heavy Commercial Vehicle Exclusion, but I keep seeing tractor-trailers driving on the roadway. Why are they on this roadway if there is an exclusion?

Although a particular roadway may have a Heavy Commercial Vehicle Exclusion, it does not apply to those heavy commercial vehicles going to or coming from places upon that particular roadway to make deliveries or collections. They are also allowed to use that roadway to get to adjacent streets to which they cannot otherwise gain access.

I live on a street with a Heavy Commercial Vehicle Exclusion and have noticed many tractor trailers that have never been on this roadway before now traveling on it. Is there someone I can call to report this activity to?

As mentioned above, if the tractor trailers are going to or from a property that resides on that roadway then they are exempt from the exclusion and have the right to use the roadway. However, if this tractor trailers do not have a destination on this roadway, please contact the Chelmsford Police Department (978-256-2521) and provide them with any information about the trailers you can (time of day they are on the road, any company name on the truck, license plate number). They will investigate the issue and get back to you about what they discovered and what they might be able to do if anything is enforceable.

Can Heavy Commercial Vehicle Exclusions be seasonal (Winter, Spring, Summer or Fall)?

No. Heavy Commercial Vehicle Exclusions can only be restricted as to time.

How is a Heavy Commercial Vehicle Exclusion enforced?

Massachusetts General Law Chapter 90 Section 16 is the controlling statute for enforcement. Police officers can observe and make traffic stops for vehicles that appear to be over 2 ½ tons. After approaching the operator and advising him/her of the reason for the stop, officers should inquire about where the operator is traveling to and where he/she is coming from. If one of these locations is not on the restricted roadway or a connecting roadway, the vehicle would be excluded from operating on the restricted roadway. The officer has the discretion to issue a warning or a civil citation. Generally, citations would be issued to the operator and not the vehicle owner. The operator would be advised of the approved alternate route to use in the future and sent on his/her way. However, if the officer is informed the operator is heading to or coming from a location on the restricted way or connecting roadway, the operator would be sent on his/her way.