

SOUTH DAKOTA DEPARTMENT OF PUBLIC SAFETY

prevention — protection — enforcement

South Dakota Highway Patrol Motor Carrier Services



STATE PERMIT COMPARISON

Permit Type	South Dakota	Minnesota	North Dakota	Wyoming	Nebraska	Iowa
Trip	\$15.00	\$25.00	\$20.00	\$20-\$40	\$25.00	\$10.00
Oversize	\$25.00	\$15.00	\$20.00	\$25.00	\$15.00	\$10.00
Overweight	\$25**	Too much vari	\$35.00-\$85.00**	\$40**	\$20**	\$10 + PR
Annual Oversize	\$60.00	Not available	\$100.00	\$50.00	\$100.00	\$25-\$300
LCV-(Longer Combination Vehicle)	\$25.00	Not available	\$20/trip \$100/mo	not avail	\$250***	not avail
Example OWT	\$291.64	\$3,379.52	\$96.65	\$779.92	\$25 *	\$10 + PR
Fuel	\$25.00	\$25.00	\$15.00	\$15.00	\$20.00	\$20.00

***At certain size-Req NSP escort (\$6500) ** Plus additional tonnage fees below ***Legal combo in SD/No permit**

Overweight permit tonnage fees

South Dakota	\$.02 cents per ton per mile in excess of limits set forth in Administrative Rule 70:03:01:02
Minnesota	Varies by axle group and weight. \$.04 to \$.30 per pound per mile.
North Dakota	\$.05 cents per ton per mile on anything over 200,000 lbs.
Wyoming	\$.06 cents per ton per mile in excess of statutory weights
Nebraska	No ton mile fee
Iowa	\$.05 cents per ton per mile- Housemovers only- Others must by Pro-rated for full weight

Overweight Cost Penalties

32-22-55. Schedule of penalties for operation of overweight vehicle. Any person who is convicted of the offense of operating a motor vehicle upon the public highways of this state with weight upon any wheel, axle, or groups of axles or upon more than one thereof greater than the maximum permitted by §§ 32-22-2 to 32-22-33, inclusive, 32-22-47 and 32-22-48 shall be fined in addition to, and not in substitution for, any other penalties now provided by law for such offense in the following amounts:

- 1. In an amount equal to five cents per pound for each pound of such excess or combined excess weight over one thousand pounds if such excess is three thousand pounds or less.**
- 2. In an amount equal to fifteen cents per pound for each pound of such excess or combined excess weight if such excess exceeds three thousand pounds and is four thousand pounds or less.**
- 3. In an amount equal to twenty-two and one-half cents per pound for each pound of such excess or combined excess weight if such excess exceeds four thousand pounds and is five thousand pounds or less.**
- 4. In an amount equal to thirty-seven and one-half cents per pound for each pound of such excess or combined excess weight if such excess exceeds five thousand pounds and is ten thousand pounds or less.***
- 5. In an amount equal to seventy-five cents per pound for each pound of such excess or combined excess weight if such excess is more than ten thousand pounds.**

The fine schedule in this section is assessed at a single rate according to the cents per pound penalty for the highest weight violation.

Over Weight Fine

Steer Axle

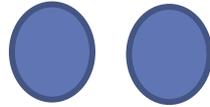


Axle 1

Legal 13,200 lbs.
Actual 11,900 lbs.

Not OWT

Drive Axles



Axles 2 3

Legal 34,000 lbs.
Actual 33,700 lbs.

Not OWT

Trailer Axles



Axles 4 5

Legal 34,000 lbs.
Actual 39,900 lbs.

OWT by 5,900 lbs.

The vehicle is overweight on Axles 4-5 by 5,900 lbs.

Calculating the fine & cost penalty: The fine is always \$170.00. The cost penalty is based on the amount overweight. In this case 5,900 lbs. Accordingly, by statute, the cost penalty would be: **an amount equal to thirty-seven and one-half cents per pound for each pound of such excess or combined excess weight if such excess exceeds five thousand pounds and is ten thousand pounds or less** (*Number 4 on previous slide). The amount overweight (5,900 lbs.) would be multiplied by 37.5 cents.

Basic fine + cost penalty = Total Amount

$\$170.00 + (5,900 \text{ lbs.} \times .375 = \$2,212.50) = \$2,382.50$ Total Fine and Costs.

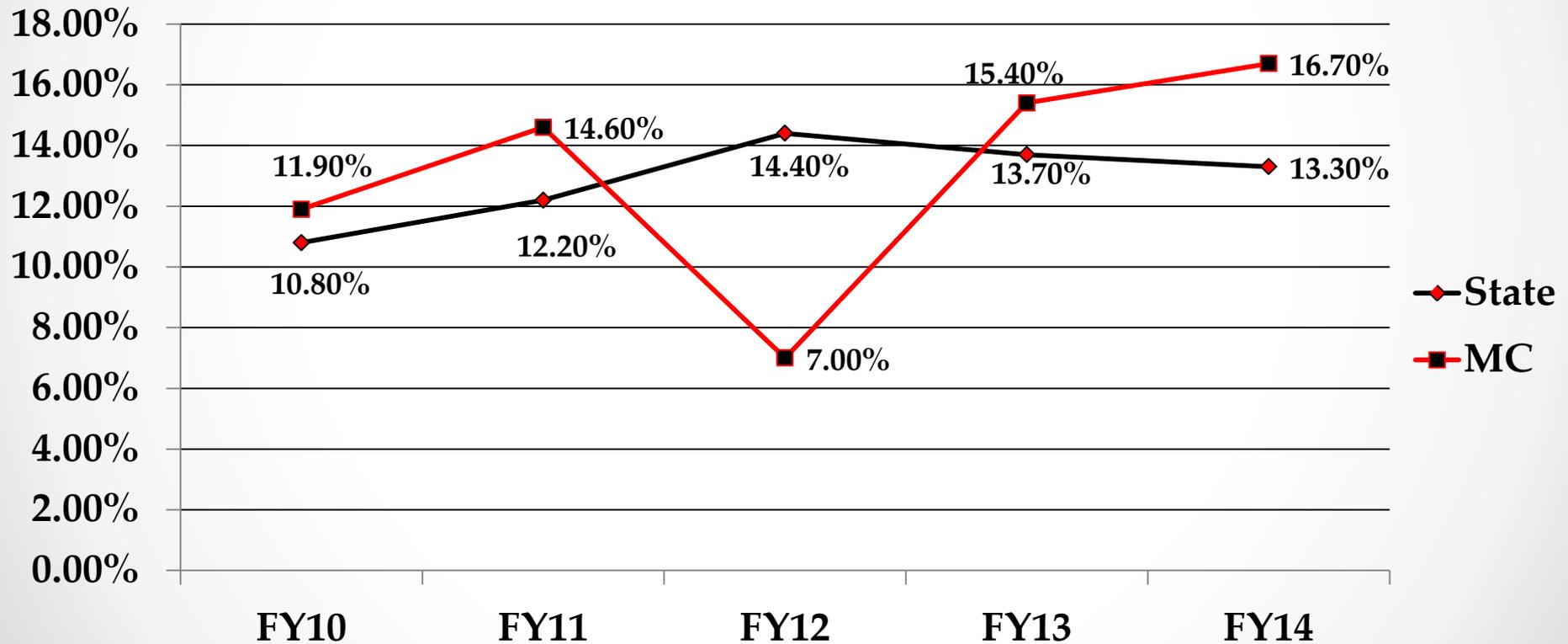
Over Weight Fine Comparison

5,900 lbs. Over Weight on a Tandem Axle

Nebraska	\$150.00
Wyoming	\$155.00
ND	\$405.00
Minnesota	\$585.00
Iowa	\$849.75
South Dakota	\$2,382.50

Motor Carrier Inspector Turnover Rates

34 Motor Carrier Inspectors left since October 1, 2009. 15 of those resigned.



Inspector Pay comparison

All are starting pay with no benefit costs for a civilian inspector, unless otherwise noted

- 1) **North Dakota: \$23.59** per hour (only two in the state)
- 2) **Nebraska: \$21.54** per hour (sworn trooper-no civilian inspectors)
- 3) **Minnesota: \$18.53** per hour
- 4) **Wyoming: \$15.10** per hour
- 5) **Iowa: \$14.40** per hour for a permit clerk (no inspections, just permit sales) Inspectors start **\$19.62** per hour (sworn officer)
- 6) **South Dakota: \$14.40** per hour (permit sales, inspections, size and weight enforcement, public education)

MAP 21

Exemptions

Moving Ahead for Progress in the 21st Century

Agriculture has not recently been granted any exemptions or relief for size and weight. There were significant exemptions for agriculture from the federal safety rules by the MAP-21 highway bill. MAP – 21 was signed into law in July of 2012. It wasn't fully adopted until the 2014 legislative session. Therefore, they went into full affect July 1, 2014.

MAP 21 Exemptions

This change exempted a farmer, driving a covered farm vehicle from:

Part 383- CDL

Part 382- Controlled Substances and Alcohol Use and Testing (The requirement that companies test their employees, has nothing to do with law enforcement testing a driver)

Part 391- Physical Qualification and Examinations. (Medical Cards)

Part 395- Hours of Service. (Log Books)

Part 396- Inspection, Repair and Maintenance. (Annual Inspections)

Agriculture was not exempted from part 393, Parts and Accessories Necessary for Safe Operation. This is where requirements for brakes, lights, tires and etc. are found. We largely have state statutes that also cover this. These exemptions can be utilized by a covered farm vehicle(CFV), and have geographic limitations. The CFV, if under 26,001 GVWR, may utilize the exemptions anywhere within the US. If over 26,001 GVWR, the may utilize the exemptions within the state they are registered, and 150 mile radius of the farm or ranch, regardless of state boundary.