

July 15, 2002

Mr. Roger Campbell, Assistant City Manager
City of Maryville
404 West Broadway
Maryville, Tennessee 37801-4710

Re: Heavy Truck Traffic Regulation

Dear Mr. Campbell

You have asked for a list of what a city can and cannot do in regulating heavy trucks within the city. Melissa Ashburn, Legal Consultant, has prepared a report that addresses some aspects of regulating truck traffic that I am enclosing. It would be extremely difficult to prepare such a list within one week that deals with many legal issues of what a city can and cannot do in regulating heavy truck traffic.

I have reviewed the traffic codes for the Cities of Nashville, Memphis, Murfreesboro, and Oak Ridge in an effort to provide the requested information. Mike Tallent provided you with information relating to regulating truck traffic in smaller cities. Based upon my review some regulation of truck traffic is permitted by cities.

Generally, your regulations cannot unnecessarily impact the ability of a business to place its goods in commerce. You cannot limit the number of trucks and you cannot prevent local deliveries unless you restrict all trucks in that weight category. You cannot impose a fine of over \$50.00 for a violation under city ordinance.

The Tennessee Code indicates that the Tennessee Regulatory Authority regulates truck traffic outside cities. This may infer that cities regulate heavy truck traffic inside cities.

My review of municipal codes indicates the following regulations in many Tennessee cities:

- \$ Heavy trucks are required to be covered to prevent materials from falling or being blown into the public rights-of-ways.
- \$ Registration fees are imposed by some cities..
- \$ Gross vehicular weight limits are imposed on some streets.
- \$ Truck routes are designated inside many cities.
- \$ The parking of heavy trucks on streets is prohibited.
- \$ Trucks left on the rights-of-ways can be towed.
- \$ Approved and accepted safety equipment requirements are enforced for tail lamps, stop lamps, brakes, turn signals, condition of tires, mirrors, mudflaps or mudguards, bumpers and other safety violations.
- \$ Speed limits are restricted for heavy trucks.
- \$ Truck traffic is prohibited in residential zones for trucks over one ton.
- \$ Trucks with certain weight restrictions are required to use the outer lanes.
- \$ The state requirement for gross weight per axle is enforced.

\$ Twin trailer trucks can be restricted.

Please call me about specific questions if you need further assistance.

Sincerely

Ron Darden
Municipal Management Consultant

cc. Melissa Ashburn, Legal Consultant
Sidney Hemsley, Senior Legal Consultant
Mike Tallent, Assistant Director