AN IMPORTANT MESSAGE TO HOLDERS OF TYPE 1 AND TYPE 1A DIVISIBLE LOAD OVERWEIGHT PERMITS

The Divisible Load Overweight Permit program has been found to be issuing permits with incorrect gross vehicle weights and grouping weights for the Type 1 and 1A permits. With the integration of the Type 9 permit in April 2008 several calculation discrepancies were identified which led to an evaluation of all permit calculations, regardless of permit type. It was determined that on Type 1 permits, an additional 1,875 pounds was added if the power unit had four (4) axles and a wheelbase equal to or less than 24 feet and on Type 1A permits an additional 1,875 pounds was added for any additional axles in excess of five (5) on a combination of vehicles with a minimum wheelbase in excess of thirty-six (36) feet. The system was also using the formula to determine permitted grouping weights and as a result, led to issued grouping weights that exceeded those allowed by Law.

Review of the Vehicle and Traffic Law of New York State (§385) failed to find support for allowing the additional 1,875 pounds and higher grouping weights. Thus, the Department’s Office of Legal Affairs was requested to review the matter. They determined the allowance of the additional 1,875 pounds and grouping weights, as described above, were not consistent with the Vehicle & Traffic Law. As a result, the formula used in the Divisible Load Overweight Permit program was revised to remove the additional 1,875 pounds and system checks were added to ensure that permitted grouping weights were not exceeded.

This change to the calculation may impact your permit weight by lowering the gross permitted and or grouping weights. You are strongly urged to carefully review your permit when received and to make whatever changes are needed to your registration, Highway Use Tax Permit (HUT), etc.

Questions may be directed to our toll free number, 1-888-783-1685 (locally at 518-485-2999) or by email to permits@dot.state.ny.us.

REFERENCE:
1. New York State Vehicle and Traffic Law Section 385.15(f)(i)