



NEW YORK STATE SENATOR

Brian Kavanagh

Kavanagh & Simon Announce Passage of BQE Truck Weight Bill

BRIAN KAVANAGH June 9, 2021

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Senator Kavanagh & Assemblymember Simon Announce Passage of BQE Truck Weight Bill in State Legislature

Bill would institute a pilot program along the entire Brooklyn portion of the BQE using weigh-in-motion technology to detect vehicles with weights substantially above the existing legal limit

Albany, NY — **Senator Brian Kavanagh and Assemblywoman Jo Anne Simon** announced today that their BQE Truck Weight bill (**S2740B/A2316**) has passed both the New York State Assembly and Senate and will now head to the Governor's desk for signature. The bill, once law, will institute a pilot program along the BQE using weigh-in-motion technology to detect the presence of vehicles with weights substantially above the existing legal limit.

“This legislation is vital to extending the useful life of the BQE, and ensuring the safety of all drivers and passengers of vehicles that use this roadway,” **said State Senator Brian Kavanagh.**

“Just as the legislature has authorized speed cameras and red light cameras for public safety, deploying weigh-in-motion technology will effectively deter trucking companies from engaging in destructive and unsafe behavior, and is likely to become a standard enforcement tool. I thank my colleague Assemblymember Jo Anne Simon for championing this bill in the Assembly, Council Members Steve Levin and Brad Lander for securing the necessary home rule message, Carlo Scissura and the members of the BQE expert panel who recommended we consider this technology, NYC DOT and the Mayor's office for agreeing to implement it, and the BHA, CHA, and the many community residents who advocated for this legislation.”

“This legislation is a critically necessary step toward creating 21st-century and beyond infrastructure that our all-important interstate roadways require. Currently, illegally overweight, massive trucks are in large part responsible for the rapid disintegration of the BQE triple cantilever, which must be addressed. This legislation helps us get there faster,” **said Assemblymember Jo Anne Simon.** “Thank you to Senator Kavanagh for your partnership; to NYC DOT and Councilmember Levin for their support; also to the Brooklyn Heights Association and the many concerned citizens & area civic groups for your tireless advocacy.”

“Illegally overweight trucks have been a chronic problem contributing to the deteriorating condition of the BQE, and to other fragile portions of our infrastructure,” **said NYC DOT Commissioner Hank Gutman.** “We are extremely grateful to the State Legislature, particularly

the bill's sponsors, Senator Kavanagh and Assembly Member Simon, for providing us with an important new tool to enforce the law and protect our City, and we also want to thank Council Members Lander and Levin for securing the home rule message necessary to advance this legislation.”

“This truck weight monitoring technology will not only allow the City time to create modern infrastructure that Brooklyn so desperately needs, but will be a life saving tool for pedestrians and drivers,” **said Council Member Brad Lander.** “Overweight and oversized trucks have posed an incredible danger to Brooklyn residents on local streets, and I thank State Senator Kavanagh and Assembly Member Simon for their work in the State legislature to push for new tools that will discourage truck drivers from taking illegal routes and keeping eighteen wheelers off neighborhood streets.”

“Overweight trucks are illegal and dangerous, and they are a major contributing factor in the deterioration of the BQE,” **said Council Member Stephen Levin.** “I was happy to join my colleagues in State and City government in supporting this innovative enforcement initiative, and I thank Senator Kavanagh and Assemblymember Simon for getting the legislation passed.”

In 2019, New York City Mayor Bill de Blasio convened a panel of experts to review the City's planned reconstruction of the BQE from Atlantic Avenue to Sands Street in Brooklyn. The findings of their report lead to the indisputable conclusion that this corridor along the BQE is in urgent need of repair, and that illegally overweight trucks were contributing significantly to the structure's deterioration.

Higher live loads from overweight trucks cause greater stress on the structure, shorten its lifespan, decrease reliability, and reduce safety. Although the structure has an 80,000-pound limit for trucks, data collected at the request of the Panel between October 16, 2019 and

January 19, 2020 showed that on the Queens-bound roadway, 11.1 percent of trucks exceeded 80,000 pounds and 27 percent exceeded the Federal Bridge Formula, which limits the weight-to-length ratio of vehicles crossing a bridge.

In addition to damaging roads and other infrastructure, overweight trucks are dangerous because they may have difficulty braking and steering. Excess weight can cause the driver to lose control, and greater weight means greater momentum and more forceful crashes.

Last year the City announced new restrictions and bigger fines for overweight trucks, but conventional enforcement is difficult on this crowded roadway.

This bill would authorize automated enforcement on this portion of the BQE, and would enable expanded enforcement efforts 24 hours a day, 7 days a week. Enforcement would utilize weigh-in-motion systems paired with cameras, similar to New York City's successful automated school speed zone and red light camera programs. Violations would carry the same or a lower penalty than the often-hefty penalties issued by police officers during in-person enforcement; and only trucks overweight by at least 10 percent would be issued a fine.

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