



**FOR IMMEDIATE RELEASE**

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For more information contact:  
Thomas Mattis, City Manager  
(512) 281-5724 (office)  
(512) 661-8392 (cell)

## **City Truck Route Approved by TxDOT** ***All Large Truck Traffic Now Restricted to USHwy 290***

The City of Elgin announced today that they have received formal approval from the Texas Department of Transportation (TxDOT) for the Truck Route proposed by the City Council, which will establish general restrictions of all truck traffic and specifically confine all large pass-through trucks to USHwy 290.

The Truck Route was developed primarily in response to on-going concerns relating to the significant increase of large trucks in recent months carrying oversized loads, primarily through Downtown Elgin on Main Street or Loop 109. Such traffic has not only created concerns for citizens about safety and the general disruption of local traffic, but in a number of instances, has also resulted in extensive damage to public facilities and private property.

“We are very pleased to receive this news,” said City Manager Tom Mattis. “It is further evidence of the on-going commitment by the City and TxDOT to work together to maintain safe public roadways for both drivers and pedestrians.”

Loop 109 is literally Elgin’s Main Street and traverses the middle of town, but is a state highway that exists under the jurisdiction of TxDOT. Although the City has the ability to enforce traffic laws on the roadway, all management control is retained by TxDOT – thus the need for the City to work in conjunction with them to establish the Truck Route.

Under current TxDOT rules, the City has the authority to reroute trucks from a certain highway route within their corporate limits to an alternate highway route within their city limits. Elgin’s Truck Route will comport with all of TxDOT’s basic guidelines for establishing same:

(more)

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*(a) Weight/size carrying capability of the alternate route should be reasonably comparable, (b) The (new) route should not be unreasonably longer than the original route, (c) The route should not be confusing to follow and should be selected so as not to jeopardize public safety, and (d) All truck routes should be on the state highway system*

“The City Council is always focused on safety and being responsive to our citizens,” said Mayor Chris Cannon. “However, this Truck Route was also established with a sensitivity to local truck traffic. While the Truck Route will prevent pass-through traffic through the town proper, it should have little effect on existing residents or businesses.”

The final step in this process will take place at the February 5 City Council Meeting when the Ordinance establishing the Truck Route will be formally adopted. Signage delineating the Truck Route and directing traffic regarding same will be erected by TxDOT in the near future.

“This truck route will greatly enhance opportunities for safety,” said Elgin Police Department Chief Patrick South. “It is another enforcement tool now available to the EPD, but our primary focus will remain on educating drivers about rules and safety.”

Enforcement of the Truck Route will begin at such time as the Ordinance has been adopted and all signage has been installed. However, the Elgin Police Department will initially provide a ten-day grace period, during which time only warnings will be issued.

\* \* \*

#### **About Elgin**

The City of Elgin is a historic, full-service city that is currently home to approximately 10,000 residents located in northern Bastrop County. Elgin has been designated by the Texas Legislature as “The Sausage Capital of Texas” and is an important stop on the US Hwy290 corridor between Austin and Houston. For more information about Elgin, please visit [www.ci.elgin.tx.us](http://www.ci.elgin.tx.us).

# Memorandum

**Date:** October 25, 2018

**To:** Mayor and City Council

**Subject:** Oversized Truck Traffic



Since the beginning of the year, the City has experienced a significant increase in large trucks carrying oversized loads, primarily through Downtown Elgin on Main Street or Loop 109. In even the best of situations, these trucks create a disruption of traffic; and in worse cases, have caused extensive damage to public facilities and private property.

In response to the current environment, the TxDOT (Texas Department of Transportation) - Bastrop Area Office has issued a temporary “no permits” restriction on Loop 109, which means for the time being, trucks will only be routed on Loop 109 if their origin or destination is on that road - and only with TxDOT approval.

## *Adverse Incidents*

As supported by the data provided herein, there has been a steady increase in oversized truck traffic through Elgin in recent years. Within the last two months alone, there have been (4) four significant incidents that generated Elgin Police Department (EPD) response due to oversized trucks pulling down power and/or cable lines (September 11, September 17, October 2 and October 20).

The most recent of these occurred last Saturday morning, when two large trucks with oversized loads were traveling a permitted route down Main Street/Loop 109. The first truck carried a load weighing 33,000 lbs.; the second, a load more than 70,000 lbs. (apparently transporting equipment destined for oil fields near Midland).

Both vehicles were northbound on Main Street, having travelled from Houston via Hwy71, ultimately entering Elgin on FM1704. The trucks were escorted by pilot vehicles with height indicators to show when limbs and/or wires are too low.

As the first truck passed Cleveland Street, it diverted to the wrong side of the road to avoid elevated wires across the road, but unfortunately snagged a different utility line. Then, according to the EPD Report:

“The truck pulled the wire causing five (5) utility poles to be snapped at their bases or broken into multiple pieces. The pieces of poles broken at their mid-point became projectiles as the pieces were catapulted across resident’s properties by the high-tension wires that anchored the poles to the ground. A 6’ piece of utility pole hit (a neighboring) house . . . causing significant damage to the structure’s roof, eaves, and siding. Numerous items of additional residents’ personal property were damaged: fences, trees, garbage carts, lawn ornaments, etc.

In addition, a transformer attached to one of the downed utility poles cracked open when it hit the pavement and spilled its contents across Main Street and into an adjacent parking area. Although the first EPD officer on scene was exposed to the contents, they were later determined to be hazardous, but non-toxic. An Oncor HazMat team ultimately cleaned up the spill; including the excavation of contaminated soil in the parking lot.

Safety issues aside, this incident also resulted in a significant adverse impact on both area residents and businesses, as all were without power or cable services for essentially the entire day. Oncor re-established service to their customers by 6:00PM; Spectrum re-established their services at 8:00PM. Main Street was reopened at 9:00PM when all crews were off the roadway.

### ***General Information***

As background for further review of this situation, the following information was developed through research and discussion with various TxDOT representatives:

- The US290 bridge in Elgin (the bridge over the railroad tracks and Central Avenue, located near HEB and the 11<sup>th</sup> street intersection) does **not** have a load limit, per se.  
*This is an important clarification in that city staff had been told previously and was under the understanding that there was indeed a load limit on the bridge, which necessitated the re-routing of trucks with oversized loads through downtown.*
- The only load limit is that which applies to all traffic traveling US290 and all state highways – **80,000 lbs.** – which means there is a de facto load limit on the bridge, but only in the sense that if a load exceeds 80,000 lbs., it is not allowed to be on the either the highway or bridge.
- Even with this limit, however, a vehicle can still exceed 80,000 lbs., if it obtains the appropriate oversized load permit.
- The Texas Department of Motor Vehicles – Motor Carrier Division (TxDMV) – not TxDOT - issues permits for the purpose of routing trucks with oversize/overweight loads.
- The TxDMV issues approximately 800,000 oversize/overweight load permits statewide per year; and they issued 108,000 more such permits in 2018 than in 2017.
- From 2015 to 2017, the average number of such permits issued to travel over US290 on FM1704 was 148 per year:
  - 2015 – **179**
  - 2016 – **30**
  - 2017 – **133**
  - 2018 – **253** ( *90% increase over last year*)
- There is no limit on on the number of such permits issued in any one year or month.
- Oversize/overweight load permits are issued with the general expectation that overhead lines are maintained at required clearance. However, where there are locations when clearance is known to be low and, when TxDMV has been properly notified, height restrictions are implemented to prevent routing under those lines.
- Even with a properly issued permit, however, the truck/truck driver still assumes primary responsibility for traveling the route without causing damage. Every permit issued by TxDMV includes the following statement: *“It is the responsibility of the permittee to clear any overhead obstructions or utility lines. In addition, all utility companies or other entities must be contacted in advance, as required by the utility or entity, to assist in clearing the obstruction.”*

### **Truck Route**

While the City has taken action to address similar problems with truck traffic in the recent past (most notably on Fisher Street), continuing to consider streets or neighborhoods one at a time based on incidents or complaints from residents is not an effective long-term approach. A more comprehensive method, and the best opportunity for a permanent solution to this problem, is through the formal establishment of a **Truck Route**.

Under current TxDOT guidelines, the City has the ability “to restrict truck traffic on a state highway through the establishment of a Truck Route as described in the *TxDOT Signs Guidelines and Application Manual*”. Through the passage of appropriate legislation, the City “may reroute trucks from a certain highway route within their corporate limits to an alternate highway route within their city limits”.

It would be the City’s responsibility to develop a compliant Truck Route plan, assembling all the necessary data and analysis. Various items must be considered and evaluated through this process, including assessment of the structural adequacy of any roads and bridges within the truck route plan.

Initially, the City would prepare a preliminary Truck Route plan for TxDOT’s review. TxDOT will then coordinate with their Traffic Operations Division (TRF) on the proposed truck route; and after it is approved by TRF, the City Council would then adopt an Ordinance formally designating said Truck Route. The City would be responsible for purchasing and installing all necessary signage designating the route.

As stated in the *TxDOT Signs Guidelines and Application Manual*, the basic guidelines for establishing a truck route are:

- *Weight and size carrying capability of the alternate route should be reasonably comparable*
- *The (new) route should not be unreasonably longer than the original route*
- *The route should not be confusing to follow & should be selected so as not to jeopardize public safety*
- *All truck routes should be on the state highway system*

If the objective is to simply require trucks with oversized loads to stay on US290, establishing a Truck Route would appear to be the easiest and most effective option – particularly in light of the fact that such an alternate route would clearly comply with TxDOT’s guidelines as stated above.

Please let me know if you have any questions or a request for additional information in this regard.



Thomas L. Mattis  
City Manager

cc: Patrick South, Chief of Police  
Joe Parten, Director of Public Works  
Beau Perry, City Engineer

**ORDINANCE NO. 2019-\_\_\_\_\_**

**AN ORDINANCE ESTABLISHING AND REGULATING A TRUCK TRAFFIC ROUTE WITHIN THE CITY OF ELGIN, TEXAS; PROHIBITING TRUCK TRAFFIC ON LOOP 109/MAIN STREET; PROVIDING PENALTIES FOR THE VIOLATION THEREOF BY A FINE OF NOT MORE THAN \$500; AND PROVIDING FINDINGS OF FACT; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE**

**WHEREAS**, the City Council of the City of Elgin (“Council”) finds that it is in the best interest of the public health, safety and general welfare to restrict travel of certain vehicles utilizing Main Street and/or Loop 109; and,

**WHEREAS**, the Council finds that establishing a truck traffic route is in the public interest of the residents of the City of Elgin; and,

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the City of Elgin has general authority to adopt an ordinance or police regulation that is for the good government, health, safety and order of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS:**

**I.**

**Section 1 - Findings.**

The forgoing recitals are incorporated into this Ordinance as true and correct findings of fact.

**Section 2 - Purpose.**

To protect the health, safety and general welfare of the residents of the City and to preserve and protect functionality and integrity of Main Street and/or Loop 109, the City's Historic Central Business District, and neighboring residential properties.

**Section 3 - Definitions.**

Any word or term not defined herein shall be considered to be defined in accordance with its common or standard definition.

a) *“Truck”* means every motor vehicle which is designed, used, or maintained primarily for the transportation of property having a weight of 30,000 (thirty thousand) pounds Gross Vehicle Weight Rating (GVWR) or more including the load carried.

b) *“Implement of Husbandry”* means every vehicle, which is designed for agricultural purpose and exclusively used by the owner thereof in the conduct of agricultural operations.

c) *“Semi-Trailer”* means every vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

d) *“Trailer”* means every vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

e) *“Truck Tractor”* means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of vehicle and load so drawn.

f) *“Person”* includes an agency, company, organization, firm, association, partnership, joint venture, trust or equivalent entity or a combination of any of them as well as a natural person.

#### **Section 4 - Prohibition Against Travel on Non-Designated Truck Routes.**

Except as expressly permitted under this ordinance, no person shall operate a truck or truck-tractor and semi-trailer or truck-tractor and trailer combination, or truck and trailer combination in the City on any road other than the designated truck route.

#### **Section 5 - Truck Route.**

Eastbound and Westbound U.S. Highway 290, to the exclusion of all other roads, is hereby designated as the Truck Route and classified for truck traffic.

#### **Section 6 - Exceptions.**

The truck route limitations prescribed in this Ordinance shall not apply to:

- a) Delivery of goods and services; or
- b) A pick-up truck or a van designed so as to carry loads of no more than one ton; or
- c) Vehicles carrying or designated to carry passengers; or
- d) Fire trucks or other emergency vehicles or vehicles on emergency business involved in the saving of life or property; or
- e) Implements of husbandry incidentally moved upon a road; or
- f) Road repair, construction or maintenance vehicles while involved in the repair, construction, or maintenance of roads within the City; or
- g) Trash and/or Recycling Collection service vehicles while involved in the provision of services to residents of the City; or
- h) All governmentally owned or leased vehicles and public utility vehicles; or
- i) Motor homes, recreational vehicles or vehicles used exclusively to transport personal possessions or family members for non-business purposes.

**Section 7 - Leaving or Returning to Home or Place of Business.**

Nothing herein contained shall prevent a truck or truck-tractor and semi-trailer, or truck tractor and trailer combination, or truck and trailer combination from leaving or returning to its customary storage location at the owner or operator’s personal residence, or a commercial or industrial location on or adjacent to Main Street and/or Loop 109.

**Section 9 – Special Permits.**

The City Manager or his designee shall have authority to grant a written permit in special cases which would otherwise be in violation of the provisions of this Ordinance. Said permit shall describe the vehicle, the time and dates of travel, and the route to be taken by the vehicle; and in no case shall a permit be valid for a longer period of ten (10) days from the date of issue.

**Section 10 – Signs.**

The City shall procure and have posted appropriate signage along the designated truck route as required by the laws of the State of Texas and authorized by the Texas Department of Transportation.

**Section – Penalties.**

Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction, shall be fined not more than five hundred (\$500.00) dollars. The City of Elgin Police Department is hereby authorized to issue tickets for violation of this Ordinance.

**II.**

a) All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

b) The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

c) The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meeting Act, Chapter 551, Texas Government Code, as amended.

**READ, PASSED, and ADOPTED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CHRIS CANNON, Mayor  
City of Egin, Texas

ATTEST:

\_\_\_\_\_  
AMELIA SANCHEZ, City Secretary