



# Memorandum



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To: Alina Hudak, Deputy Mayor & Interim Director  
Public Works and Waste Management

From: Mary Cagle, Inspector General

Date: March 5, 2014

Subject: Public Works and Waste Management Department: Overweight  
18-Wheeler Tractor-Trailer Trucks, Ref. IG13-12

## **INTRODUCTION & SYNOPSIS**

The Office of the Inspector General (OIG) received a complaint in April 2013 concerning the Public Works and Waste Management Department (PWWM) overloading its trucks at its transfer facilities. Specifically, the complaint involved loads originating at the South Dade Landfill/Transfer Station (South Dade Transfer Station) to be delivered to the Resource Recovery Facility (RRF) utilizing 18-wheeler tractor-trailer trucks (tractor-trailer trucks). The complainant alleged that the tractor-trailer trucks were constantly overloaded in violation of federal and state regulations establishing weight limits for such trucks. Significant to the complainant was that the overloaded trucks posed safety concerns.

The OIG substantiated the complaint. Our inquiry revealed that PWWM's tractor-trailer trucks were constantly overweight; moreover, this was not unknown to PWWM. In fact, the department recently completed a pilot study using onboard scales that resulted in a massive decrease in the percentage of overweight tractor-trailer deliveries. PWWM recently received approval to purchase approximately \$1.6 million of onboard scales for its fleet of tractor-trailer trucks.

## **GOVERNING AUTHORITIES**

Under Florida Statutes, Chapter 316, the overall gross weight of a vehicle or combination of vehicles may not exceed 80,000 pounds traveling on either the Interstate Highway System or on intrastate roads. If the gross weight is over and beyond 6,000 pounds of the maximum allowed, the vehicle must be unloaded. The statutes also state that any person who violates the overloading provisions shall be conclusively presumed to have damaged the highways of this State by reason of such overloading and fined five cents per pound for each pound of

weight in excess of the maximum when the excess weight exceeds 200 pounds. The Code of Miami-Dade County (County Code) mirrors Florida Statutes. Both Florida Statutes and County Code state verbatim:

### **Exceeding weight and length; penalties<sup>1</sup>**

It is a violation of this chapter for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in this chapter or otherwise in violation of this chapter, and the maximum size and weight of vehicles herein specified shall be lawful throughout this State. Local authorities shall have no power or authority to alter said limitations except as express authority may be granted. (Emphasis added)

### **OIG REVIEW**

OIG Special Agents met with PWWM personnel of the Transfer Division regarding the complainant's concerns. The OIG requested data from PWWM that tracks the weights of its truck deliveries. We were provided a spreadsheet that showed all the loads from the County's various transfer stations to the RRF for the 15-month period of January 2012 to March 2013. PWWM's data showed that 54% of all of these loads exceeded the allowable weight limit of 80,000 pounds. Some deliveries were over 100,000 pounds, and the heaviest delivery shown in the report was 114,640 gross pounds, which is 43% heavier than the allowed weight. Moreover, we found that the situation of overloading trucks was not isolated to deliveries loaded at the South Dade Transfer Station (although it had the highest percentage of overweight loads at 35%, compared to the West Transfer Station that had the second highest percentage of overweight loads at 28%).

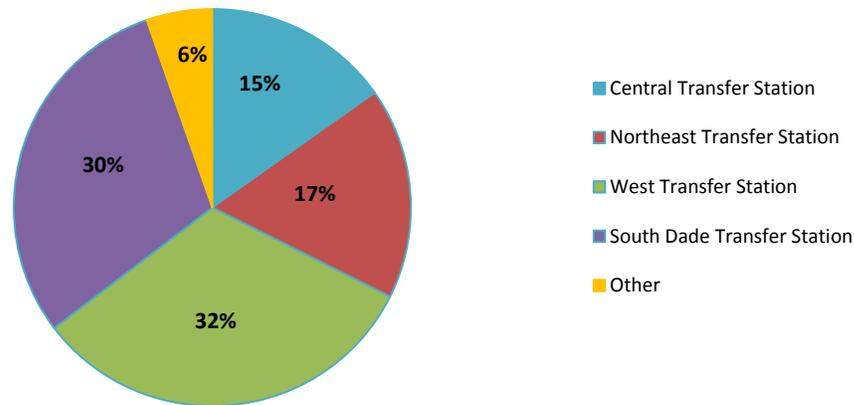
For the same time period, 22% of all the trips to the RRF exceeded the 86,000 pound threshold where regulations require that the truck be unloaded.<sup>2</sup> Again this condition was not isolated to trips originating from the South Dade Transfer Station, although the South Dade and West Transfer Stations were the most frequent offenders. The chart on the next page shows the distribution for deliveries where the gross weight exceeded 86,000 pounds for the same 15-month period.

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<sup>1</sup> Florida Statutes Section 316.500 and County Code Section 30-314. Both Florida Statutes and the County Code have a provision referencing a permit that can be obtained for oversized and/or overweight vehicles; however, that provision is inapplicable here.

<sup>2</sup> Our inquiry revealed that for the period under review no citations were issued to any PWWM tractor-trailer trucks by the Florida Highway Patrol.

**Deliveries Exceeding 86,000 lbs. (Gross Weight) by Point of Origin to the Resource Recovery Facility (January 2012 – March 2013)**



OIG Special Agents discussed these concerns with PWWM officials, who advised that they had recently initiated a pilot test program by placing “onboard scales” on two of the tractor-trailer trucks. According to the PWWM report for the period of April 23, 2013 to August 3, 2013, the pilot program produced significant compliance improvements for the two trucks with the onboard scales. For these two trucks, no load exceeded 86,000 pounds. Truck loads exceeding 80,000 were less than one percent of all trips made by these two trucks within that period of time.<sup>3</sup>

Nevertheless, PWWM’s report for the tractor-trailer trucks that did not have onboard scales, during the period of April 23, 2013 to August 3, 2013, shows that 39% of all deliveries<sup>4</sup> still exceeded the 80,000 pound weight limit, again with many weighing over 100,000 pounds. As such, it is easy to conclude that the onboard scales are making a great difference.

<sup>3</sup> For these two trucks, 74% of all of their trips were to the RRF. The South Dade Landfill and the Medley Landfill comprised the other 26% of all destinations.

<sup>4</sup> This period includes other destinations besides the RRF, although the RRF remains the primary destination.

PWWM stated that the department requested approximately \$1.3 million for the 2013-2014 Fiscal Year to outfit all of the 130 tractor-trailer trucks in the Transfer Division. In addition, they intend to request another \$200,000 in Fiscal Year 2014-2015 to outfit the vehicles in the Trash Division. On 12/3/2013, the department's request was approved for \$1.6 million for the purchase of the onboard scales. At the present time, PWWM is working with the Procurement Division of the Internal Services Department to procure these devices.

### **GOING FORWARD**

The OIG inquiry substantiated the allegation that a significant percentage of PWWM's tractor-trailer deliveries to the RRF are constantly overweight and, as such, are in violation of both State and County regulations. We understand that PWWM is taking action by placing onboard scales on each tractor-trailer truck, now that the funding has been approved. However, the OIG was informed that it would take the entire 2013-2014 Fiscal Year to outfit each tractor-trailer truck with the onboard scales.<sup>5</sup> Meanwhile, the risk of overloading the tractor-trailer trucks remains substantially high. Although we understand that it is important to keep the trash moving at an efficient pace, the OIG believes that appropriate care should be taken to adhere to the proper weight requirements under State and County laws, as well as for safety purposes.

The OIG requests that PWWM provide a quarterly report on the procurement and installation of the onboard scales on the tractor-trailer trucks, along with a quarterly report on all deliveries by date and truck number. The OIG also requests that during the 2013-2014 Fiscal Year as the scales are being installed, that the tractor-trailer trucks also be weighed at the destination to confirm that the new onboard scales are showing the correct weight, and provide us paperwork that documents this testing. We look forward to receiving the first quarterly report in approximately 90 days, on or about June 6, 2014.

For further information, please contact OIG Special Agent Michael Caldwell at (305) 375-1946.

cc: Chairman Juan C. Zapata  
and Members, Infrastructure and Capital Improvements Committee  
Paul Mauriello, Assistant Director, PWWM  
Michael Moore, Assistant Director of Disposal, PWWM  
Charles Anderson, Commission Auditor

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<sup>5</sup> The two pilot vehicles took one week each for the installation.