

Borough of Economy

Beaver County
2856 Conway Wallrose Road
Baden, PA 15005-2306

(724) 869-4779

www.economyborough.org

FAX: (724) 869-8111

Over Weight Vehicle Permit

Permit Number _____

This permit is being issued in accordance with the Pennsylvania Vehicle Code (75 PA CS) and all applicable Borough Codes. The permit will not be issued until an Excess Maintenance Agreement has been executed, in which the permittee accepts financial responsibility for the excess maintenance of the posted highway or portion thereof to be used by the permittee.

Applicant _____

Address _____

Phone _____

List the name of the road(s) and the portion to be used, including the length.

Beginning Date: _____ Ending Date: _____

List the make, model, year and license plate number of the truck(s) and trailers that will be used.

I hereby certify that the information submitted is correct to the best of my knowledge.

Signature & Title: _____

Date: _____

This permit shall be carried in the permitted vehicle(s) while traveling on the specific roadway and applies only to the roads listed above.

Permit fee: \$40.00 for the first mile or portion thereof and \$25.00 for each additional mile or portion thereof for preliminary and final inspections.

Fee: \$ _____

Issuance date: _____

By: _____
Borough Manager

Expiration date: _____

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Over Weight Vehicle Excess Maintenance Agreement

Permit Number _____

This agreement must be executed before an over weight vehicle permit is issued. The agreement is to guarantee the financial responsibility for all excess maintenance will be borne by the Permittee.

Excess maintenance, or restoration of a posted highway, is beyond normal maintenance that has been damaged by over the posted weight vehicle(s).

AGREEMENT

For and in consideration of the mutual promises hereinafter set forth, the parties, their successors and assigns agree as follows:

1. The Borough will permit the user to move vehicles with loads in excess of the posted weight on the roads or portions thereof as specified on the permit and in accordance with the PA Vehicle Code (75 PA CS) and PA Code 67, chapter 189.
2. If more than one over weight vehicle permit is issued for the same road or portion thereof simultaneously, the Borough will assess and determine the proportion of excess maintenance attributable to each Permittee.
3. The right of way of the permitted road will be restored to a level consistent with the pre-over weight hauling, as determined by the Borough, when the Borough determines excess maintenance is warranted.
4. The permittee and the Borough will inspect the road and right of way prior to the over weight hauling and each will make note of and share with the other defects pre-existing within the right of way.
5. Excess maintenance and restoration shall be performed in accordance with option ____ below.

Option A.

The Borough, or its contractor, will make the repairs and bill the permittee. If payment is not received within 30 days of the invoice the Borough may rescind the use of over weight vehicles and/or proceed against the surety as provided below.

Option B.

The permittee or his contractor will make the repairs after giving the Borough three days notice and the Borough reserves the right to monitor and direct the restoration. The permittee will reimburse the Borough for expenses incurred while monitoring/directing the restoration.

If option B is selected, the permittee shall:

1. Provide proper traffic control in accordance with PennDot's publications 408 and 203.
2. Indemnify and save harmless the Borough, its officers, agents and employees, from all suits resulting from the restoration work being done.
3. Provide evidence of public liability insurance for bodily injury and property damage in the minimum amount of 1 million dollars for any loss that occurs during restoration and names the Borough as an additional insured. The Borough must be notified in writing at least 45 days prior to any modification or cancellation.
4. Promptly perform the excess maintenance. If the Borough determines this is not being done it will notify the permittee in writing, who will promptly see that the work is done.
5. If the permittee fails to perform the excess maintenance after receipt of notice, the Borough may, in its discretion;
 - A. Rescind permission to perform excess maintenance or operate over weight vehicles until the restoration is completed or paid for.
 - B. Restore the road and bill the permittee.
 - C. Proceed against the surety as provided below.
 - D. Terminate this agreement.
 - E. Any or all of the above.
6. To secure the performance of the permittee's obligations, the permittee shall execute and deliver to the Borough surety in an amount and in a form acceptable to the Borough. The amount may be up to \$6,000 per mile of un-improved road and \$12,500 for paved roads. The form may be a personal or business check, performance bond, escrow account, bank account, certified check, cashier's check or irrevocable letter of credit.

It is agreed that in the case of Over Weight Vehicle Permit Number _____ a
_____ in the amount of \$ _____ will be used as surety.

7. The Permittee shall be liable for all costs of excess maintenance and all other expenses incurred pursuant to this agreement, which may exceed the amount of surety listed above.

8. The permittee or Borough may terminate this agreement in writing at any time. At that time the Borough and permittee shall re-inspect the road and the Borough will determine if excess maintenance is warranted.

9. If the Borough determines the permittee is not in compliance with any provision of this agreement it may revoke the permit and pursue legal recourse. Any other permits held by the permittee may be revoked under these circumstances.

Attest:

For Economy Borough

By _____

Attest:

Permittee

By _____

Date _____