

Port struggles to deal with weight problem **Even with random inspections, the Port of Miami-Dade has been struggling to stop overweight trucks from leaving.**

BY STEVE HARRISON
sharrison@MiamiHerald.com

Last July, driver Luis Ribera was merging slowly onto Interstate 95 from the Palmetto Expressway when his truck, carrying a 20-foot container of marble, began to tip -- then turn over.

"I was overweight by 20,000 pounds -- it's very dangerous," Ribera said.

Accidents such as Ribera's led truck drivers and the International Brotherhood of Teamsters to lobby the Port of Miami-Dade to weigh trucks leaving the port last fall. The results of random inspections this year are disturbing: More than 40 percent of all trucks inspected were overweight. In some weeks, it was more than 70 percent.

Enforcement by the Florida Department of Transportation is minimal.

And trucking companies aren't buying the required permits to haul overweight containers. The money helps pay for damage to roads.

For instance, Ace Transportation in Northwest Miami-Dade, which hauls mostly lumber, had 13 overweight trucks in the first week of the port's outbound scale program last fall -- the most of any company, according to port records. In the two years prior to the program, in 2003 and 2004, Ace didn't pay for one overweight permit.

"There was no one really stopping you," admitted Rudy Alvarez, general manager of Ace, which began securing overweight permits after several of its trucks were turned back by port officials.

An overweight truck causes problems in two ways.

Too much weight placed on too small a chassis, or too few axles, can cause serious problems for roads. Road safety advocates have estimated a truck weighing 80,000 pounds can do as much damage to roads as nearly 10,000 cars.

Many trucks flagged would have been legal with an annual permit for \$500 allowing a load of 95,000 pounds -- which truckers say many companies don't want to pay. However, 18 trucks flagged last year weighed more than 95,000 pounds, illegal under any conditions.

A truck with an overweight container can increase the risk of a tire blowout. It can increase the chances of tipping over. It can increase the distance needed to stop. "Braking is the biggest concern," said Phillip Abaira of the Florida Trucking Association. "The heavier you are, the more momentum you have, the longer it takes you to stop."

An overweight container was blamed in the November 2003 accident on Dolphin Expressway that nearly killed Shauna Pender, then Miss Florida. A truck carrying a container of avocados swerved to avoid hitting a pickup truck. The truck tilted and fell on Pender's Lincoln.

Pender has sued the driver, the trucking company and Maersk, the steamship line and terminal operator. She is seeking more than \$10 million in damages.

"It was a refrigerated unit -- and it was overweight," said Pender's attorney, William Sullivan. "And it was packed too high, which changed the center of gravity."

After the first few weeks of the Port of Miami-Dade's scale program, compliance increased. But port officials wondered if shippers and truckers were breaking overweight loads into two containers, or whether they had learned when port officials would be working.

Random inspections of 544 trucks conducted during five months in 2006 confirmed their fears: More than 40 percent of containers were overweight, with some weeks topping 70 percent.

"It's alarming," said acting port director Bill Johnson.

His port, the only one in Florida weighing trucks on its own, will send overweight trucks back to split their loads. But the port has no ability to levy a fine, though it may try to partner with the DOT to penalize truckers more than making them turn around.

"It's a hassle to go back," Johnson said. ``But we think there may need to be an additional penalty."