



RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY
1 East Shore Road
P.O. Box 437
Jamestown, RI 02835

Public Notice of Proposed Rulemaking

AGENCY: Rhode Island Turnpike and Bridge Authority (RITBA)

RULE IDENTIFIER: ERLID 6330

REGULATION TITLE: Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge

RULEMAKING ACTION: Direct Final Rule. RITBA does not expect this repeal to be controversial. If no formal objection is received on or before August 23, 2018, RITBA will file and effectuate the repeal without opportunity for public comment.

TYPE OF FILING: Repeal.

DATES: Public Notice Date: July 24, 2018; Comment Period Ends: August 23, 2018.

SUMMARY OF PROPOSED RULE: The purpose of this action is to repeal RITBA's Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge because many of the provisions contained in these Rules and Regulations were duplicative and redundant of state law. Other provisions are no longer necessary for RITBA's operations and needs. And, provisions relating to the safe use of the bridges will be incorporated into RITBA's proposed Rules and Regulations Governing Bridge Safety (which will cover all four bridges under RITBA's jurisdiction, not just the Newport/Pell Bridge and Mount Hope Bridge). Accordingly, RITBA believes that repeal of these rules and regulations is appropriate.

COMMENTS INVITED: All interested parties are invited to submit written or oral comments concerning the proposed repeal by August 23, 2018 to the addresses listed below.

ADDRESSES FOR PUBLIC COMMENT SUBMISSIONS:

Mailing Address: Rhode Island Turnpike and Bridge Authority
c/o Marianne Durgin, Rulemaking Coordinator
1 East Shore Road, P.O. Box 437
Jamestown, Rhode Island 02835

Email Address: mdurgin@ritba.org

FOR FURTHER INFORMATION CONTACT:

Mailing Address: Rhode Island Turnpike and Bridge Authority
c/o Marianne Durgin, Rulemaking Coordinator
1 East Shore Road, P.O. Box 437
Jamestown, Rhode Island 02835

Email Address: mdurgin@ritba.org

Phone: (401) 423-1903

SUPPLEMENTARY INFORMATION:

Regulatory Analysis Summary and Supporting Documentation:

RITBA believes that repealing its Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge will not have any impact on societal costs or benefits. A copy of the regulatory analysis follows this Public Notice of Proposed Rulemaking. For full regulatory analysis or supporting documentation, please contact RITBA's Rulemaking Coordinator identified above.

Authority for This Rulemaking: R.I. Gen. Laws § 24-12-9(12) and (23)

Regulatory Findings:

In the development of the proposed repeal, consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

The Proposed Amendment:

RITBA proposes to repeal ERLID 6330 (Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge) in its entirety. The effect of the proposed repeal is shown on the attachment to this Notice.



MEMORANDUM

Regulatory Analysis for Proposed Repeal of Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge

This memorandum sets forth the Regulatory Analysis of the Rhode Island Turnpike & Bridge Authority (RITBA) required by R.I. Gen. Laws §42-35-2.9 with respect to RITBA's proposed repeal of its Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge.

RITBA believes that repealing its Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge is appropriate because, under the recently-amended Administrative Procedures Act ("APA"), state law should not be incorporated into rules and regulations. Upon review, RITBA discovered that many of its Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge were redundant with state law or were no longer necessary. However, RITBA does believe that rules and regulations relating to the safe use of RITBA's bridges is important, so it is simultaneously proposing to adopt proposed Rules and Regulations Governing Bridge Safety (which will cover all four bridges under RITBA's jurisdiction, not just the Newport/Pell Bridge and Mount Hope Bridge). In light of this, RITBA believes that repeal of its Rules and Regulations Governing the Use of the Claiborne Pell and Mount Hope Bridge is appropriate.

**Redlined Rules and Regulations Governing the Use
of the Claiborne Pell and Mount Hope Bridge**

[See Next Page]

~~RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY~~

~~JAMESTOWN, RHODE ISLAND~~



~~RULES AND REGULATIONS GOVERNING THE USE~~

~~OF THE CLAIBORNE PELL BRIDGE~~

~~AND~~

~~MOUNT HOPE BRIDGE~~

~~April 2002~~

~~*As amended:*~~

~~February 2011~~

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~~**RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY**~~
~~**RULES AND REGULATIONS GOVERNING THE USE OF THE**~~
~~**CLAIBORNE PELL BRIDGE AND MOUNT HOPE BRIDGE**~~

~~**SECTION 1—AUTHORIZATION, PURPOSE AND PENALTIES**~~

~~**1.1—Authorization for Regulations**~~

~~The Rhode Island Turnpike and Bridge Authority was created and exists under and by virtue of Chapter 12, Title 24 of the Rhode Island General Laws of 1956, and amended by Chapter 219 of the Public Laws of 1960, Chapter 210 of the Public Laws of 1962, Chapter 165 of the Public Laws of 1963, Chapter 43 of the Public Laws of 1965, Chapter 228 of the Public Laws of 1966, and Chapter 83 of the Public Laws of 1967, and is authorized and empowered to construct, maintain, repair and operate the Claiborne Pell Bridge and Mount Hope Bridge.~~

~~In conjunction with R.I.G.L. § 24-12-5, and as a duly empowered local authority within the purview of R.I.G.L. § 31-12-12, the Authority has the power to establish rules and regulations for the use of the Bridges. The enforcement of such rules and regulations is overseen by the Executive Director of the Authority.~~

~~**1.2—Purpose**~~

~~These Rules and Regulations are intended to provide patrons with information regarding the use, regulation and tolling of the Bridges. Official copies of these Rules and Regulations are on file at the Authority's Administrative Office and with the Rhode Island Secretary of State. A copy of these Rules and Regulations is also available online on the Authority's website at www.ritba.org.~~

~~These Rules and Regulations are effective immediately and supersede any previous regulations established by the Authority on the subject previously.~~

~~These Rules and Regulations apply to the Claiborne Pell Bridge and Mount Hope Bridge.~~

~~If any clause, provision, sentence, paragraph or section of these Rules and Regulations is found by any court of competent jurisdiction to be invalid or unenforceable, in whole or in part, the remainder of these Rules and Regulations shall nonetheless remain enforceable and in effect.~~

~~**1.3—Penalties**~~

~~Under the provisions of R.I.G.L. § 31-27-13, violators of any of the regulations herein established shall be liable to a fine not exceeding five hundred (\$500.00) dollars, imprisonment not exceeding one (1) year, or both fine and imprisonment, unless other~~

penalties are specifically provided.

SECTION 2 — DEFINITIONS

The following words and terms in these regulations have the following meanings unless the context shall indicate another or different meaning or intent.

2.1 — Administrative Office

The Authority's administrative building is located in Jamestown, Rhode Island. The telephone number to the Administrative Office is (401) 423-0800.

2.2 — Authority

The Rhode Island Turnpike and Bridge Authority, created by the act constituting Chapter 12 of Title 24 of the Rhode Island General Laws of 1956, as amended.

2.3 — Bridges

The Claiborne Pell Bridge and the Mount Hope Bridge.

2.4 — Claiborne Pell Bridge

The bridge crossing of the East Passage of Narragansett Bay, extending between the east abutment of the bridge and a point about seven hundred (700) feet west of the toll booths and including the bridge structure from abutment to abutment, the toll plaza, the westerly approach roadway, and the administration building and surrounding area.

2.5 — Emergency Personnel

Any federal, state, municipal or local officer including, but not limited to police, fire, security or other emergency personnel, acting in an official capacity on or in the vicinity of the Bridges, any approaches to the Bridges or the space occupied by the Bridge spans.

2.6 — Employee(s)

Any person(s) in the official employ of the Authority.

2.7 — Executive Director

The person appointed by the Board of Directors of the Authority to oversee the day-to-day activities and Employees of the Authority.

~~2.8 — E-ZPass System~~

~~An electronic toll collection system operated, maintained, and regulated by the Authority, which is a member agency of the E-Zpass Interagency Group (IAG). The system works with E-Zpass Transponders.~~

~~2.9 — E-ZPass Transponders~~

~~The E-Zpass Transponders (Transponders) are transponders that communicate with reader equipment built into lane-based road toll collection lanes. The Transponders are issued by the Authority as a member agency of the IAG and can be used throughout the IAG network and other out-of-state authority's tolling systems.~~

~~2.10 — Hazardous material~~

~~As defined by the U.S. Department of Transportation 49 U.S.C. § 105.5(b)(3) to mean a substance or material that the Secretary of Transportation has determined is capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and has designated as hazardous under Section 5103 of Federal hazardous materials transportation law (49 U.S.C. § 5103). The term includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, materials designated as hazardous in the Hazardous Materials Table (see 49 CFR § 172.101), and materials that meet the defining criteria for hazard classes and divisions in part 173 of subchapter C of the chapter.~~

~~2.11 — Motor Vehicles Laws~~

~~The motor vehicles laws of the State promulgated under Title 31 of the Rhode Island General Laws.~~

~~2.12 — Mount Hope Bridge~~

~~Mount Hope Bridge means the existing bridge between the towns of Bristol and Portsmouth, Rhode Island and the approaches thereto, which was constructed by the Mount Hope Bridge corporation and which was acquired and is now owned and operated by the Authority and shall embrace all tollhouses, administration, and other buildings and structures used in connection therewith, together with all property, rights, easements, and interests acquired by the Authority in connection with the construction and operation of the bridge.~~

~~2.13 — State~~

~~The State of Rhode Island.~~

~~2.14 — Toll Plazas~~

~~The buildings and facilities designated and maintained by the Authority for the purpose of collecting tolls at the Bridges.~~

~~2.15 — Vehicle~~

~~In accordance with R.I.G.L. § 31-1-3, vehicles are defined as follows:~~

~~(a) "Antique motor car" means any motor vehicle which is more than twenty-five (25) years old. Unless fully inspected and meeting inspection requirements, the vehicle may be maintained solely for use in exhibitions, club activities, parades, and other functions of public interest and may not be used primarily for the transportation of passengers or goods over any public highway;~~

~~(b) "Antique motoreycle" means any motoreycle which is more than twenty-five (25) years old. Unless fully inspected and meeting inspection requirements, the vehicle shall be maintained solely for use in exhibitions, club activities, parades, and other functions of public interest and may not be used primarily for the transportation of passengers or goods over any public highway;~~

~~(c) "Authorized emergency vehicle" means vehicles of the fire department (fire patrol), police vehicles, vehicles used by Rhode Island state marshals in the department of corrections, vehicles used by the state bomb squad within the division of state fire marshal, vehicles of municipal departments or public service corporations designated or authorized by the administrator as ambulances and emergency vehicles; and privately owned motor vehicles of volunteer firefighters or privately owned motor vehicles of volunteer ambulance drivers or attendants, as authorized by the department chief or commander and permitted by the Rhode Island association of fire chiefs and Rhode Island association of police chiefs joint committee for volunteer warning light permits.~~

~~(d) "Automobile" means, for registration purposes, every motor vehicle carrying passengers other than for hire.~~

~~(e) "Bicycle" means every vehicle having two (2) tandem wheels, except scooters and similar devices, propelled exclusively by human power, and upon which a person may ride.~~

~~(f) "Electric motorized bicycles" means a motorized bicycle which may be propelled by human power or electric motor power, or by both, with an electric motor rated not more than two (2) (S.A.E.) horsepower, which is capable of a maximum speed of not more than twenty-five (25) miles per hour.~~

~~(g) "Electric personal assistive mobility device" ("EPAMD") is a self-balancing two (2) non-tandem wheeled device, designed to transport only one person, with an electric propulsion system which limits the maximum speed of the device to fifteen (15) miles per hour.~~

~~(h) "Hearse" means every motor vehicle used for transporting human corpses. A hearse shall be considered an automobile for registration purposes.~~

~~(i) "Jitney or bus" means: (1) a "public bus" which includes every motor vehicle, trailer, semi-trailer, tractor-trailer, or tractor-trailer combination, used for the transportation of passengers for hire, and operated wholly or in part upon any street or highway as a means of transportation similar to that afforded by a street railway company, by indiscriminately receiving or discharging passengers, or running on a regular route or over any portion of one, or between fixed termini; or (2) a "private bus" which includes every motor vehicle other than a public bus or passenger van designed for carrying more than ten (10) passengers and used for the transportation of persons, and every motor vehicle other than a taxicab designed and used for the transportation of persons for compensation.~~

~~(j) "Motoreycle" means only those motor vehicles having not more than three (3) wheels in contact with the ground and a saddle on which the driver sits astride, except bicycles with helper motors as defined in subsection (1) of this section.~~

~~(k) "Motor-driven cycle" means every motoreycle, including every motor scooter, with a motor of no greater than five (5) horsepower, except bicycles with helper motors as defined in subsection (1) of this section.~~

~~(l) "Motorized bicycles" means two (2) wheel vehicles which may be propelled by human power or helper power, or by both, with a motor rated not more than four and nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters, which are capable of a maximum speed of not more than thirty (30) miles per hour.~~

~~(m) "Motorized tricycles" means tricycles which may be propelled by human power or helper motor, or by both, with a motor rated no more than 1.5 brake horsepower which is capable of a maximum speed of not more than thirty (30) miles per hour.~~

~~(n) "Motorized wheelchair" means any self-propelled vehicle, designed for and used by a person with a disability, that is incapable of speed in excess of eight (8) miles per hour.~~

~~(o) "Motor vehicle" means every vehicle which is self-propelled or propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except vehicles moved exclusively by human power, an EPAMD and electric motorized bicycles as defined in subsection (f) of this section, and motorized wheelchairs.~~

~~(p) "Motor vehicle for hire" means every motor vehicle other than jitneys, public buses, hearses, and motor vehicles used chiefly in connection with the conduct of funerals, to transport persons for compensation in any form, or motor vehicles rented for transporting persons either with or without furnishing an operator.~~

~~(q) "Passenger van" means every motor vehicle capable of carrying ten (10) to fourteen (14) passengers plus an operator and used for personal use or on a not-for-hire basis. Passenger vans may be used for vanpools, transporting passengers to and from work locations, provided that the operator receives no remuneration other than free use of the vehicle.~~

~~(r) "Pedal carriages" (also known as "quadricycles") means a non-motorized bicycle with four (4) or more wheels operated by one or more persons for the purpose of, or capable of, transporting additional passengers in seats or on a platform made a part of or otherwise attached to the pedal carriage. The term shall not include a bicycle with trainer or beginner wheels affixed~~

~~to it, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the transportation of a handicapped person, nor shall it include a tricycle built for a child or an adult with a seat for only one operator and no passenger.~~

~~(s) "Rickshaws" (also known as "Pedi cabs") means a non-motorized bicycle with three (3) wheels operated by one person for the purpose of, or capable of, transporting additional passengers in seats or on a platform made a part of or otherwise attached to the rickshaw. This definition shall not include a bicycle built for two (2) where the operators are seated one behind the other, nor shall it include the operation of a bicycle with trainer or beginner wheels affixed thereto, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the transportation of a handicapped person.~~

~~(t) "School bus" means every motor vehicle owned by a public or governmental agency, when operated for the transportation of children to or from school; or privately owned, when operated for compensation for the transportation of children to or from school.~~

~~(u) "Suburban vehicle" means every motor vehicle with a convertible or interchangeable body or with removable seats, usable for both passenger and delivery purposes, and including motor vehicles commonly known as station or depot wagons or any vehicle into which access can be gained through the rear by means of a hatch or trunk and where the rear seats can be folded down to permit the carrying of articles as well as passengers.~~

~~(v) "Trackless trolley coach" means every motor vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated on rails.~~

~~(w) "Camping recreational vehicle" means a vehicular type camping unit, certified by the manufacturer as complying with ANSI A119.2 Standards designed primarily as temporary living quarters for recreation that has either its own motive power or is mounted on or towed by another vehicle. The basic units are tent trailers, fifth wheel trailers, motorized campers, travel trailers, and pick-up campers.~~

~~(x) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.~~

~~(y) "Tent trailer" means a towable recreational vehicle that is mounted on wheels and constructed with collapsible partial side walls that fold for towing by another vehicle and unfold for use and which is eligible to be registered for highway use.~~

~~(z) "Fifth wheel trailer" means a towable recreational vehicle, not exceeding four hundred (400) square feet in area, designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle and which is eligible to be registered for highway use.~~

~~(aa) "Motorized camper" means a camping recreational vehicle built on or permanently attached to a self-propelled motor vehicle chassis cab or van that is an integral part of the completed vehicle.~~

~~(bb) "Travel trailer" means a towable recreational vehicle, not exceeding three hundred twenty (320) square feet in area, designed to be towed by a motorized vehicle containing a towing mechanism that is mounted behind the tow vehicle's bumper and which is eligible to be registered for highway use.~~

~~(cc) "Pick-up camper" means a camping recreational vehicle consisting of a roof, floor, and sides designed to be loaded onto and unloaded from the back of a pick-up truck.~~

~~(dd) "Park trailer" means a camping recreational vehicle that is eligible to be registered for highway use and meets the following criteria: (i) built on a single chassis mounted on wheels; and (ii) certified by the manufacturer as complying with ANSI A119.5.~~

~~(ee) "Motor scooter" means a motor driven cycle with a motor rated not more than four and nine tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters, which is capable of a maximum speed of not more than thirty (30) miles per hour.~~

~~SECTION 3 — ROADWAY AND TRAFFIC REGULATIONS~~

~~3.1 — Speed Limits~~

~~3.1.1. *Claiborne Pell Bridge* — Except where otherwise posted, the maximum speed limit on the Claiborne Pell Bridge is forty (40) miles per hour, and no Vehicle shall be driven in excess of this limit.~~

~~3.1.2 *Mount Hope Bridge* — Except where otherwise posted, the maximum speed limit on the Mount Hope Bridge is thirty (30) miles per hour and no Vehicle shall be driven in excess of this limit.~~

~~3.1.3 *General Provisions* — During periods of inclement weather or when other hazards exist on the Bridges, lower speed limits may be put into effect. Such lower speed limits will be posted at the Toll Plazas and at various locations along the Bridges and approaches.~~

~~Irrespective of the maximum speed limits herein provided, no person shall drive a Vehicle on the Bridges recklessly or in a manner so as to endanger life, limb, or property.~~

~~3.2 — Obedience to Signs and Signals~~

~~All persons operating Vehicles upon the Bridges at all times must comply with any lawful order, signal, or direction by voice or hand of any Emergency Personnel or Employee engaged in the direction of traffic on the Bridges. All persons similarly must comply with any traffic control sign, signal, or device erected or displayed by the Authority, unless otherwise directed by an Employee or by Emergency Personnel.~~

~~3.3 — Uniform Direction of Traffic~~

~~No Vehicle shall be operated, backed, pushed, or otherwise caused to move in a direction~~

~~which is against the normal flow of traffic in any traffic lane, toll lane, shoulder, or other roadway of the Bridges.~~

~~3.4 — Slow Moving Vehicles~~

~~All slow moving Vehicles permitted on the Bridges shall use the right lane of the roadway unless otherwise directed, and shall not attempt to pass other slow moving Vehicles.~~

~~3.5 — U-Turns~~

~~No Vehicle shall make a U turn at any point on the Bridges.~~

~~3.6 — Coasting~~

~~No Vehicle shall be operated on a downgrade with the gears of such Vehicle in neutral or the clutch disengaged.~~

~~3.7 — Compression Braking~~

~~Excessive or unnecessary use of engine compression braking by Vehicles shall be prohibited on the Bridges, the Toll Plaza and on all approach roads to the Bridges.~~

~~3.8 — Distance between Moving Vehicles~~

~~Each Vehicle shall maintain a safe and prudent distance behind the Vehicle immediately preceding it in the same lane.~~

~~3.9 — Entry to and Exit from the Bridges~~

~~No Vehicle shall enter upon or exit from the Bridges except at designated locations.~~

~~3.10 — Parking, Standing or Stopping of Vehicles~~

~~Parking, standing, or stopping of Vehicles on the Bridges is prohibited, except in areas designated by the Authority or in cases of emergency. Cases of emergency are hereinafter defined to exist when the Vehicle in question is physically inoperable or unable to be operated safely or when the driver of the Vehicle is ill. In case of emergency, the Vehicle shall be stopped in the right hand lane if on the Bridge structure itself, or on the right hand shoulder if at the Toll Plazas or on an approach road. Once parked, the operator shall call the Administrative Office and remain in the Vehicle until assistance arrives, or as otherwise directed by Emergency Personnel or an Employee.~~

~~Parking provided at the Administrative Building shall be limited to persons having proper business to transact in the Administration Building and shall be limited to the time required to conduct this business. Vehicles parked in violation of this requirement may be~~

~~towed away and impounded. The owner of the Vehicle will be held responsible for the costs of towing and storage, and for any other related costs.~~

~~Stopping of Vehicles on any part of the Bridges for the purpose of picking up or discharging any persons is strictly prohibited.~~

~~3.11 — Vehicle Repairs and Tire Changing~~

~~Making repairs to a Vehicle or changing tires is prohibited at all times on the Bridges, except when authorized by and under the direction of Emergency Personnel or Employees. In the event a Vehicle is disabled or otherwise needs repair, operators shall call the Administrative Office and remain in the Vehicle until assistance arrives, or unless otherwise directed by Emergency Personnel or an Employee. Disabled Vehicles will be towed away at the owner's or operator's expense.~~

~~3.12 — Compliance with State Motor Vehicles Laws~~

~~Except as modified above, the Motor Vehicles Laws shall be in effect on the Bridges. The absence of any law or regulations from the above articles does not nullify its efficacy.~~

~~3.13 — Emergency Personnel and Employee Exceptions~~

~~Vehicles which are operated by Emergency Personnel, or by Employees while conducting Authority business, are exempted from the restrictions prescribed by Sections 3.1 through 3.12 as long as they are operated in a safe manner and do not create a hazard to other Vehicles.~~

~~**SECTION 4 — PROHIBITED TRAFFIC**~~

~~4.1 — Pedestrians~~

~~Pedestrians are prohibited from using or entering upon the Bridges at any time, except in emergency situations on safety sidewalks or in areas specifically designated by the Authority for use by persons requiring emergency help for themselves or their Vehicles.~~

~~4.2 — Animals~~

~~No animal shall be led, ridden, or driven on the hoof upon the Bridges at any time.~~

~~4.3 — Restricted Vehicles~~

~~4.3.1 — *General* — The following vehicles are prohibited at all times from using the Bridges:~~

- ~~a. Vehicles drawn by animals.~~
- ~~b. Except on the Mount Hope Bridge, bicycles with or without motors, motor scooters, motorcycles, and similar small vehicles with tire widths less than three inches.~~
- ~~c. Farm implements or machinery, either self-propelled or towed.~~
- ~~d. Construction equipment other than trucks.~~
- ~~e. Vehicles with livestock not properly confined, or with improperly secured attachments or loads.~~
- ~~f. Vehicles or combinations of Vehicles, including any load thereon, which exceed the following maximum dimensions:
 - ~~Length: 55'-0"~~
 - ~~Width: 8'-6"~~
 - ~~Height: 13'-6"~~~~
- ~~g. Vehicles or combinations of Vehicles with total gross weights including the load, in excess of eighty thousand (80,000) pounds, or with a single axle load in excess of thirty two thousand (32,000) pounds.~~
- ~~h. Passenger Vehicles with loads extending more than three feet beyond the front or six feet beyond the rear of the body, or with lateral projections in excess of 12 inches or vertical projections in excess of twenty four (24) inches.~~
- ~~i. Vehicles with deflated pneumatic tires, metal or solid tires, or caterpillar treads.~~
- ~~j. Vehicles with "lift axles" raised when otherwise required to be lowered to increase the weight capacity of the Vehicle, or to distribute the weight of the cargo across more wheels.~~
- ~~k. Vehicles in tow, unless both the towing and towed vehicles and the connecting and control device between them meet the requirements of the laws of the State, and the following special requirements:
 - ~~1. Not more than one Vehicle may be towed;~~
 - ~~2. In addition to the drawbar or other connection, there must be a chain of sufficient strength to hold the towed Vehicle on the steep grade of the Bridges if the drawbar should become disconnected; and,~~~~

~~3. Both the towing and towed Vehicles must have brakes, brake lights, and directional signals which shall be synchronized and under the control of the driver.~~

~~l. Vehicles incapable of maintaining a speed of ten miles per hour on the Bridge upgrade under prevailing load conditions.~~

~~m. Vehicles whose condition, equipment, or tires are such as to be considered, in the judgment of the Authority or Emergency Personnel, unsafe for operation on the Bridges.~~

~~n. Vehicles while operated by a person under the influence of intoxicating liquors or any narcotic or habit forming drug.~~

~~In addition to the above restrictions, the Authority may temporarily prohibit other specified vehicles, including house trailers, at any time when, in the opinion of the Authority, adverse weather conditions would make the operation of these vehicles unsafe.~~

~~4.3.2 The Mount Hope Bridge — Overweight Vehicles restricted to forty (40) tons, and must obtain a permit. Over wide must obtain clearance and secure police escorts if restricting travel in one direction as the facility is two (2) lanes only.~~

~~4.4 — Special Use Permits~~

~~Upon application, the Authority may issue, from time to time, special permits authorizing the use of the Bridges by Vehicles otherwise restricted by Section 4.3. Every such permit shall be carried in the Vehicle to which it refers, and shall be open to inspection by Employees and Emergency Personnel. The conditions under which the permit is issued may stipulate the dates and times at which its use may be permitted. Every person operating such a Vehicle on the Bridges under such a permit shall comply with all of the terms and conditions of the permit.~~

~~Special permits issued under the Motor Vehicles Laws shall not be valid on the Bridges.~~

~~4.5 — Transportation of Dangerous Articles and Hazardous Materials~~

~~The transportation of dangerous articles, at any time or place or in such a manner or condition as to endanger unreasonably or as to be likely to endanger unreasonably persons or property, is prohibited.~~

~~All Vehicles transporting dangerous articles over, under, on or within the vicinity of the Bridges shall comply with all of the Motor Vehicles Laws, specifically R.I.G.L. § 31-23-37, the Motor Carrier Safety Regulations of the United States Department of Transportation, and the United States Department of Homeland Security.~~

~~Transportation of Hazardous Materials shall be done so in compliance with the relevant portions of the Rhode Island General Laws, United States Department of Transportation as stated in the United States Code, and the United States Department of Homeland Security, whether the transportation is over, under, on or within the vicinity of the Bridges.~~

~~The Authority may implement separate rules and regulations for the transportation of Hazardous Materials over the Bridges.~~

SECTION 5 — TRAVEL RESTRICTIONS AND BRIDGE CLOSURES

5.1 — Extreme Weather Conditions

~~The Authority may, during extreme weather conditions, temporarily close the Bridges or otherwise restrict access over the Bridges to certain classes of Vehicles when extreme weather conditions make it unsafe to use the Bridges.~~

5.2 — Emergency Travel Restrictions

~~From time to time, the Authority may temporarily close the Bridges or implement certain travel regulations and restrictions for Vehicles using the Bridges to address emergencies and security threats that may arise and to mitigate any risks to public safety. Any travel regulations and restrictions implemented by the Authority will be undertaken on an emergency basis. Such restrictions may be instituted by the Authority in cooperation with federal, state and local authorities and in compliance with applicable federal, state and local laws and regulations.~~

SECTION 6 — GENERAL REGULATIONS

6.1 — Waste and Rubbish

~~No persons shall throw, dump, or otherwise dispose of bottles, cans, paper, garbage, rubbish, or any waste materials of any kind or description on or from the Bridges, except in receptacles intended for that purpose.~~

6.2 — Damage to Property

~~No person shall deface, damage, mutilate, or remove any sign, delineator, structure, fence, or other property or equipment of the Authority, or attempt to do so.~~

6.3 — Advertising Devices and Posters

~~No person shall erect, place, or display any advertising matter, posters, or placards of any kind on the Bridges, except as otherwise authorized by the Authority.~~

~~6.4 — Hitchhiking and Loitering~~

~~Soliciting of rides, commonly known as hitchhiking, is prohibited on the Bridges. Hitchhiking or loitering in or about the toll plaza, administration building, approach road, or any other portion of the Bridges for any purpose is prohibited.~~

~~**SECTION 7 — TOLLS**~~

~~7.1 — Payment of Tolls~~

~~Traffic shall be permitted on the Bridges only upon payment of such tolls and other charges as may be proscribed by the Authority at the regularly established places and in the manner establish for the collection of such tolls. Tolls are collected for traffic using the Claiborne Pell Bridge; no toll is currently collected for traffic using the Mount Hope Bridge.~~

~~7.2 — E-ZPass Transponders~~

~~The Authority has established a toll pre payment program, which allows patrons to purchase E-ZPass transponders and establish an E-ZPass account with the Authority that will deduct tolls from each account every time the transponder is used. More information regarding E-ZPass is available on the Authority's website at www.ritba.org. Also, the current toll schedule is available on the Authority's website at www.ritba.org/nbtolls.html.~~

~~7.3 — Toll-Free Passage~~

~~Toll-free passage on the Claiborne Pell Bridge will be permitted for the following:~~

- ~~a. — Employees of the Authority while conducting Authority business;~~
- ~~b. — Members of the Rhode Island State Police and emergency Vehicles operated by Emergency Personnel in response to a summons for assistance by the Authority;~~
- ~~c. — Authorized Vehicles when engaged in the performance of construction, service, or maintenance contracts when such Vehicles are operated by personnel authorized by the Authority to perform duties under the terms of contracts with the Authority~~

~~With the exception of the above, toll-free passage on the Claiborne Pell Bridge will not be permitted unless specifically authorized by the Authority.~~

~~7.4 — Funeral Processions and Convoys~~

~~Special arrangements may be made for the single payment of the aggregate of tolls for all the Vehicles in a funeral procession or a convoy.~~

~~7.5 Nonpayment of Tolls~~

~~The Authority has adopted a policy for nonpayment of tolls. R.I.G.L. § 24-12-37 provides for increased penalties for nonpayment of tolls and prohibits renewal of operator's licenses and motor vehicle registrations until such fines are paid in full. The regulations governing the nonpayment of tolls are published in the Authority's Rules and Regulations Governing the Nonpayment of Tolls.~~

APPENDIX "A"

~~ICE and SNOW PLAN for the CLAIBORNE PELL BRIDGE and THE MOUNT HOPE BRIDGE~~

~~This PLAN, upon approval by the Executive Director of the Authority, is the ICE and SNOW PLAN for THE CLAIBORNE PELL BRIDGE and THE MOUNT HOPE BRIDGE. It is to be made a part of the REGULATIONS GOVERNING THE USE OF THE CLAIBORNE PELL BRIDGE and THE MOUNT HOPE BRIDGE and is to be included therein as APPENDIX "B".~~

~~**JURISDICTION:** The Rhode Island Turnpike and Bridge Authority (RITBA) has jurisdiction and responsibility for the road surface extending from a point seven hundred (700) feet north of the Toll Booths, commonly referred to as the "Gore", eastward to the abutment on the Newport shoreline, a distance of approximately 2.24 miles.~~

~~**SUPPORT:** The RITBA has made an agreement for sanding, application of Magnesium Chloride de-icing chemical and plowing the Bridge with the Rhode Island Department of Transportation (R.I.D.O.T.). For other than routine sanding, de-icing and plowing, a R.I.D.O.T. patrol vehicle with a snowplow and sander mounted, is available on an on call basis. Implementation of this agreement, even for routine sanding and plowing, is the responsibility of the Authority. This responsibility is to be executed by a member of the Authority (Toll Plaza Supervisor, a maintenance man or a Toll Collector) by calling the R.I.D.O.T. Maintenance Facility at Portsmouth, telephone number (401) 683-1070. If no answer, call R.I.D.O.T. Traffic Maintenance at (401) 222-2378. In making this request, indicate the degree of urgency, such as immediately, or at a specific time. In considering a specified time keep in mind that maximum volume of traffic occurs between 7:00 am to 9:00 am and again between 3:00 pm to 6:00 pm. It is desirable to have all treatment done at least one hour prior to these times.~~

~~**ICE CONDITIONS:** Light rain, drizzle, freezing rain, or sleet. Temperature below freezing.~~

~~**ACTION TO BE TAKEN FOR ABOVE CONDITIONS:**~~

- ~~1. Monitor weather sensor system to identify heightened concerns.~~
- ~~2. Call in R.I.D.O.T. sand trucks—magnesium chloride trucks until Bridge deck surface offers sufficient traction.~~
- ~~3. Activate Fiber optic Sign Message which reads: "REDUCE SPEED—ICE for traffic in both directions.~~
- ~~4. Inspect bridge deck as often as necessary and take action appropriate for conditions observed.~~

~~5. Sand Parking lot.~~

SNOW CONDITIONS:

- ~~1. Light snow flurries, snow accumulation less than two (2) inches.~~
- ~~2. Heavy snowfall with no wind, snow piling up to a depth in excess of two (2) inches.~~
- ~~3. Heavy drifting snow, blizzard conditions. Snow accumulating on Bridge deck to a depth in excess of two (2) inches and in drifts to a level which will stop traffic.~~

ACTION:

~~For condition #1; Do not plow. Traffic will probably dissipate the snow and if equipment is available, sweep snow off road surfaces. However, if temperature is favorable, traffic will pack this snow and it will become slippery. Sand as necessary to keep surface from becoming slippery. No further action needed unless weather deteriorates.~~

~~For conditions #2 and #3; Call in R.I.D.O.T. snowplows and have them commence plowing. Call in own maintenance forces and have them commence plowing also. If blizzard conditions exist have plowing continue until storm is over. Otherwise once road surface is clear cease plowing operation, and sand road surfaces.~~

~~Other actions under snow conditions are as follows:~~

- ~~1. Activate Fiber optic sign message which reads:-
"REDUCE SPEED SNOW for traffic in both directions.~~
- ~~2. Inspect bridge deck as often as necessary, and take action appropriate for conditions observed.~~
- ~~3. Plow own parking lot, approaches thereto, and sidewalks as necessary.~~
- ~~4. Inspect bridge deck at least two (2) hours before each peak traffic period when threat of a snow storm exists.~~

SOURCES OF INFORMATION ON ROAD SURFACES:

- ~~1. Monitor weather sensors.~~
- ~~2. Inspections by Maintenance and Operations.~~
- ~~3. Traveling public. The Plaza Supervisor is urged to have the toll collectors inquire of them as to the conditions on the surface of the bridge.~~