

By: Representative Stribling

To: Transportation

HOUSE BILL NO. 983

1 AN ACT TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE VEHICLES HAULING SAND, GRAVEL, FILL DIRT,  
3 AGRICULTURAL PRODUCTS, PRODUCTS FOR RECYCLING OR MATERIALS FOR THE  
4 CONSTRUCTION OR REPAIR OF HIGHWAYS TO HAVE A MAXIMUM OF 45,000  
5 POUNDS ON ANY TANDEM OR 75,000 POUNDS ON ANY TRIAXLE; AND FOR  
6 RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 SECTION 1. Section 63-5-33, Mississippi Code of 1972, is  
9 amended as follows:

10 63-5-33. (1) Subject to the limitations imposed on wheel  
11 and axle loads by Section 63-5-27, and to the further limitations  
12 hereinafter specified, the total combined weight (vehicles plus  
13 load) on any group of axles of a vehicle or a combination of  
14 vehicles shall not exceed the value given in the following table  
15 (Table III) corresponding to the distance in feet between the  
16 extreme axles of the group, measured longitudinally to the nearest  
17 foot, on those highways or parts of highways designated by the  
18 Mississippi Transportation Commission as being capable of carrying  
19 the maximum load limits and, in addition thereto, such other  
20 highways or parts of highways found by the commission to be  
21 suitable to carry the maximum load limits from an engineering  
22 standpoint, and so designated as such by order of the commission  
23 entered upon its minutes and published once each week for three  
24 (3) consecutive weeks in a daily newspaper published in this state  
25 and having a general circulation therein. The maximum total  
26 combined weight carried on any group of two (2) or more  
27 consecutive axles shall be determined by the formula contained in  
28 the Federal Weight Law enacted January 4, 1975, as follows:  $W=500$

29 (LN/N-12+NP) where W=maximum weight in pounds carried on any group  
 30 of two (2) or more axles computed to nearest five hundred (500)  
 31 pounds, L=distance in feet between the extremes of any group of  
 32 two (2) or more consecutive axles, and N=number of axles in group  
 33 under consideration.

34 TABLE III

35	36 DISTANCE					
37	38 IN FEET					
39	40 BETWEEN THE					
41	42 EXTREMES OF					
43	43 ANY GROUP					
44	44 OF 2 OR MORE					
45	45 CONSECUTIVE					
46	46 AXLES					
47	47 MAXIMUM LOAD IN POUNDS CARRIED ON ANY					
48	48 GROUP OF 2 OR MORE CONSECUTIVE AXLES					
49	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles
50	4	34,000				
51	5	34,000				
52	6	34,000				
53	7	34,000				
54	8	34,000	34,000			
55	9	39,000	42,500			
56	10	40,000	43,500			
57	11		44,000			
58	12		45,000	50,000		
59	13		45,500	50,500		
60	14		46,500	51,500		
61	15		47,000	52,000		
62	16		48,000	52,500	58,000	
63	17		48,500	53,500	58,500	
64	18		49,500	54,000	59,000	
65	19		50,000	54,500	60,000	
66	20		51,000	55,500	60,500	66,000
67	21		51,500	56,000	61,000	66,500
68	22		52,500	56,500	61,500	67,000
69	23		53,000	57,500	62,500	68,000
70	24		54,000	58,000	63,000	68,500
71	25		54,500	58,500	63,500	69,000
72						74,000
73						74,500

66	26	55,500	59,500	64,000	69,500	75,000
67	27	56,000	60,000	65,000	70,000	75,500
68	28	57,000	60,500	65,500	71,000	76,500
69	29	57,500	61,500	66,000	71,500	77,000
70	30	58,500	62,000	66,500	72,000	77,500
71	31	59,000	62,500	67,500	72,500	78,000
72	32	60,000	63,500	68,000	73,000	78,500
73	33		64,000	68,500	74,000	79,000
74	34		64,500	69,000	74,500	80,000
75	35		65,500	70,000	75,000	80,000
76	36		66,000	70,500	75,500	80,000
77	37		66,500	71,000	76,000	80,000
78	38		67,500	71,500	77,000	80,000
79	39		68,000	72,500	77,500	80,000
80	40		68,500	73,000	78,000	80,000
81	41		69,500	73,500	78,500	80,000
82	42		70,000	74,000	79,000	80,000
83	43		70,500	75,000	80,000	80,000
84	44		71,500	75,500	80,000	80,000
85	45		72,000	76,000	80,000	80,000
86	46		72,500	76,500	80,000	80,000
87	47		73,500	77,500	80,000	80,000
88	48		74,000	78,000	80,000	80,000
89	49		74,500	78,500	80,000	80,000
90	50		75,500	79,000	80,000	80,000
91	51		76,000	80,000	80,000	80,000
92	52		76,500	80,000	80,000	80,000
93	53		77,500	80,000	80,000	80,000
94	54		78,000	80,000	80,000	80,000
95	55		78,500	80,000	80,000	80,000
96	56		79,500	80,000	80,000	80,000
97	57		80,000	80,000	80,000	80,000

98 (2) Moreover, in addition to the per axle weight limitations

99 specified by Section 63-5-27, two (2) consecutive sets of tandem  
100 axles may carry a gross load of thirty-four thousand (34,000)  
101 pounds each, providing that the overall distance between the first  
102 and last axles of such consecutive sets of tandem axles is  
103 thirty-six (36) feet or more, except that, until September 1,  
104 1989, the axle distance for tank trailers, dump trailers and ocean  
105 transport container haulers may be thirty (30) feet or more. Such  
106 overall gross weight may not exceed eighty thousand (80,000)  
107 pounds, except as provided by this section.

108 (3) Notwithstanding the provisions of Section 63-5-27 and/or  
109 Section 63-5-29 to the contrary, vehicles hauling products in the  
110 manner set forth in this subsection, whether or not such vehicles  
111 are operating with a harvest permit, shall be allowed a gross  
112 weight of not to exceed forty-five thousand (45,000) pounds on any  
113 tandem, or seventy-five thousand (75,000) pounds on any triaxle.  
114 Vehicles operating without a harvest permit shall be allowed a  
115 tolerance not to exceed five percent (5%) above their authorized  
116 gross vehicle weight, tandem or axle weight; except that the  
117 maximum gross vehicle weight of any such vehicle shall not exceed  
118 eighty thousand (80,000) pounds plus a tolerance thereon of not  
119 more than two percent (2%). Vehicles operating with a harvest  
120 permit shall be allowed a tolerance not to exceed five percent  
121 (5%) above their authorized tandem or axle weight, but the maximum  
122 gross vehicle weight of any such vehicle shall not exceed  
123 eighty-four thousand (84,000) pounds. However, neither the  
124 increased weights in this subsection nor any tolerance shall be  
125 allowed on federal interstate highways or on other highways where  
126 a tolerance is specifically prohibited by the transportation  
127 commission, the county board of supervisors or the municipal  
128 governing authorities as provided for in Section 63-5-27. The  
129 tolerance allowed by this subsection shall only apply to the  
130 operation of vehicles from the point of loading to the point of  
131 unloading for processing, and to the operation of vehicles hauling

132 sand, gravel, fill dirt and agricultural products, and products  
133 for recycling or materials for the construction or repair of  
134 highways. The range of such operation shall not exceed a radius  
135 of one hundred (100) miles except where the products are being  
136 transported for processing within this state. The tolerance shall  
137 not be allowed for vehicles loading at a point of origin having  
138 scales available for weighing each individual axle of the vehicle;  
139 provided, however, that vehicles loading at a point of origin  
140 having scales available for weighing the vehicle shall not be  
141 eligible for any tolerance over the gross weight limit of eighty  
142 thousand (80,000) pounds.

143 (4) Notwithstanding the provisions of Section 63-5-27 and/or  
144 Section 63-5-29 to the contrary, vehicles hauling prepackaged  
145 products, unloaded at a state port or to be loaded at a state  
146 port, which are containerized in such a manner as to make  
147 subdivision thereof impractical shall be allowed a gross weight of  
148 not to exceed forty thousand (40,000) pounds on any tandem, and a  
149 tolerance not to exceed five percent (5%) above their authorized  
150 gross weight, tandem or axle weight; except that the maximum  
151 weight of any vehicle shall not exceed eighty thousand (80,000)  
152 pounds plus a tolerance thereon of not more than two percent (2%);  
153 however, neither the increased weights in this subsection nor any  
154 tolerance shall be allowed on federal interstate highways or on  
155 other highways where a tolerance is specifically prohibited by the  
156 transportation commission, the county board of supervisors or the  
157 municipal governing authorities as provided for in Section  
158 63-5-27.

159 (5) (a) Vehicles for which a harvest permit has been issued  
160 pursuant to Section 27-19-81(4) shall be allowed a gross vehicle  
161 weight not to exceed eighty-four thousand (84,000) pounds.  
162 However, the board of supervisors of any county and the governing  
163 authorities of any municipality may designate the roads, streets  
164 and highways under their respective jurisdiction on and along

165 which vehicles for which a harvest permit has been issued may  
166 travel. This subsection shall not apply to the federal interstate  
167 system.

168 (b) Any owner or operator who has been issued a harvest  
169 permit and who wishes to operate a vehicle on the roads, streets  
170 or highways under the jurisdiction of a county or municipality at  
171 a gross vehicle weight greater than the weight allowed by law or  
172 greater than the maximum weight established for such roads,  
173 streets or highways by the board of supervisors or municipal  
174 governing authorities, shall notify, in writing, the board of  
175 supervisors or the governing authorities, as the case may be,  
176 before operating such vehicle on the roads, streets or highways of  
177 such county or municipality. In his notice, the permit holder  
178 shall identify the routes over which he intends to operate  
179 vehicles for which the permit has been issued and the dates or  
180 time period during which he will be operating such vehicles. The  
181 board of supervisors or the governing authorities, as the case may  
182 be, shall have two (2) working days to respond in writing to the  
183 permit holder to notify the permit holder of the routes on and  
184 along which the permit holder may operate vehicles for which a  
185 harvest permit has been issued. Failure of the board of  
186 supervisors or the governing authorities timely to notify the  
187 permit holder and to designate the routes on and along which the  
188 permit holder may operate shall be considered as authorizing the  
189 permit holder to operate on any of the roads, streets or highways  
190 of the county or municipality in accordance with the authority  
191 granted to the permit holder by the harvest permit.

192 (c) Anytime a timber deed is filed with the chancery  
193 clerk, the grantee, at that time, may make a written request of  
194 the board of supervisors of the county or the governing  
195 authorities of the municipality, as the case may be, for the  
196 purpose of providing to the grantee, within three (3) working days  
197 of the filing of the request, a designated and approved route over

198 the roads, streets or highways under the jurisdiction of the  
199 county or city, as the case may be, that the grantee may travel  
200 for the purpose of transporting harvested timber. Upon providing  
201 such route designation, the county or city, as the case may be,  
202 shall also provide to the grantee a map designating the approved  
203 route. An approved route designation provided to a grantee under  
204 the provisions of this paragraph shall be valid for a period of  
205 six (6) months from its date of issue. The permit authorized to  
206 be issued under paragraph (b) of this section shall not be  
207 required for any person who obtains a permit issued under this  
208 paragraph.

209 (d) This subsection (5) shall stand repealed from and  
210 after July 1, 2000.

211 (6) Nothing in this section or subsections (1) through (4)  
212 of Section 63-5-27 shall be construed to deny the operation of any  
213 vehicle or combination of vehicles that could be lawfully operated  
214 upon the interstate highway system of this state on January 4,  
215 1975.

216 SECTION 2. This act shall take effect and be in force from  
217 and after July 1, 1999.