

By: Senator(s) Minor

To: Highways and
Transportation

SENATE BILL NO. 2940

1 AN ACT TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE TRIAXLE 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 65,000
5 POUNDS ON SUCH AXLES; AND FOR RELATED PURPOSES.

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

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

9 63-5-33. (1) Subject to the limitations imposed on wheel
10 and axle loads by Section 63-5-27, and to the further limitations
11 hereinafter specified, the total combined weight (vehicles plus
12 load) on any group of axles of a vehicle or a combination of
13 vehicles shall not exceed the value given in the following table
14 (Table III) corresponding to the distance in feet between the
15 extreme axles of the group, measured longitudinally to the nearest
16 foot, on those highways or parts of highways designated by the
17 Mississippi Transportation Commission as being capable of carrying
18 the maximum load limits and, in addition thereto, such other
19 highways or parts of highways found by the commission to be
20 suitable to carry the maximum load limits from an engineering
21 standpoint, and so designated as such by order of the commission
22 entered upon its minutes and published once each week for three
23 (3) consecutive weeks in a daily newspaper published in this state
24 and having a general circulation therein. The maximum total
25 combined weight carried on any group of two (2) or more
26 consecutive axles shall be determined by the formula contained in
27 the Federal Weight Law enacted January 4, 1975, as follows: $W=500$

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

33 TABLE III

34 DISTANCE
 35 IN FEET
 36 BETWEEN THE
 37 EXTREMES OF
 38 ANY GROUP
 39 OF 2 OR MORE
 40 CONSECUTIVE
 41 AXLES

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

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

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

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

107 (3) Notwithstanding the provisions of Section 63-5-27 and/or
108 Section 63-5-29 to the contrary, vehicles hauling products in the
109 manner set forth in this subsection, whether or not such vehicles
110 are operating with a harvest permit, shall be allowed a gross
111 weight of not to exceed forty thousand (40,000) pounds on any
112 tandem or sixty-five thousand (65,000) pounds on any triaxle.
113 Vehicles operating without a harvest permit shall be allowed a
114 tolerance not to exceed five percent (5%) above their authorized
115 gross vehicle weight, tandem or axle weight; except that the
116 maximum gross vehicle weight of any such vehicle shall not exceed
117 eighty thousand (80,000) pounds plus a tolerance thereon of not
118 more than two percent (2%). Vehicles operating with a harvest
119 permit shall be allowed a tolerance not to exceed five percent
120 (5%) above their authorized tandem or axle weight, but the maximum
121 gross vehicle weight of any such vehicle shall not exceed
122 eighty-four thousand (84,000) pounds. However, neither the
123 increased weights in this subsection nor any tolerance shall be
124 allowed on federal interstate highways or on other highways where
125 a tolerance is specifically prohibited by the transportation
126 commission, the county board of supervisors or the municipal
127 governing authorities as provided for in Section 63-5-27. The
128 tolerance allowed by this subsection shall only apply to the
129 operation of vehicles from the point of loading to the point of
130 unloading for processing, and to the operation of vehicles hauling

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

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

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

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

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

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

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

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

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

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