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:

63-5-33. (1) Subject to the limitations imposed on wheel 9 10 and axle loads by Section 63-5-27, and to the further limitations hereinafter specified, the total combined weight (vehicles plus 11 load) on any group of axles of a vehicle or a combination of 12 13 vehicles shall not exceed the value given in the following table 14 (Table III) corresponding to the distance in feet between the extreme axles of the group, measured longitudinally to the nearest 15 foot, on those highways or parts of highways designated by the 16 Mississippi Transportation Commission as being capable of carrying 17 the maximum load limits and, in addition thereto, such other 18 highways or parts of highways found by the commission to be 19 suitable to carry the maximum load limits from an engineering 20 21 standpoint, and so designated as such by order of the commission entered upon its minutes and published once each week for three 2.2 (3) consecutive weeks in a daily newspaper published in this state 23 and having a general circulation therein. The maximum total 24 25 combined weight carried on any group of two (2) or more consecutive axles shall be determined by the formula contained in 26 the Federal Weight Law enacted January 4, 1975, as follows: W=500 27

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 53 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 Axles groups in	28	(LN/N-	-12+NP) whe	ere W=maxin	num weight	in pounds	carried or	n any group																																																																																																																																																																																																																																																
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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	8,500	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 a	ddition to	the ner a	vle weight	limitatio

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 and last axles of such consecutive sets of tandem axles is 101 102 thirty-six (36) feet or more, except that, until September 1, 1989, the axle distance for tank trailers, dump trailers and ocean 103 104 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 are operating with a harvest permit, shall be allowed a gross 110 weight of not to exceed forty thousand (40,000) pounds on any 111 tandem or sixty-five thousand (65,000) pounds on any triaxle. 112 113 Vehicles operating without a harvest permit shall be allowed a 114 tolerance not to exceed five percent (5%) above their authorized gross vehicle weight, tandem or axle weight; except that the 115 116 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 permit shall be allowed a tolerance not to exceed five percent 119 120 (5%) above their authorized tandem or axle weight, but the maximum 121 gross vehicle weight of any such vehicle shall not exceed eighty-four thousand (84,000) pounds. However, neither the 122 123 increased weights in this subsection nor any tolerance shall be 124 allowed on federal interstate highways or on other highways where a tolerance is specifically prohibited by the transportation 125 126 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 operation of vehicles from the point of loading to the point of 129 130 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 of one hundred (100) miles except where the products are being 134 135 transported for processing within this state. The tolerance shall not be allowed for vehicles loading at a point of origin having 136 137 scales available for weighing each individual axle of the vehicle; provided, however, that vehicles loading at a point of origin 138 139 having scales available for weighing the vehicle shall not be 140 eligible for any tolerance over the gross weight limit of eighty thousand (80,000) pounds. 141

(4) Notwithstanding the provisions of Section 63-5-27 and/or 142 143 Section 63-5-29 to the contrary, vehicles hauling prepackaged 144 products, unloaded at a state port or to be loaded at a state port, which are containerized in such a manner as to make 145 146 subdivision thereof impractical shall be allowed a gross weight of 147 not to exceed forty thousand (40,000) pounds on any tandem, and a tolerance not to exceed five percent (5%) above their authorized 148 149 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 transportation commission, the county board of supervisors or the 155 156 municipal governing authorities as provided for in Section 63-5-27. 157

(5) (a) Vehicles for which a harvest permit has been issued
pursuant to Section 27-19-81(4) shall be allowed a gross vehicle
weight not to exceed eighty-four thousand (84,000) pounds.
However, the board of supervisors of any county and the governing
authorities of any municipality may designate the roads, streets
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.

Any owner or operator who has been issued a harvest 167 (b) 168 permit and who wishes to operate a vehicle on the roads, streets or highways under the jurisdiction of a county or municipality at 169 170 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 supervisors or the governing authorities, as the case may be, 174 175 before operating such vehicle on the roads, streets or highways of such county or municipality. In his notice, the permit holder 176 177 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 be, shall have two (2) working days to respond in writing to the 181 182 permit holder to notify the permit holder of the routes on and along which the permit holder may operate vehicles for which a 183 184 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 permit holder to operate on any of the roads, streets or highways 188 189 of the county or municipality in accordance with the authority granted to the permit holder by the harvest permit. 190

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

197 the roads, streets or highways under the jurisdiction of the county or city, as the case may be, that the grantee may travel 198 199 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 and209 after July 1, 2000.

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

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