SENATE BILL NO. 2023

AN ACT TO AMEND SECTION 63-5-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN VEHICLES USED TO TRANSPORT TIMBER CUTTING EQUIPMENT, LOGGING EQUIPMENT OR OTHER HEAVY EQUIPMENT USED IN FORESTRY FROM ONE JOB SITE TO ANOTHER SHALL BE EXEMPT FROM THE MAXIMUM AXLE SPACING AND TIRE LOADING RESTRICTIONS UPON PAYMENT OF AN ANNUAL FEE BY THE VEHICLE OWNER OR LESSOR TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 63-5-27, Mississippi Code of 1972, is amended as follows:

63-5-27. (1) Subject to the maximum gross single axle or tandem axle weights hereinafter specified, the gross single or tandem axle weights shall not exceed five hundred fifty (550) pounds per inch of tire width. The gross weight on any single or tandem axle thus derived shall be subject to a tolerance not in excess of five hundred (500) pounds provided that the total allowable gross weight of the single or tandem axle shall not exceed the maximum limitations allowed hereinafter.

(2) The gross weight imposed on the highway by the wheels of any one (1) single axle of a vehicle shall not exceed twenty thousand (20,000) pounds exclusive of the tolerance provided in Section 63-5-33. A single axle shall be defined as an assembly of two (2) or more wheels whose centers are in one (1) transverse vertical plane or may be included between two (2) parallel transverse vertical planes forty (40) inches apart extending across the full width of the vehicle.

(3) The gross weight imposed on the highway by any tandem axle shall not exceed thirty-four thousand (34,000) pounds exclusive of the tolerance provided in Section 63-5-33. A tandem...
axle shall be defined as any two (2) or more consecutive axles whose centers are more than forty (40) inches but not more than ninety-six (96) inches apart. No one (1) axle of any such group of two (2) or more consecutive axles shall exceed the weight permitted for a single axle.

(4) (a) Vehicles designed and especially constructed to transport concrete products and which are not available for purchase in sizes and capacities to fully comply with the road and bridge weight laws of the State of Mississippi shall not be made to conform to the axle spacing requirements or axle or tire loadings of this section or to the total combined weights as set out in Section 63-5-33 in Table III, provided (i) that such vehicles shall be limited to a gross weight of sixty thousand (60,000) pounds; (ii) that such vehicles shall only be operated within fifty (50) miles of their home base; (iii) that any such vehicles shall be limited to a maximum load of the rated capacity of the vehicle; (iv) that all such vehicles shall have at least three (3) axles; and (v) that all vehicles with only three (3) axles shall have all wheels brake-equipped. Any two (2) or more axles close enough to be considered an axle group shall be suspended by an equalizing system and be spaced a minimum of four (4) feet apart in order to be eligible for the maximum load as provided in this subsection. It shall be a violation if vehicles to which this subsection applies travel upon any federal interstate highway or upon any roads or bridges designated and posted as incapable of carrying such loads by the Transportation Commission, a board of supervisors, or municipal governing authorities as provided in subsection (5) or (6) of this section.

(b) Vehicles designed and especially constructed to transport raw cotton from harvest to the cotton gin shall not be made to conform to the axle spacing or axle or tire loadings of this section. However, such vehicles (i) shall be limited to a gross weight of sixty thousand (60,000) pounds; (ii) may be
operated only within a fifty-mile radius of their home base or
their contractual customer; (iii) shall be limited to a maximum
load of the rated capacity of that vehicle; (iv) shall have all
wheels brake equipped; and (v) are prohibited from traveling upon
any federal interstate highway or upon any roads or bridges
designated and posted as incapable of carrying such loads by the
Mississippi Department of Transportation, a board of supervisors
or municipal governing authorities as provided in subsection (5)
or (6) of this section.

(c) Vehicles designed and especially constructed to
collect and transport solid waste and which are not available for
purchase in sizes and capacities to fully comply with the road and
bridge weight laws of the State of Mississippi, shall not be made
to conform to the axle spacing or tire loadings of this section.
However, such vehicles (i) shall be limited to a gross weight of
sixty thousand (60,000) pounds; (ii) may be operated only within a
fifty-mile radius of their home base or their contractual
customer; (iii) shall be limited to a maximum load of the rated
capacity of that vehicle; (iv) shall have all wheels
brake-equipped; and (v) are prohibited from traveling upon any
federal interstate highway or upon any roads or bridges designated
and posted as incapable of carrying such loads by the Mississippi
Department of Transportation, a board of supervisors or the
governing authorities of a municipality as provided in subsection
(5) or (6) of this section.

(d) The rear axle of trailer mounted knuckle boom log
loaders shall be exempt from the tire loading limitation provided
for in subsection (3) of this section; provided, however, that the
gross weight imposed on the highway by such an axle shall not
exceed forty-one thousand (41,000) pounds.

(e) Vehicles being operated to transport timber cutting
equipment, logging equipment or other heavy equipment used in
forestry from one job site to another, when the trailer upon which
the equipment is towed and the equipment is owned or leased by the same person, and when there are no more than two (2) pieces of equipment on such trailer at one time, shall be exempt from the axle spacing and tire loadings of this section upon payment by the vehicle owner to the Mississippi Department of Transportation of an annual fee in the amount of One Hundred Dollars ($100.00) per vehicle. However, such vehicles (i) shall be limited to a gross weight of one hundred thousand (100,000) pounds; (ii) shall be limited to a maximum load of the rated capacity of that vehicle; (iii) shall have all wheels brake-equipped; and (iv) are prohibited from traveling upon any federal interstate highway or upon any roads or bridges designated and posted as incapable of carrying such loads by the Mississippi Department of Transportation, a board of supervisors or the governing authorities of a municipality as provided in subsection (5) or (6) of this section. Any vehicle and load being operated pursuant to this paragraph for which the operator does not have the permit or a copy thereof in his possession shall be deemed not to have a permit and shall be penalized accordingly.

(5) The board of supervisors of any county or the governing authorities of any municipality, by appropriate resolution, may impose limitations more restrictive than those permitted in this section upon the county highways of such county or the streets of such municipality.

(6) The Mississippi Department of Transportation, for cause, may post or limit any road or bridge to weights less than those permitted by this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.