

By: Senator(s) Jackson (32nd)

To: Highways and
Transportation

SENATE BILL NO. 2119

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

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

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

11 63-5-27. (1) Subject to the maximum gross single axle or
12 tandem axle weights hereinafter specified, the gross single or
13 tandem axle weights shall not exceed five hundred fifty (550)
14 pounds per inch of tire width. The gross weight on any single or
15 tandem axle thus derived shall be subject to a tolerance not in
16 excess of five hundred (500) pounds provided that the total
17 allowable gross weight of the single or tandem axle shall not
18 exceed the maximum limitations allowed hereinafter.

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

27 (3) The gross weight imposed on the highway by any tandem
28 axle shall not exceed thirty-four thousand (34,000) pounds
29 exclusive of the tolerance provided in Section 63-5-33. A tandem

30 axle shall be defined as any two (2) or more consecutive axles
31 whose centers are more than forty (40) inches but not more than
32 ninety-six (96) inches apart. No one (1) axle of any such group
33 of two (2) or more consecutive axles shall exceed the weight
34 permitted for a single axle.

35 (4) (a) Vehicles designed and especially constructed to
36 transport concrete products and which are not available for
37 purchase in sizes and capacities to fully comply with the road and
38 bridge weight laws of the State of Mississippi shall not be made
39 to conform to the axle spacing requirements or axle or tire
40 loadings of this section or to the total combined weights as set
41 out in Section 63-5-33 in Table III, provided (i) that such
42 vehicles shall be limited to a gross weight of sixty thousand
43 (60,000) pounds; (ii) that such vehicles shall only be operated
44 within fifty (50) miles of their home base; (iii) that any such
45 vehicles shall be limited to a maximum load of the rated capacity
46 of the vehicle; (iv) that all such vehicles shall have at least
47 three (3) axles; and (v) that all vehicles with only three (3)
48 axles shall have all wheels brake-equipped. Any two (2) or more
49 axles close enough to be considered an axle group shall be
50 suspended by an equalizing system and be spaced a minimum of four
51 (4) feet apart in order to be eligible for the maximum load as
52 provided in this subsection. It shall be a violation if vehicles
53 to which this subsection applies travel upon any federal
54 interstate highway or upon any roads or bridges designated and
55 posted as incapable of carrying such loads by the Transportation
56 Commission, a board of supervisors, or municipal governing
57 authorities as provided in subsection (5) or (6) of this section.

58 (b) Vehicles designed and especially constructed to
59 transport raw cotton from harvest to the cotton gin shall not be
60 made to conform to the axle spacing or axle or tire loadings of
61 this section. However, such vehicles (i) shall be limited to a
62 gross weight of sixty thousand (60,000) pounds; (ii) may be

63 operated only within a fifty-mile radius of their home base or
64 their contractual customer; (iii) shall be limited to a maximum
65 load of the rated capacity of that vehicle; (iv) shall have all
66 wheels brake equipped; and (v) are prohibited from traveling upon
67 any federal interstate highway or upon any roads or bridges
68 designated and posted as incapable of carrying such loads by the
69 Mississippi Department of Transportation, a board of supervisors
70 or municipal governing authorities as provided in subsection (5)
71 or (6) of this section.

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

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

93 (e) Vehicles being operated to transport timber cutting
94 equipment, logging equipment or other heavy equipment used in
95 forestry from one job site to another, when the trailer upon which

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

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

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

123 **SECTION 2.** This act shall take effect and be in force from
124 and after July 1, 2004.