

By: Representative Warren

To: Transportation

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 205

1 AN ACT TO AMEND SECTIONS 27-19-81 AND 63-5-33, MISSISSIPPI
2 CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS OF
3 LAW THAT AUTHORIZE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO
4 ISSUE HARVEST PERMITS TO OWNERS AND OPERATORS OF VEHICLES HAULING
5 CERTAIN PRODUCTS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 27-19-81, Mississippi Code of 1972, is
8 amended as follows:

9 **[Through June 30, 2006, this section shall read as follows:]**

10 27-19-81. (1) No vehicle shall be registered by the State
11 Tax Commission or by a tax collector, and no license tag
12 whatsoever shall be issued therefor, where the gross weight of
13 such vehicle exceeds the limits provided by law. In the event of
14 an emergency requiring the hauling of a greater gross weight than
15 permitted by law, the owner or operator of such vehicle shall
16 obtain an excess weight authorization from the Mississippi
17 Department of Transportation or local authority having
18 jurisdiction of the particular road, street or highway before
19 operating such vehicle on the highways of this state to haul such
20 a gross weight over a route to be designated by the aforesaid
21 department. It shall then be necessary for the owner or operator
22 of the vehicle to obtain a permit from the Transportation
23 Department, which shall be issued by the department under the same
24 provisions as are provided for the issuance of trip permits under
25 Section 27-19-79, but which permit shall likewise be obtained
26 prior to the operation of such vehicle on the highways. No
27 persons or agencies other than the Mississippi Department of
28 Transportation shall have authority to issue the permits provided

29 for in this section. The fee to be charged for such permits shall
30 be computed in the same manner provided in Section 27-19-79 for
31 each one thousand (1,000) pounds, or fractional part thereof, of
32 gross weight above the licensed capacity of the vehicle, up to the
33 maximum legal weights provided by this article on the roads to be
34 traveled.

35 This subsection shall apply, but not be limited to, any
36 tractor, road roller or road machinery used solely and
37 specifically in road building or other highway construction or
38 maintenance work.

39 For each one thousand (1,000) pounds, or fractional part
40 thereof, in excess of the weight authorized by Sections 63-5-29
41 and 63-5-33 for any such vehicle or in excess of the limits set by
42 the Transportation Department for specified roads and bridges, the
43 fee shall be Five Cents (5¢) per one thousand (1,000) pounds, or
44 fractional part thereof, for each mile traveled upon the highways
45 of the state, except that the fee for manufactured housing modular
46 units, residential or commercial, shall be Two Cents (2¢) per one
47 thousand (1,000) pounds, or fractional part thereof, for each mile
48 traveled upon the highways of the state. Provided, however, no
49 permit shall be issued for a fee of less than Ten Dollars
50 (\$10.00).

51 The Transportation Department may provide for an annual
52 permit which will allow pre-approved vehicles and loads to travel
53 predesignated routes with self-issued permits. Under such
54 self-issuance authority, the owner of the vehicle shall complete
55 the permit in a format designated by the department,
56 electronically transmit a copy to the department prior to the
57 move, and ensure that a copy is in the possession of the operator.
58 Vehicles having a gross weight exceeding the limits provided by
59 law that have a nondivisible gross vehicle weight of ninety-five
60 thousand (95,000) pounds or less, which are otherwise legal, shall
61 not be restricted as to the hours of the day such vehicles may be

62 operated on predesignated routes. The department shall bill the
63 vehicle owner according to the provisions of the preceding
64 paragraph. The department is authorized to modify predesignated
65 routes at any time for cause, such as highway construction or
66 hazardous highway conditions. The annual fee for the
67 self-issuance permit authority obtained pursuant to this paragraph
68 shall be Five Hundred Dollars (\$500.00) per owner, regardless of
69 the number of vehicles which he will operate pursuant to such
70 permit, in addition to any other fees required by this section.
71 Any vehicle and load being operated pursuant to this paragraph for
72 which the operator does not have the permit or a copy thereof in
73 his possession, or for which a copy of the permit was not
74 electronically transmitted to the department, shall be deemed not
75 to have a permit and shall be penalized accordingly.

76 It shall not be necessary for the owner or operator of a
77 vehicle to obtain a permit pursuant to this subsection if such
78 owner or operator has obtained for his vehicle an annual special
79 permit for vehicles transporting heavy equipment pursuant to
80 Section 63-5-52.

81 (2) Before operating a vehicle where the size of the load
82 being hauled is in excess of that permitted by law, the owner or
83 operator of such vehicle shall obtain excess size authorization
84 from the Transportation Department or proper local authority and
85 an excess size permit from the Transportation Department. Such
86 excess size permit shall be issued by the Mississippi Department
87 of Transportation under the same provisions as are provided for
88 the issuance of trip permits under Section 27-19-79, and it shall
89 be obtained prior to the operation of such vehicle on the
90 highways. The fee to be charged for such excess size permit shall
91 be Ten Dollars (\$10.00) per trip. Such permits may be issued for
92 an extended period of time and must coincide with the expiration
93 date and other provisions of the carrier's permit or authorization
94 issued by the Transportation Department or local authority. The

95 fee for such extended permits shall be based upon an annual fee of
96 One Hundred Dollars (\$100.00) per carrier. No permit shall be
97 issued under this subsection if the issuance of the permit would
98 violate federal law or would cause the State of Mississippi to
99 lose federal aid funds. This subsection shall not apply to any
100 tractor, road roller or road machinery used solely and
101 specifically in road building or other highway construction or
102 maintenance work or to any machinery or equipment operated on the
103 highways or transported thereon in the course of normal farming
104 activities, including cotton module transporters.

105 (3) The Executive Director of the Mississippi Department of
106 Transportation may authorize certain carriers of property to issue
107 overweight and/or oversize permits for vehicles owned or operated
108 by such carriers, provided such carriers have blanket
109 authorization from the Transportation Commission and also meet
110 other requirements established by the Transportation Commission.

111 (4) The owner or operator of a vehicle hauling sand, gravel,
112 wood chips, wood shavings, sawdust, fill dirt, agricultural
113 products or unprocessed forestry products may apply to the
114 Mississippi Department of Transportation for a harvest permit for
115 the purpose of authorizing any such vehicles to operate on the
116 highways in this state (other than the federal interstate system
117 or those highways designated by the Mississippi Department of
118 Transportation as not capable of carrying more than fifty-seven
119 thousand six hundred fifty (57,650) pounds at the maximum gross
120 weight specified in Section 63-5-33). Harvest permits may be
121 issued and are valid to permit any such vehicle to be operated on
122 a highway in this state that has been designated by the
123 Mississippi Department of Transportation as not capable of
124 carrying more than fifty-seven thousand six hundred fifty (57,650)
125 pounds only if such vehicle operates in compliance with the
126 provisions of Section 63-5-29(3)(b). A fee of Twenty-five Dollars
127 (\$25.00) shall be charged for each permit issued. The permit

128 shall be in the form of a decal which shall be affixed to each
129 permitted vehicle on the upper left corner of the windshield on
130 the driver's side. Each permit shall expire one (1) year from its
131 date of issue. The fees collected under this subsection shall be
132 deposited into a special fund that is created in the State
133 Treasury. Monies in the fund shall be allocated and distributed
134 quarterly, beginning September 30, 1994, to each of the counties
135 of the state on an equal basis. Monies distributed to the
136 counties under this subsection shall be deposited in each county's
137 road and bridge fund and may be expended, upon approval of the
138 board of supervisors, for any purpose for which county road and
139 bridge fund monies lawfully may be expended. This subsection (4)
140 shall stand repealed from and after July 1, 2009.

141 (5) Any owner or operator who has met the requirements set
142 by the Mississippi Transportation Commission may defer payment of
143 permits issued by the department until the end of the current
144 month. If full payment is not received by the twentieth of the
145 following month, there may be added as damages to the total amount
146 of the delinquency or deficiency the following percentages: ten
147 percent (10%) for the first offense; fifteen percent (15%) for the
148 second offense and twenty-five percent (25%) for the third and any
149 subsequent offense. Upon the third offense, the department may
150 suspend the privilege to defer payment. The balance due shall
151 become payable upon notice and demand by the department.

152 (6) The permit fee monies collected under this section,
153 except as provided for in subsection (4) of this section, shall be
154 deposited into the State Highway Fund for the construction,
155 maintenance and reconstruction of highways and roads of the State
156 of Mississippi or the payment of interest and principal on bonds
157 authorized by the Legislature for construction and reconstruction
158 of highways.

159 (7) The department may waive the permits, taxes and fees set
160 forth in this section whenever a motor vehicle is operated upon

161 the public highways in this state in response to an emergency, a
162 major disaster or the threat of a major disaster.

163 **[From and after July 1, 2006, this section shall read as**
164 **follows:]**

165 27-19-81. (1) No vehicle shall be registered by the State
166 Tax Commission or by a tax collector, and no license tag
167 whatsoever shall be issued therefor, where the gross weight of
168 such vehicle exceeds the limits provided by law. In the event of
169 an emergency requiring the hauling of a greater gross weight than
170 permitted by law, the owner or operator of such vehicle shall
171 obtain an excess weight authorization from the Mississippi
172 Department of Transportation or local authority having
173 jurisdiction of the particular road, street or highway before
174 operating such vehicle on the highways of this state to haul such
175 a gross weight over a route to be designated by the aforesaid
176 department. It shall then be necessary for the owner or operator
177 of the vehicle to obtain a permit from the Transportation
178 Department, which shall be issued by the department under the same
179 provisions as are provided for the issuance of trip permits under
180 Section 27-19-79, but which permit shall likewise be obtained
181 prior to the operation of such vehicle on the highways. No
182 persons or agencies other than the Mississippi Department of
183 Transportation shall have authority to issue the permits provided
184 for in this section. The fee to be charged for such permits shall
185 be computed in the same manner provided in Section 27-19-79 for
186 each one thousand (1,000) pounds, or fractional part thereof, of
187 gross weight above the licensed capacity of the vehicle, up to the
188 maximum legal weights provided by this article on the roads to be
189 traveled.

190 This subsection shall apply, but not be limited to, any
191 tractor, road roller or road machinery used solely and
192 specifically in road building or other highway construction or
193 maintenance work.

194 For each one thousand (1,000) pounds, or fractional part
195 thereof, in excess of the weight authorized by Sections 63-5-29
196 and 63-5-33 for any such vehicle or in excess of the limits set by
197 the Transportation Department for specified roads and bridges, the
198 fee shall be Five Cents (5¢) per one thousand (1,000) pounds, or
199 fractional part thereof, for each mile traveled upon the highways
200 of the state, except that the fee for manufactured housing modular
201 units, residential or commercial, shall be Two Cents (2¢) per one
202 thousand (1,000) pounds, or fractional part thereof, for each mile
203 traveled upon the highways of the state. Provided, however, no
204 permit shall be issued for a fee of less than Ten Dollars
205 (\$10.00).

206 The Transportation Department may provide for an annual
207 permit which will allow pre-approved vehicles and loads to travel
208 predesignated routes with self-issued permits. Under such
209 self-issuance authority, the owner of the vehicle shall complete
210 the permit in a format designated by the department,
211 electronically transmit a copy to the department prior to the
212 move, and ensure that a copy is in the possession of the operator.
213 Vehicles having a gross weight exceeding the limits provided by
214 law that have a nondivisible gross vehicle weight of ninety-five
215 thousand (95,000) pounds or less, which are otherwise legal, shall
216 not be restricted as to the hours of the day such vehicles may be
217 operated on predesignated routes. The department shall bill the
218 vehicle owner according to the provisions of the preceding
219 paragraph. The department is authorized to modify predesignated
220 routes at any time for cause, such as highway construction or
221 hazardous highway conditions. The annual fee for the
222 self-issuance permit authority obtained pursuant to this paragraph
223 shall be Five Hundred Dollars (\$500.00) per owner, regardless of
224 the number of vehicles which he will operate pursuant to such
225 permit, in addition to any other fees required by this section.
226 Any vehicle and load being operated pursuant to this paragraph for

227 which the operator does not have the permit or a copy thereof in
228 his possession, or for which a copy of the permit was not
229 electronically transmitted to the department, shall be deemed not
230 to have a permit and shall be penalized accordingly.

231 (2) Before operating a vehicle where the size of the load
232 being hauled is in excess of that permitted by law, the owner or
233 operator of such vehicle shall obtain excess size authorization
234 from the Transportation Department or proper local authority and
235 an excess size permit from the Transportation Department. Such
236 excess size permit shall be issued by the Mississippi Department
237 of Transportation under the same provisions as are provided for
238 the issuance of trip permits under Section 27-19-79, and it shall
239 be obtained prior to the operation of such vehicle on the
240 highways. The fee to be charged for such excess size permit shall
241 be Ten Dollars (\$10.00) per trip. Such permits may be issued for
242 an extended period of time and must coincide with the expiration
243 date and other provisions of the carrier's permit or authorization
244 issued by the Transportation Department or local authority. The
245 fee for such extended permits shall be based upon an annual fee of
246 One Hundred Dollars (\$100.00) per carrier. No permit shall be
247 issued under this subsection if the issuance of the permit would
248 violate federal law or would cause the State of Mississippi to
249 lose federal aid funds. This subsection shall not apply to any
250 tractor, road roller or road machinery used solely and
251 specifically in road building or other highway construction or
252 maintenance work or to any machinery or equipment operated on the
253 highways or transported thereon in the course of normal farming
254 activities, including cotton module transporters.

255 (3) The Executive Director of the Mississippi Department of
256 Transportation may authorize certain carriers of property to issue
257 overweight and/or oversize permits for vehicles owned or operated
258 by such carriers, provided such carriers have blanket

259 authorization from the Transportation Commission and also meet
260 other requirements established by the Transportation Commission.

261 (4) The owner or operator of a vehicle hauling sand, gravel,
262 wood chips, wood shavings, sawdust, fill dirt, agricultural
263 products or unprocessed forestry products may apply to the
264 Mississippi Department of Transportation for a harvest permit for
265 the purpose of authorizing any such vehicles to operate on the
266 highways in this state (other than the federal interstate system
267 or those highways designated by the Mississippi Department of
268 Transportation as not capable of carrying more than fifty-seven
269 thousand six hundred fifty (57,650) pounds at the maximum gross
270 weight specified in Section 63-5-33). Harvest permits may be
271 issued and are valid to permit any such vehicle to be operated on
272 a highway in this state that has been designated by the
273 Mississippi Department of Transportation as not capable of
274 carrying more than fifty-seven thousand six hundred fifty (57,650)
275 pounds only if such vehicle operates in compliance with the
276 provisions of Section 63-5-29(3)(b). A fee of Twenty-five Dollars
277 (\$25.00) shall be charged for each permit issued. The permit
278 shall be in the form of a decal which shall be affixed to each
279 permitted vehicle on the upper left corner of the windshield on
280 the driver's side. Each permit shall expire one (1) year from its
281 date of issue. The fees collected under this subsection shall be
282 deposited into a special fund that is created in the State
283 Treasury. Monies in the fund shall be allocated and distributed
284 quarterly, beginning September 30, 1994, to each of the counties
285 of the state on an equal basis. Monies distributed to the
286 counties under this subsection shall be deposited in each county's
287 road and bridge fund and may be expended, upon approval of the
288 board of supervisors, for any purpose for which county road and
289 bridge fund monies lawfully may be expended. This subsection (4)
290 shall stand repealed from and after July 1, 2009.

291 (5) Any owner or operator who has met the requirements set
292 by the Mississippi Transportation Commission may defer payment of
293 permits issued by the department until the end of the current
294 month. If full payment is not received by the twentieth of the
295 following month, there may be added as damages to the total amount
296 of the delinquency or deficiency the following percentages: ten
297 percent (10%) for the first offense; fifteen percent (15%) for the
298 second offense and twenty-five percent (25%) for the third and any
299 subsequent offense. Upon the third offense, the department may
300 suspend the privilege to defer payment. The balance due shall
301 become payable upon notice and demand by the department.

302 (6) The permit fee monies collected under this section,
303 except as provided for in subsection (4) of this section, shall be
304 deposited into the State Highway Fund for the construction,
305 maintenance and reconstruction of highways and roads of the State
306 of Mississippi or the payment of interest and principal on bonds
307 authorized by the Legislature for construction and reconstruction
308 of highways.

309 (7) The department may waive the permits, taxes and fees set
310 forth in this section whenever a motor vehicle is operated upon
311 the public highways in this state in response to an emergency, a
312 major disaster or the threat of a major disaster.

313 **SECTION 2.** Section 63-5-33, Mississippi Code of 1972, is
314 reenacted and amended as follows:

315 63-5-33. (1) Subject to the limitations imposed on wheel
316 and axle loads by Section 63-5-27, and to the further limitations
317 hereinafter specified, the total combined weight (vehicles plus
318 load) on any group of axles of a vehicle or a combination of
319 vehicles shall not exceed the value given in the following table
320 (Table III) corresponding to the distance in feet between the
321 extreme axles of the group, measured longitudinally to the nearest
322 foot, on those highways or parts of highways designated by the
323 Mississippi Transportation Commission as being capable of carrying

324 the maximum load limits and, in addition thereto, such other
 325 highways or parts of highways found by the commission to be
 326 suitable to carry the maximum load limits from an engineering
 327 standpoint, and so designated as such by order of the commission
 328 entered upon its minutes and published once each week for three
 329 (3) consecutive weeks in a daily newspaper published in this state
 330 and having a general circulation therein. The maximum total
 331 combined weight carried on any group of two (2) or more
 332 consecutive axles shall be determined by the formula contained in
 333 the Federal Weight Law enacted January 4, 1975, as follows: $W=500$
 334 $(LN/N-1+12N+36)$ where W =maximum weight in pounds carried on any
 335 group of two (2) or more axles computed to the nearest five
 336 hundred (500) pounds, L =distance in feet between the extremes of
 337 any group of two (2) or more consecutive axles, and N =number of
 338 axles in any group under consideration.

339 TABLE III

340	DISTANCE					
341	IN FEET					
342	BETWEEN THE					
343	EXTREMES OF					
344	ANY GROUP					
345	OF 2 OR MORE					
346	CONSECUTIVE	MAXIMUM LOAD IN POUNDS CARRIED ON ANY				
347	AXLES	GROUP OF 2 OR MORE CONSECUTIVE AXLES				
348		2 axles	3 axles	4 axles	5 axles	6 axles 7 axles
349	4	34,000				
350	5	34,000				
351	6	34,000		Axle groups in		
352	7	34,000				
353	8 and					
354	less	34,000	34,000	these spacings		
355	More					
356	than					

357	8	38,000	42,000				
358	9	39,000	42,500				
359	10	40,000	43,500	impractical			
360	11		44,000				
361	12		45,000	50,000			
362	13		45,500	50,500			
363	14		46,500	51,500			
364	15		47,000	52,000			
365	16		48,000	52,500	58,000		
366	17		48,500	53,500	58,500		
367	18		49,500	54,000	59,000		
368	19		50,000	54,500	60,000		
369	20		51,000	55,500	60,500	66,000	
370	21		51,500	56,000	61,000	66,500	
371	22		52,500	56,500	61,500	67,000	
372	23		53,000	57,500	62,500	68,000	
373	24		54,000	58,000	63,000	68,500	74,000
374	25		54,500	58,500	63,500	69,000	74,500
375	26		55,500	59,500	64,000	69,500	75,000
376	27		56,000	60,000	65,000	70,000	75,500
377	28		57,000	60,500	65,500	71,000	76,500
378	29		57,500	61,500	66,000	71,500	77,000
379	30		58,500	62,000	66,500	72,000	77,500
380	31		59,000	62,500	67,500	72,500	78,000
381	32		60,000	63,500	68,000	73,000	78,500
382	33			64,000	68,500	74,000	79,000
383	34			64,500	69,000	74,500	80,000
384	35			65,500	70,000	75,000	80,000
385	36			66,000	70,500	75,500	80,000
386	37			66,500	71,000	76,000	80,000
387	38			67,500	71,500	77,000	80,000
388	39			68,000	72,500	77,500	80,000
389	40			68,500	73,000	78,000	80,000

390	41	69,500	73,500	78,500	80,000
391	42	70,000	74,000	79,000	80,000
392	43	70,500	75,000	80,000	80,000
393	44	71,500	75,500	80,000	80,000
394	45	72,000	76,000	80,000	80,000
395	46	72,500	76,500	80,000	80,000
396	47	73,500	77,500	80,000	80,000
397	48	74,000	78,000	80,000	80,000
398	49	74,500	78,500	80,000	80,000
399	50	75,500	79,000	80,000	80,000
400	51	76,000	80,000	80,000	80,000
401	52	76,500	80,000	80,000	80,000
402	53	77,500	80,000	80,000	80,000
403	54	78,000	80,000	80,000	80,000
404	55	78,500	80,000	80,000	80,000
405	56	79,500	80,000	80,000	80,000
406	57	80,000	80,000	80,000	80,000

407 (2) Moreover, in addition to the per axle weight limitations
408 specified by Section 63-5-27, two (2) consecutive sets of tandem
409 axles may carry a gross load of thirty-four thousand (34,000)
410 pounds each, providing that the overall distance between the first
411 and last axles of such consecutive sets of tandem axles is
412 thirty-six (36) feet or more, except that, until September 1,
413 1989, the axle distance for tank trailers, dump trailers and ocean
414 transport container haulers may be thirty (30) feet or more. Such
415 overall gross weight may not exceed eighty thousand (80,000)
416 pounds, except as provided by this section.

417 (3) Notwithstanding the provisions of Section 63-5-27 and/or
418 Section 63-5-29 to the contrary, vehicles hauling products in the
419 manner set forth in this subsection, whether or not such vehicles
420 are operating with a harvest permit, shall be allowed a gross
421 weight of not to exceed forty thousand (40,000) pounds on any
422 tandem. Vehicles operating without a harvest permit shall be

423 allowed a tolerance not to exceed five percent (5%) above their
424 authorized gross vehicle weight, tandem or axle weight; except
425 that the maximum gross vehicle weight of any such vehicle shall
426 not exceed eighty thousand (80,000) pounds plus a tolerance
427 thereon of not more than two percent (2%). Vehicles operating
428 with a harvest permit shall be allowed a tolerance not to exceed
429 five percent (5%) above their authorized tandem or axle weight,
430 but the maximum gross vehicle weight of any such vehicle shall not
431 exceed eighty-four thousand (84,000) pounds. However, neither the
432 increased weights in this subsection nor any tolerance shall be
433 allowed on federal interstate highways or on other highways where
434 a tolerance is specifically prohibited by the Transportation
435 Commission, the county board of supervisors or the municipal
436 governing authorities as provided for in Section 63-5-27. The
437 tolerance allowed by this subsection shall only apply to the
438 operation of vehicles from the point of loading to the point of
439 unloading for processing, and to the operation of vehicles hauling
440 sand, gravel, wood chips, wood shavings, sawdust, fill dirt and
441 agricultural products, and products for recycling or materials for
442 the construction or repair of highways. The range of such
443 operation shall not exceed a radius of one hundred (100) miles
444 except where the products are being transported for processing
445 within this state. The tolerance shall not be allowed for
446 vehicles loading at a point of origin having scales available for
447 weighing each individual axle of the vehicle; provided, however,
448 that vehicles loading at a point of origin having scales available
449 for weighing the vehicle shall not be eligible for any tolerance
450 over the gross weight limit of eighty thousand (80,000) pounds.

451 (4) Notwithstanding the provisions of Section 63-5-27 and/or
452 Section 63-5-29 to the contrary, vehicles hauling prepackaged
453 products, unloaded at a state port or to be loaded at a state
454 port, which are containerized in such a manner as to make
455 subdivision thereof impractical shall be allowed a gross weight of

456 not to exceed forty thousand (40,000) pounds on any tandem, and a
457 tolerance not to exceed five percent (5%) above their authorized
458 gross weight, tandem or axle weight; except that the maximum
459 weight of any vehicle shall not exceed eighty thousand (80,000)
460 pounds plus a tolerance thereon of not more than two percent (2%);
461 however, neither the increased weights in this subsection nor any
462 tolerance shall be allowed on federal interstate highways or on
463 other highways where a tolerance is specifically prohibited by the
464 Transportation Commission, the county board of supervisors or the
465 municipal governing authorities as provided for in Section
466 63-5-27.

467 (5) (a) Vehicles for which a harvest permit has been issued
468 pursuant to Section 27-19-81(4) shall be allowed a gross vehicle
469 weight not to exceed eighty-four thousand (84,000) pounds.
470 However, the board of supervisors of any county and the governing
471 authorities of any municipality may designate the roads, streets
472 and highways under their respective jurisdiction on and along
473 which vehicles for which a harvest permit has been issued may
474 travel. This subsection shall not apply to the federal interstate
475 system.

476 (b) Any owner or operator who has been issued a harvest
477 permit and who wishes to operate a vehicle on the roads, streets
478 or highways under the jurisdiction of a county or municipality at
479 a gross vehicle weight greater than the weight allowed by law or
480 greater than the maximum weight established for such roads,
481 streets or highways by the board of supervisors or municipal
482 governing authorities, shall notify, in writing, the board of
483 supervisors or the governing authorities, as the case may be,
484 before operating such vehicle on the roads, streets or highways of
485 such county or municipality. In his notice, the permit holder
486 shall identify the routes over which he intends to operate
487 vehicles for which the permit has been issued and the dates or
488 time period during which he will be operating such vehicles. The

489 board of supervisors or the governing authorities, as the case may
490 be, shall have two (2) working days to respond in writing to the
491 permit holder to notify the permit holder of the routes on and
492 along which the permit holder may operate vehicles for which a
493 harvest permit has been issued. Failure of the board of
494 supervisors or the governing authorities timely to notify the
495 permit holder and to designate the routes on and along which the
496 permit holder may operate shall be considered as authorizing the
497 permit holder to operate on any of the roads, streets or highways
498 of the county or municipality in accordance with the authority
499 granted to the permit holder by the harvest permit.

500 (c) Anytime a timber deed is filed with the chancery
501 clerk, the grantee, at that time, may make a written request of
502 the board of supervisors of the county or the governing
503 authorities of the municipality, as the case may be, for the
504 purpose of providing to the grantee, within three (3) working days
505 of the filing of the request, a designated and approved route over
506 the roads, streets or highways under the jurisdiction of the
507 county or city, as the case may be, that the grantee may travel
508 for the purpose of transporting harvested timber. Upon providing
509 such route designation, the county or city, as the case may be,
510 shall also provide to the grantee a map designating the approved
511 route. An approved route designation provided to a grantee under
512 the provisions of this paragraph shall be valid for a period of
513 six (6) months from its date of issue. The permit authorized to
514 be issued under paragraph (b) of this section shall not be
515 required for any person who obtains a permit issued under this
516 paragraph.

517 (d) This subsection (5) shall stand repealed from and
518 after July 1, 2009.

519 (6) Nothing in this section or subsections (1) through (4)
520 of Section 63-5-27 shall be construed to deny the operation of any
521 vehicle or combination of vehicles that could be lawfully operated

522 upon the interstate highway system of this state on January 4,
523 1975.

524 **SECTION 3.** This act shall take effect and be in force from
525 and after July 1, 2005.