

By: Representative Busby

To: Transportation

HOUSE BILL NO. 81

1 AN ACT TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE A MOTOR VEHICLE WEIGHT LIMIT INCREASE FOR VEHICLES THAT
3 ARE OPERATED BY NATURAL GAS; TO BRING FORWARD SECTIONS 63-5-27,
4 63-5-29 AND 63-5-31, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF
5 POSSIBLE AMENDMENT; 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 $(LN/N-1+12N+36)$ where W =maximum weight in pounds carried on any
 29 group of two (2) or more axles computed to the nearest five
 30 hundred (500) pounds, L =distance in feet between the extremes of
 31 any group of two (2) or more consecutive axles, and N =number of
 32 axles in any group 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 MAXIMUM LOAD IN POUNDS CARRIED ON ANY
 41 AXLES GROUP OF 2 OR MORE CONSECUTIVE AXLES

	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles
42						
43	4	34,000				
44	5	34,000				



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



95	52	76,500	80,000	80,000	80,000
96	53	77,500	80,000	80,000	80,000
97	54	78,000	80,000	80,000	80,000
98	55	78,500	80,000	80,000	80,000
99	56	79,500	80,000	80,000	80,000
100	57	80,000	80,000	80,000	80,000

101 (2) Moreover, in addition to the per axle weight limitations
102 specified by Section 63-5-27, two (2) consecutive sets of tandem
103 axles may carry a gross load of thirty-four thousand (34,000)
104 pounds each, providing that the overall distance between the first
105 and last axles of such consecutive sets of tandem axles is
106 thirty-six (36) feet or more, except that, until September 1,
107 1989, the axle distance for tank trailers, dump trailers and ocean
108 transport container haulers may be thirty (30) feet or more. Such
109 overall gross weight may not exceed eighty thousand (80,000)
110 pounds, except as provided by this section.

111 (3) Notwithstanding the provisions of Section 63-5-27 and/or
112 Section 63-5-29 to the contrary, vehicles hauling products in the
113 manner set forth in this subsection, whether or not such vehicles
114 are operating with a harvest permit, shall be allowed a gross
115 weight of not to exceed forty thousand (40,000) pounds on any
116 tandem. Vehicles operating without a harvest permit shall be
117 allowed a tolerance not to exceed five percent (5%) above their
118 authorized gross vehicle weight, tandem or axle weight; except
119 that the maximum gross vehicle weight of any such vehicle shall



120 not exceed eighty thousand (80,000) pounds plus a tolerance
121 thereon of not more than two percent (2%). Vehicles operating
122 with a harvest permit shall be allowed a tolerance not to exceed
123 five percent (5%) above their authorized tandem or axle weight,
124 but the maximum gross vehicle weight of any such vehicle shall not
125 exceed eighty-four thousand (84,000) pounds. However, neither the
126 increased weights in this subsection nor any tolerance shall be
127 allowed on federal interstate highways or on other highways where
128 a tolerance is specifically prohibited by the Transportation
129 Commission, the county board of supervisors or the municipal
130 governing authorities as provided for in Section 63-5-27. The
131 tolerance allowed by this subsection shall only apply to the
132 operation of vehicles from the point of loading to the point of
133 unloading for processing, and to the operation of vehicles hauling
134 sand, gravel, woodchips, wood shavings, sawdust, fill dirt, and
135 agricultural products, and products for recycling or materials for
136 the construction or repair of highways. The range of such
137 operation shall not exceed a radius of one hundred (100) miles
138 except where the products are being transported for processing
139 within this state. The tolerance shall not be allowed for
140 vehicles loading at a point of origin having scales available for
141 weighing each individual axle of the vehicle; provided, however,
142 that vehicles loading at a point of origin having scales available
143 for weighing the vehicle shall not be eligible for any tolerance
144 over the gross weight limit of eighty thousand (80,000) pounds.



145 (4) Notwithstanding the provisions of Section 63-5-27 and/or
146 Section 63-5-29 to the contrary, vehicles hauling prepackaged
147 products, unloaded at a state port or to be loaded at a state
148 port, which are containerized in such a manner as to make
149 subdivision thereof impractical shall be allowed a gross weight of
150 not to exceed forty thousand (40,000) pounds on any tandem, and a
151 tolerance not to exceed five percent (5%) above their authorized
152 gross weight, tandem or axle weight; except that the maximum
153 weight of any vehicle shall not exceed eighty thousand (80,000)
154 pounds plus a tolerance thereon of not more than two percent (2%);
155 however, neither the increased weights in this subsection nor any
156 tolerance shall be allowed on federal interstate highways or on
157 other highways where a tolerance is specifically prohibited by the
158 Transportation Commission, the county board of supervisors or the
159 municipal governing authorities as provided for in Section
160 63-5-27.

161 (5) (a) Vehicles for which a harvest permit has been issued
162 pursuant to Section 27-19-81(4) shall be allowed a gross vehicle
163 weight not to exceed eighty-four thousand (84,000) pounds.
164 However, the board of supervisors of any county and the governing
165 authorities of any municipality may designate the roads, streets
166 and highways under their respective jurisdiction on and along
167 which vehicles for which a harvest permit has been issued may
168 travel. This subsection shall not apply to the federal interstate
169 system.



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



194 (c) Anytime a timber deed is filed with the chancery
195 clerk, the grantee, at that time, may make a written request of
196 the board of supervisors of the county or the governing
197 authorities of the municipality, as the case may be, for the
198 purpose of providing to the grantee, within three (3) working days
199 of the filing of the request, a designated and approved route over
200 the roads, streets or highways under the jurisdiction of the
201 county or city, as the case may be, that the grantee may travel
202 for the purpose of transporting harvested timber. Upon providing
203 such route designation, the county or city, as the case may be,
204 shall also provide to the grantee a map designating the approved
205 route. An approved route designation provided to a grantee under
206 the provisions of this paragraph shall be valid for a period of
207 six (6) months from its date of issue. The permit authorized to
208 be issued under paragraph (b) of this subsection shall not be
209 required for any person who obtains a permit issued under this
210 paragraph.

211 (d) This subsection (5) shall stand repealed from and
212 after July 1, 2019.

213 (6) Nothing in this section or subsections (1) through (4)
214 of Section 63-5-27 shall be construed to deny the operation of any
215 vehicle or combination of vehicles that could be lawfully operated
216 upon the interstate highway system of this state on January 4,
217 1975.



218 (7) (a) Notwithstanding the provisions of Section 63-5-27
219 and/or Section 63-5-29 to the contrary, a vehicle that is operated
220 by an engine fueled primarily by natural gas may exceed its
221 authorized gross weight, tandem or axle weight by an amount that
222 is equal to the difference between the weight of the vehicle
223 attributable to the natural gas tank and fueling system carried by
224 the vehicle and the weight of a comparable diesel tank and fueling
225 system; except that the maximum weight increase authorized by this
226 subsection (7) shall not exceed a maximum of two thousand (2,000)
227 pounds.

228 (b) The weight increase authorized by this subsection
229 (7) shall apply to all state roads and interstate highways per the
230 exemption expressly permitted by 23 USCS 127.

231 **SECTION 2.** Section 63-5-27, Mississippi Code of 1972, is
232 brought forward as follows:

233 63-5-27. (1) Subject to the maximum gross single axle or
234 tandem axle weights hereinafter specified, the gross single or
235 tandem axle weights shall not exceed five hundred fifty (550)
236 pounds per inch of tire width. The gross weight on any single or
237 tandem axle thus derived shall be subject to a tolerance not in
238 excess of five hundred (500) pounds provided that the total
239 allowable gross weight of the single or tandem axle shall not
240 exceed the maximum limitations allowed hereinafter.

241 (2) The gross weight imposed on the highway by the wheels of
242 any one (1) single axle of a vehicle shall not exceed twenty



243 thousand (20,000) pounds exclusive of the tolerance provided in
244 Section 63-5-33. A single axle shall be defined as an assembly of
245 two (2) or more wheels whose centers are in one (1) transverse
246 vertical plane or may be included between two (2) parallel
247 transverse vertical planes forty (40) inches apart extending
248 across the full width of the vehicle.

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

257 (4) (a) Vehicles designed and especially constructed to
258 transport concrete products and which are not available for
259 purchase in sizes and capacities to fully comply with the road and
260 bridge weight laws of the State of Mississippi shall not be made
261 to conform to the axle spacing requirements or axle or tire
262 loadings of this section or to the total combined weights as set
263 out in Section 63-5-33 in Table III, provided (i) that such
264 vehicles shall be limited to a gross weight of sixty thousand
265 (60,000) pounds; (ii) that such vehicles shall only be operated
266 within fifty (50) miles of their home base; (iii) that any such
267 vehicles shall be limited to a maximum load of the rated capacity



268 of the vehicle; (iv) that all such vehicles shall have at least
269 three (3) axles; and (v) that all vehicles with only three (3)
270 axles shall have all wheels brake-equipped. Any two (2) or more
271 axles close enough to be considered an axle group shall be
272 suspended by an equalizing system and be spaced a minimum of four
273 (4) feet apart in order to be eligible for the maximum load as
274 provided in this subsection. It shall be a violation if vehicles
275 to which this subsection applies travel upon any federal
276 interstate highway or upon any roads or bridges designated and
277 posted as incapable of carrying such loads by the Transportation
278 Commission, a board of supervisors, or municipal governing
279 authorities as provided in subsection (5) or (6) of this section.

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



292 or municipal governing authorities as provided in subsection (5)
293 or (6) of this section.

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

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

315 (5) The board of supervisors of any county or the governing
316 authorities of any municipality, by appropriate resolution, may



317 impose limitations more restrictive than those permitted in this
318 section upon the county highways of such county or the streets of
319 such municipality.

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

323 **SECTION 3.** Section 63-5-29, Mississippi Code of 1972, is
324 brought forward as follows:

325 63-5-29. On all highways of the State of Mississippi except
326 those referred to in Sections 63-5-31 and 63-5-33, and subject to
327 the limitations imposed on wheel and axle loads by Section 63-5-27
328 and to the further limitations hereinafter specified, the total
329 combined weight (vehicles plus load) on any group of axles shall
330 not exceed the value given in the following table (Table I),
331 corresponding to the distance in feet between the extreme axles of
332 the group, measured longitudinally to the nearest foot:

333	Distance in Feet Between	Maximum Load in Pounds
334	the Extreme of Any Group of Axles	Carried on any Group of Axles
335	4	28,650
336	5	29,650
337	6	30,640
338	7	31,630
339	8	32,610
340	9	33,580
341	10	34,550



342	11	35,510
343	12	36,470
344	13	37,420
345	14	38,360
346	15	39,300
347	16	40,280
348	17	41,160
349	18	42,080
350	19	42,990
351	20	43,900
352	21	44,800
353	22	45,700
354	23	46,590
355	24	47,470
356	25	48,350
357	26	49,220
358	27	50,090
359	28	50,950
360	29	51,800
361	30	52,650
362	31	53,490
363	32	54,330
364	33	55,160
365	34	55,650
366	35	56,800



367 36 and greater 57,650 maximum

368 Moreover, in addition to the per axle weight limitation
369 specified by Section 63-5-27, the maximum load carried on a
370 combination of vehicles shall be subject to the following
371 additional limitations: The maximum load carried on any group of
372 two (2) axles shall not exceed twenty-four thousand (24,000)
373 pounds in instances where one or more of such axles is a driving
374 axle (that is, an axle turned by the vehicle's engine power).

375 (2) An axle group shall consist of any two (2) or more
376 consecutive axles of any vehicle or combination of vehicles.

377 (3) Provided, however, that, subject to the limitations
378 imposed on:

379 (a) Wheel, axle loads, spacing and weight by
380 Sections 63-5-27 and 63-5-33, and

381 (b) Weight limitations on highways and bridges by
382 Section 65-1-45, Mississippi Code of 1972, any product produced on
383 or distributed from a location on any highway within or without
384 the State of Mississippi may be transported from such place of
385 production or location of distribution by the nearest route toward
386 its destination on such highway or highways to a point where such
387 highway intersects a highway previously found or hereafter found
388 by the commission to be suitable to carry the maximum load limits
389 pursuant to Sections 63-5-33 and 63-5-35; and provided further,
390 that any goods, materials, and equipment actually used in the
391 supply of an activity of producing, manufacturing or distributing



392 products on any such highway within the State of Mississippi may
393 be transported on such highway to the site of such manufacture,
394 production or distribution. However, any penalty assessed against
395 a vehicle operating under the provisions of this paragraph (3) (b)
396 shall be calculated according to the maximum weight which that
397 particular vehicle is legally permitted to transport and not the
398 maximum gross weight limit established for that highway.

399 Nothing herein contained shall be construed to permit
400 movements of weights in excess of those provided for in this
401 section (63-5-29) over a route or section thereof for the purpose
402 of a shortcut between two (2) highways found by the commission to
403 be suitable to carry the maximum load limits pursuant to Sections
404 63-5-33 and 63-5-35 or any other purpose not consistent with the
405 aforementioned provisions.

406 Nothing in Sections 63-5-29, and 63-5-34, shall be construed
407 to imply any general variation from the maximum weight limitations
408 designated by the Mississippi Department of Transportation other
409 than specified in Sections 63-5-29 and 63-5-34.

410 **SECTION 4.** Section 63-5-31, Mississippi Code of 1972, is
411 brought forward as follows:

412 63-5-31. Subject to the limitations imposed on wheel and
413 axle loads by Section 63-5-27, and to the further limitations
414 hereinafter specified, the total combined weight (vehicles plus
415 load) on any group of axles shall not exceed the value given in
416 the following table (Table II) corresponding to the distance in



417 feet between the extreme axles of the group, measured
418 longitudinally to the nearest foot, on those highways or parts of
419 highways found by the Mississippi Transportation Commission to be
420 suitable to carry such increased load limits from an engineering
421 standpoint, and so designated as such by order of said commission
422 entered on its minutes and published once each week for three
423 successive weeks in a daily newspaper of general circulation in
424 this state:

425 TABLE II

426	Distance in Feet Between	Maximum Load in Pounds
427	the Extreme of Any Group of Axles	Carried on Any Group of Axles
428	4	32,000
429	5	32,000
430	6	32,000
431	7	32,000
432	8	32,610
433	9	33,779
434	10	34,942
435	11	36,097
436	12	37,246
437	13	38,387
438	14	39,522
439	15	40,649
440	16	41,770
441	17	42,883



442	18	43,990
443	19	45,089
444	20	46,182
445	21	47,267
446	22	48,346
447	23	49,417
448	24	50,482
449	25	51,539
450	26	52,590
451	27	53,633
452	28	54,670
453	29	55,699
454	30	56,722
455	31	57,737
456	32	58,746
457	33	59,747
458	34	60,742
459	35	61,729
460	36	62,710
461	37	63,683
462	38 and greater	64,650 maximum

463 Moreover, in addition to the per axle weight limitations
464 specified by Section 63-5-27, the maximum load carried on a
465 combination of vehicles shall be subject to the following
466 additional limitations: The maximum load carried on any group of



467 two (2) axles shall not exceed twenty-seven thousand (27,000)
468 pounds in instances where one or more of such axles is a driving
469 axle (that is, an axle turned by the vehicle's engine power).

470 An axle group shall consist of any two (2) or more
471 consecutive axles of any vehicle or combination of vehicles.

472 **SECTION 5.** This act shall take effect and be in force from
473 and after July 1, 2018.

