

By: Senator(s) Branning, Jackson (11th)

To: Agriculture

SENATE BILL NO. 2418
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE WEIGHT TOLERANCE ALLOWED FOR VEHICLES OPERATING UNDER
3 A HARVEST PERMIT AND CERTAIN VEHICLES LOADING AND UNLOADING AT A
4 STATE PORT; TO AUTHORIZE THE TOLERANCE FOR HARVEST PERMIT VEHICLES
5 THAT ARE LOADED AT A POINT OF ORIGIN WITH SCALES AVAILABLE FOR
6 WEIGHING EACH INDIVIDUAL AXLE; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 63-5-33, Mississippi Code of 1972, is
9 amended as follows:

10 63-5-33. (1) Subject to the limitations imposed on wheel
11 and axle loads by Section 63-5-27, and to the further limitations
12 hereinafter specified, the total combined weight (vehicles plus
13 load) on any group of axles of a vehicle or a combination of
14 vehicles shall not exceed the value given in the following table
15 (Table III) corresponding to the distance in feet between the
16 extreme axles of the group, measured longitudinally to the nearest
17 foot, on those highways or parts of highways designated by the
18 Mississippi Transportation Commission as being capable of carrying
19 the maximum load limits and, in addition thereto, such other
20 highways or parts of highways found by the commission to be



21 suitable to carry the maximum load limits from an engineering
 22 standpoint, and so designated as such by order of the commission
 23 entered upon its minutes and published once each week for three
 24 (3) consecutive weeks in a daily newspaper published in this state
 25 and having a general circulation therein. The maximum total
 26 combined weight carried on any group of two (2) or more
 27 consecutive axles shall be determined by the formula contained in
 28 the Federal Weight Law enacted January 4, 1975, as follows: $W=500$
 29 $(LN/N-1+12N+36)$ where W =maximum weight in pounds carried on any
 30 group of two (2) or more axles computed to the nearest five
 31 hundred (500) pounds, L =distance in feet between the extremes of
 32 any group of two (2) or more consecutive axles, and N =number of
 33 axles in any group under consideration.

34 TABLE III

35 DISTANCE
 36 IN FEET
 37 BETWEEN THE
 38 EXTREMES OF
 39 ANY GROUP
 40 OF 2 OR MORE
 41 CONSECUTIVE MAXIMUM LOAD IN POUNDS CARRIED ON ANY
 42 AXLES GROUP OF 2 OR MORE CONSECUTIVE AXLES

	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles
44 4	34,000					
45 5	34,000					



46	6	34,000								Axle groups in
47	7	34,000								
48	8 and									
49	less	34,000	34,000							these spacings
50	More									
51	than									
52	8	38,000	42,000							
53	9	39,000	42,500							
54	10	40,000	43,500							impractical
55	11		44,000							
56	12		45,000	50,000						
57	13		45,500	50,500						
58	14		46,500	51,500						
59	15		47,000	52,000						
60	16		48,000	52,500	58,000					
61	17		48,500	53,500	58,500					
62	18		49,500	54,000	59,000					
63	19		50,000	54,500	60,000					
64	20		51,000	55,500	60,500	66,000				
65	21		51,500	56,000	61,000	66,500				
66	22		52,500	56,500	61,500	67,000				
67	23		53,000	57,500	62,500	68,000				
68	24		54,000	58,000	63,000	68,500	74,000			
69	25		54,500	58,500	63,500	69,000	74,500			
70	26		55,500	59,500	64,000	69,500	75,000			



71	27	56,000	60,000	65,000	70,000	75,500
72	28	57,000	60,500	65,500	71,000	76,500
73	29	57,500	61,500	66,000	71,500	77,000
74	30	58,500	62,000	66,500	72,000	77,500
75	31	59,000	62,500	67,500	72,500	78,000
76	32	60,000	63,500	68,000	73,000	78,500
77	33		64,000	68,500	74,000	79,000
78	34		64,500	69,000	74,500	80,000
79	35		65,500	70,000	75,000	80,000
80	36		66,000	70,500	75,500	80,000
81	37		66,500	71,000	76,000	80,000
82	38		67,500	71,500	77,000	80,000
83	39		68,000	72,500	77,500	80,000
84	40		68,500	73,000	78,000	80,000
85	41		69,500	73,500	78,500	80,000
86	42		70,000	74,000	79,000	80,000
87	43		70,500	75,000	80,000	80,000
88	44		71,500	75,500	80,000	80,000
89	45		72,000	76,000	80,000	80,000
90	46		72,500	76,500	80,000	80,000
91	47		73,500	77,500	80,000	80,000
92	48		74,000	78,000	80,000	80,000
93	49		74,500	78,500	80,000	80,000
94	50		75,500	79,000	80,000	80,000
95	51		76,000	80,000	80,000	80,000



96	52	76,500	80,000	80,000	80,000
97	53	77,500	80,000	80,000	80,000
98	54	78,000	80,000	80,000	80,000
99	55	78,500	80,000	80,000	80,000
100	56	79,500	80,000	80,000	80,000
101	57	80,000	80,000	80,000	80,000

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

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



121 not exceed eighty thousand (80,000) pounds plus a tolerance
122 thereon of not more than two percent (2%). Vehicles operating
123 with a harvest permit shall be allowed a tolerance not to
124 exceed * * * ten percent (10%) above their authorized tandem or
125 axle weight, but the maximum gross vehicle weight of any such
126 vehicle shall not exceed eighty-four thousand (84,000) pounds.
127 However, neither the increased weights in this subsection nor any
128 tolerance shall be allowed on federal interstate highways or on
129 other highways where a tolerance is specifically prohibited by the
130 Transportation Commission, the county board of supervisors or the
131 municipal governing authorities as provided for in Section
132 63-5-27. The tolerance allowed by this subsection shall only
133 apply to the operation of vehicles from the point of loading to
134 the point of unloading for processing, and to the operation of
135 vehicles hauling sand, gravel, woodchips, wood shavings, sawdust,
136 fill dirt, and agricultural products, and products for recycling
137 or materials for the construction or repair of highways. The
138 range of such operation shall not exceed a radius of one hundred
139 (100) miles except where the products are being transported for
140 processing within this state. * * *

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



146 not to exceed forty thousand (40,000) pounds on any tandem, and a
147 tolerance not to exceed * * * ten percent (10%) above their
148 authorized gross weight, tandem or axle weight; except that the
149 maximum weight of any vehicle shall not exceed eighty thousand
150 (80,000) pounds plus a tolerance thereon of not more than two
151 percent (2%); however, neither the increased weights in this
152 subsection nor any tolerance shall be allowed on federal
153 interstate highways or on other highways where a tolerance is
154 specifically prohibited by the Transportation Commission, the
155 county board of supervisors or the municipal governing authorities
156 as provided for in Section 63-5-27.

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

166 (b) Any owner or operator who has been issued a harvest
167 permit and who wishes to operate a vehicle on the roads, streets
168 or highways under the jurisdiction of a county or municipality at
169 a gross vehicle weight greater than the weight allowed by law or
170 greater than the maximum weight established for such roads,



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

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



196 the roads, streets or highways under the jurisdiction of the
197 county or city, as the case may be, that the grantee may travel
198 for the purpose of transporting harvested timber. Upon providing
199 such route designation, the county or city, as the case may be,
200 shall also provide to the grantee a map designating the approved
201 route. An approved route designation provided to a grantee under
202 the provisions of this paragraph shall be valid for a period of
203 six (6) months from its date of issue. The permit authorized to
204 be issued under paragraph (b) of this subsection shall not be
205 required for any person who obtains a permit issued under this
206 paragraph.

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

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

214 **SECTION 2.** This act shall take effect and be in force from
215 and after July 1, 2018, and shall stand repealed on June 30, 2018.

