

By: Representative Byrd

To: Transportation

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1491

1 AN ACT TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972, TO
2 PERMIT CERTAIN VEHICLES OPERATED BY AN ENGINE FUELED PRIMARILY BY
3 COMPRESSED OR LIQUEFIED NATURAL GAS TO EXCEED THE GROSS WEIGHT AND
4 AXLE WEIGHT LIMITATIONS WHEN OPERATING ON INTERSTATE HIGHWAYS; TO
5 BRING FORWARD SECTIONS 63-5-27, 63-5-29 AND 63-5-31, MISSISSIPPI
6 CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR
7 RELATED PURPOSES.

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

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

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



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

35 TABLE III

36	DISTANCE					
37	IN FEET					
38	BETWEEN THE					
39	EXTREMES OF					
40	ANY GROUP					
41	OF 2 OR MORE					
42	CONSECUTIVE	MAXIMUM LOAD IN POUNDS CARRIED ON ANY				
43	AXLES	GROUP OF 2 OR MORE CONSECUTIVE AXLES				
44		2 axles	3 axles	4 axles	5 axles	6 axles 7 axles
45	4	34,000				



46	5	34,000				
47	6	34,000		Axle groups in		
48	7	34,000				
49	8 and					
50	less	34,000	34,000	these spacings		
51	More					
52	than					
53	8	38,000	42,000			
54	9	39,000	42,500			
55	10	40,000	43,500	impractical		
56	11		44,000			
57	12		45,000	50,000		
58	13		45,500	50,500		
59	14		46,500	51,500		
60	15		47,000	52,000		
61	16		48,000	52,500	58,000	
62	17		48,500	53,500	58,500	
63	18		49,500	54,000	59,000	
64	19		50,000	54,500	60,000	
65	20		51,000	55,500	60,500	66,000
66	21		51,500	56,000	61,000	66,500
67	22		52,500	56,500	61,500	67,000
68	23		53,000	57,500	62,500	68,000
69	24		54,000	58,000	63,000	68,500 74,000
70	25		54,500	58,500	63,500	69,000 74,500



71	26	55,500	59,500	64,000	69,500	75,000
72	27	56,000	60,000	65,000	70,000	75,500
73	28	57,000	60,500	65,500	71,000	76,500
74	29	57,500	61,500	66,000	71,500	77,000
75	30	58,500	62,000	66,500	72,000	77,500
76	31	59,000	62,500	67,500	72,500	78,000
77	32	60,000	63,500	68,000	73,000	78,500
78	33		64,000	68,500	74,000	79,000
79	34		64,500	69,000	74,500	80,000
80	35		65,500	70,000	75,000	80,000
81	36		66,000	70,500	75,500	80,000
82	37		66,500	71,000	76,000	80,000
83	38		67,500	71,500	77,000	80,000
84	39		68,000	72,500	77,500	80,000
85	40		68,500	73,000	78,000	80,000
86	41		69,500	73,500	78,500	80,000
87	42		70,000	74,000	79,000	80,000
88	43		70,500	75,000	80,000	80,000
89	44		71,500	75,500	80,000	80,000
90	45		72,000	76,000	80,000	80,000
91	46		72,500	76,500	80,000	80,000
92	47		73,500	77,500	80,000	80,000
93	48		74,000	78,000	80,000	80,000
94	49		74,500	78,500	80,000	80,000
95	50		75,500	79,000	80,000	80,000



96	51	76,000	80,000	80,000	80,000
97	52	76,500	80,000	80,000	80,000
98	53	77,500	80,000	80,000	80,000
99	54	78,000	80,000	80,000	80,000
100	55	78,500	80,000	80,000	80,000
101	56	79,500	80,000	80,000	80,000
102	57	80,000	80,000	80,000	80,000

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

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



that the maximum gross vehicle weight of any such vehicle shall not exceed eighty thousand (80,000) pounds plus a tolerance thereon of not more than two percent (2%). Vehicles operating without a harvest permit loading at a point of origin having scales available for weighing the vehicle shall not be eligible for any tolerance over the gross weight limit of eighty thousand (80,000) pounds. Vehicles operating with a harvest permit shall be allowed a tolerance not to exceed ten percent (10%) above their authorized tandem or axle weight, but the maximum gross vehicle weight of any such vehicle shall not exceed eighty-four thousand (84,000) pounds. However, neither the increased weights in this subsection nor any tolerance shall be allowed on federal interstate highways or on other highways where a tolerance is specifically prohibited by the Transportation Commission, the county board of supervisors or the municipal governing authorities as provided for in Section 63-5-27. The tolerance allowed by this subsection shall only apply to the operation of vehicles from the point of loading to the point of unloading for processing, and to the operation of vehicles hauling sand, gravel, woodchips, wood shavings, sawdust, fill dirt, and agricultural products, and products for recycling or materials for the construction or repair of highways. The range of such operation shall not exceed a radius of one hundred (100) miles except where the products are being transported for processing within this state.



(4) Notwithstanding the provisions of Section 63-5-27 and/or Section 63-5-29 to the contrary, vehicles hauling prepackaged products, unloaded at a state port or to be loaded at a state port, which are containerized in such a manner as to make subdivision thereof impractical shall be allowed a gross weight of not to exceed forty thousand (40,000) pounds on any tandem, and a tolerance not to exceed ten percent (10%) above their authorized gross weight, tandem or axle weight; except that the maximum weight of any vehicle shall not exceed eighty thousand (80,000) pounds plus a tolerance thereon of not more than two percent (2%); however, neither the increased weights in this subsection nor any tolerance shall be allowed on federal interstate highways or on other highways where a tolerance is specifically prohibited by the Transportation Commission, the county board of supervisors or the municipal governing authorities as provided for in Section 63-5-27.

(5) (a) Vehicles for which a harvest permit has been issued pursuant to Section 27-19-81(4) shall be allowed a gross vehicle weight not to exceed eighty-four thousand (84,000) pounds. However, the board of supervisors of any county and the governing authorities of any municipality may designate the roads, streets and highways under their respective jurisdiction on and along which vehicles for which a harvest permit has been issued may travel. This subsection shall not apply to the federal interstate 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, 2022.

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.



(7) (a) Notwithstanding any provisions of Section 63-5-27 to the contrary, a vehicle that is operated by an engine fueled primarily by compressed or liquefied natural gas may exceed the gross vehicle weight limits not to exceed a maximum of two thousand (2,000) pounds, that is equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by the vehicle and the weight of a comparable diesel tank and fueling system.

(b) The weight exception provided in this subsection shall apply to all interstate highways per the exemption expressly permitted by 23 USC Section 127.

SECTION 2. Section 63-5-27, Mississippi Code of 1972, is brought forward 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.



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

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

313 (5) The board of supervisors of any county or the governing
314 authorities of any municipality, by appropriate resolution, may
315 impose limitations more restrictive than those permitted in this



316 section upon the county highways of such county or the streets of
317 such municipality.

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

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

323 63-5-29. On all highways of the State of Mississippi except
324 those referred to in Sections 63-5-31 and 63-5-33, and subject to
325 the limitations imposed on wheel and axle loads by Section 63-5-27
326 and to the further limitations hereinafter specified, the total
327 combined weight (vehicles plus load) on any group of axles shall
328 not exceed the value given in the following table (Table I),
329 corresponding to the distance in feet between the extreme axles of
330 the group, measured longitudinally to the nearest foot:

331	Distance in Feet Between	Maximum Load in Pounds
332	the Extreme of Any Group of Axles	Carried on any Group of Axles
333	4	28,650
334	5	29,650
335	6	30,640
336	7	31,630
337	8	32,610
338	9	33,580
339	10	34,550
340	11	35,510



341	12	36,470
342	13	37,420
343	14	38,360
344	15	39,300
345	16	40,280
346	17	41,160
347	18	42,080
348	19	42,990
349	20	43,900
350	21	44,800
351	22	45,700
352	23	46,590
353	24	47,470
354	25	48,350
355	26	49,220
356	27	50,090
357	28	50,950
358	29	51,800
359	30	52,650
360	31	53,490
361	32	54,330
362	33	55,160
363	34	55,650
364	35	56,800
365	36 and greater	57,650 maximum



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

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

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

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

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



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

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

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

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

410 63-5-31. Subject to the limitations imposed on wheel and
411 axle loads by Section 63-5-27, and to the further limitations
412 hereinafter specified, the total combined weight (vehicles plus
413 load) on any group of axles shall not exceed the value given in
414 the following table (Table II) corresponding to the distance in
415 feet between the extreme axles of the group, measured



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

423 TABLE II

424	Distance in Feet Between	Maximum Load in Pounds
425	the Extreme of Any Group of Axles	Carried on Any Group of Axles
426	4	32,000
427	5	32,000
428	6	32,000
429	7	32,000
430	8	32,610
431	9	33,779
432	10	34,942
433	11	36,097
434	12	37,246
435	13	38,387
436	14	39,522
437	15	40,649
438	16	41,770
439	17	42,883
440	18	43,990



441	19	45,089
442	20	46,182
443	21	47,267
444	22	48,346
445	23	49,417
446	24	50,482
447	25	51,539
448	26	52,590
449	27	53,633
450	28	54,670
451	29	55,699
452	30	56,722
453	31	57,737
454	32	58,746
455	33	59,747
456	34	60,742
457	35	61,729
458	36	62,710
459	37	63,683
460	38 and greater	64,650 maximum

461 Moreover, in addition to the per axle weight limitations
 462 specified by Section 63-5-27, the maximum load carried on a
 463 combination of vehicles shall be subject to the following
 464 additional limitations: The maximum load carried on any group of
 465 two (2) axles shall not exceed twenty-seven thousand (27,000)



466 pounds in instances where one or more of such axles is a driving
467 axle (that is, an axle turned by the vehicle's engine power).

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

470 **SECTION 5.** This act shall take effect and be in force from
471 and after July 1, 2020.

