

By: Representative Roberson

To: Transportation

HOUSE BILL NO. 1485

1 AN ACT TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE DATE OF THE REPEALER ON THE PROVISIONS OF LAW THAT
3 PROVIDE FOR THE MAXIMUM WEIGHT OF HARVEST PERMIT VEHICLES AND
4 REQUIRE CERTAIN HARVEST PERMIT HOLDERS TO GET PRIOR APPROVAL FOR
5 THEIR ROUTES; 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 **[Effective until July 1, 2023, this section will read as**
10 **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
121 that the maximum gross vehicle weight of any such vehicle shall
122 not exceed eighty thousand (80,000) pounds plus a tolerance
123 thereon of not more than two percent (2%). Vehicles operating
124 without a harvest permit loading at a point of origin having
125 scales available for weighing the vehicle shall not be eligible
126 for any tolerance over the gross weight limit of eighty thousand
127 (80,000) pounds. Vehicles operating with a harvest permit shall
128 be allowed a tolerance not to exceed ten percent (10%) above their
129 authorized tandem or axle weight, but the maximum gross vehicle
130 weight of any such vehicle shall not exceed eighty-four thousand
131 (84,000) pounds. However, neither the increased weights in this
132 subsection nor any tolerance shall be allowed on federal
133 interstate highways or on other highways where a tolerance is
134 specifically prohibited by the Transportation Commission, the
135 county board of supervisors or the municipal governing authorities
136 as provided for in Section 63-5-27. The tolerance allowed by this
137 subsection shall only apply to the operation of vehicles from the
138 point of loading to the point of unloading for processing, and to
139 the operation of vehicles hauling sand, gravel, woodchips, wood
140 shavings, sawdust, fill dirt, and agricultural products, and
141 products for recycling or materials for the construction or repair
142 of highways. The range of such operation shall not exceed a
143 radius of one hundred (100) miles except where the products are
144 being transported for processing within this state.



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 ten percent (10%) 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) Any time 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, * * *2025.

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

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

229 **[Effective from and after July 1, 2023, this section will**
230 **read as follows:]**

231 63-5-33. (1) Subject to the limitations imposed on wheel
232 and axle loads by Section 63-5-27, and to the further limitations
233 hereinafter specified, the total combined weight (vehicles plus
234 load) on any group of axles of a vehicle or a combination of
235 vehicles shall not exceed the value given in the following table
236 (Table III) corresponding to the distance in feet between the
237 extreme axles of the group, measured longitudinally to the nearest
238 foot, on those highways or parts of highways designated by the
239 Mississippi Transportation Commission as being capable of carrying
240 the maximum load limits and, in addition thereto, such other
241 highways or parts of highways found by the commission to be
242 suitable to carry the maximum load limits from an engineering



243 standpoint, and so designated as such by order of the commission
 244 entered upon its minutes and published once each week for three
 245 (3) consecutive weeks in a daily newspaper published in this state
 246 and having a general circulation therein. The maximum total
 247 combined weight carried on any group of two (2) or more
 248 consecutive axles shall be determined by the formula contained in
 249 the Federal Weight Law enacted January 4, 1975, as follows: $W=500$
 250 $(LN/N-1+12N+36)$ where W =maximum weight in pounds carried on any
 251 group of two (2) or more axles computed to the nearest five
 252 hundred (500) pounds, L =distance in feet between the extremes of
 253 any group of two (2) or more consecutive axles, and N =number of
 254 axles in any group under consideration.

255 TABLE III

256	DISTANCE						
257	IN FEET						
258	BETWEEN THE						
259	EXTREMES OF						
260	ANY GROUP						
261	OF 2 OR MORE						
262	CONSECUTIVE	MAXIMUM LOAD IN POUNDS CARRIED ON ANY					
263	AXLES	GROUP OF 2 OR MORE CONSECUTIVE AXLES					
264		2 axles	3 axles	4 axles	5 axles	6 axles	7 axles
265	4	34,000					
266	5	34,000					
267	6	34,000	Axle groups in				



268	7	34,000					
269	8	and					
270		less 34,000	34,000	these spacings			
271		More					
272		than					
273	8	38,000	42,000				
274	9	39,000	42,500				
275	10	40,000	43,500	impractical			
276	11		44,000				
277	12		45,000	50,000			
278	13		45,500	50,500			
279	14		46,500	51,500			
280	15		47,000	52,000			
281	16		48,000	52,500	58,000		
282	17		48,500	53,500	58,500		
283	18		49,500	54,000	59,000		
284	19		50,000	54,500	60,000		
285	20		51,000	55,500	60,500	66,000	
286	21		51,500	56,000	61,000	66,500	
287	22		52,500	56,500	61,500	67,000	
288	23		53,000	57,500	62,500	68,000	
289	24		54,000	58,000	63,000	68,500	74,000
290	25		54,500	58,500	63,500	69,000	74,500
291	26		55,500	59,500	64,000	69,500	75,000
292	27		56,000	60,000	65,000	70,000	75,500



293	28	57,000	60,500	65,500	71,000	76,500
294	29	57,500	61,500	66,000	71,500	77,000
295	30	58,500	62,000	66,500	72,000	77,500
296	31	59,000	62,500	67,500	72,500	78,000
297	32	60,000	63,500	68,000	73,000	78,500
298	33		64,000	68,500	74,000	79,000
299	34		64,500	69,000	74,500	80,000
300	35		65,500	70,000	75,000	80,000
301	36		66,000	70,500	75,500	80,000
302	37		66,500	71,000	76,000	80,000
303	38		67,500	71,500	77,000	80,000
304	39		68,000	72,500	77,500	80,000
305	40		68,500	73,000	78,000	80,000
306	41		69,500	73,500	78,500	80,000
307	42		70,000	74,000	79,000	80,000
308	43		70,500	75,000	80,000	80,000
309	44		71,500	75,500	80,000	80,000
310	45		72,000	76,000	80,000	80,000
311	46		72,500	76,500	80,000	80,000
312	47		73,500	77,500	80,000	80,000
313	48		74,000	78,000	80,000	80,000
314	49		74,500	78,500	80,000	80,000
315	50		75,500	79,000	80,000	80,000
316	51		76,000	80,000	80,000	80,000
317	52		76,500	80,000	80,000	80,000



318	53	77,500	80,000	80,000	80,000
319	54	78,000	80,000	80,000	80,000
320	55	78,500	80,000	80,000	80,000
321	56	79,500	80,000	80,000	80,000
322	57	80,000	80,000	80,000	80,000

323 (2) Moreover, in addition to the per axle weight limitations
324 specified by Section 63-5-27, two (2) consecutive sets of tandem
325 axles may carry a gross load of thirty-four thousand (34,000)
326 pounds each, providing that the overall distance between the first
327 and last axles of such consecutive sets of tandem axles is
328 thirty-six (36) feet or more, except that, until September 1,
329 1989, the axle distance for tank trailers, dump trailers and ocean
330 transport container haulers may be thirty (30) feet or more. Such
331 overall gross weight may not exceed eighty thousand (80,000)
332 pounds, except as provided by this section.

333 (3) Notwithstanding the provisions of Section 63-5-27 and/or
334 Section 63-5-29 to the contrary, vehicles hauling products in the
335 manner set forth in this subsection, whether or not such vehicles
336 are operating with a harvest permit, shall be allowed a gross
337 weight of not to exceed forty thousand (40,000) pounds on any
338 tandem. Vehicles operating without a harvest permit shall be
339 allowed a tolerance not to exceed five percent (5%) above their
340 authorized gross vehicle weight, tandem or axle weight; except
341 that the maximum gross vehicle weight of any such vehicle shall
342 not exceed eighty thousand (80,000) pounds plus a tolerance



343 thereon of not more than two percent (2%). Vehicles operating
344 without a harvest permit loading at a point of origin having
345 scales available for weighing the vehicle shall not be eligible
346 for any tolerance over the gross weight limit of eighty thousand
347 (80,000) pounds. Vehicles operating with a harvest permit shall
348 be allowed a tolerance not to exceed ten percent (10%) above their
349 authorized gross vehicle weight, tandem or axle weight, but the
350 maximum gross vehicle weight of any such vehicle shall not exceed
351 eighty-eight thousand (88,000) pounds. However, neither the
352 increased weights in this subsection nor any tolerance shall be
353 allowed on federal interstate highways or on other highways where
354 a tolerance is specifically prohibited by the Transportation
355 Commission, the county board of supervisors or the municipal
356 governing authorities as provided for in Section 63-5-27. The
357 tolerance allowed by this subsection shall only apply to the
358 operation of vehicles from the point of loading to the point of
359 unloading for processing, and to the operation of vehicles hauling
360 sand, gravel, woodchips, wood shavings, sawdust, fill dirt, and
361 agricultural products, and products for recycling or materials for
362 the construction or repair of highways. The range of such
363 operation shall not exceed a radius of one hundred (100) miles
364 except where the products are being transported for processing
365 within this state.

366 (4) Notwithstanding the provisions of Section 63-5-27 and/or
367 Section 63-5-29 to the contrary, vehicles hauling prepackaged



368 products, unloaded at a state port or to be loaded at a state
369 port, which are containerized in such a manner as to make
370 subdivision thereof impractical shall be allowed a gross weight of
371 not to exceed forty thousand (40,000) pounds on any tandem, and a
372 tolerance not to exceed ten percent (10%) above their authorized
373 gross weight, tandem or axle weight; except that the maximum
374 weight of any vehicle shall not exceed eighty thousand (80,000)
375 pounds plus a tolerance thereon of not more than two percent (2%);
376 however, neither the increased weights in this subsection nor any
377 tolerance shall be allowed on federal interstate highways or on
378 other highways where a tolerance is specifically prohibited by the
379 Transportation Commission, the county board of supervisors or the
380 municipal governing authorities as provided for in Section
381 63-5-27.

382 (5) (a) Vehicles for which a harvest permit has been issued
383 pursuant to Section 27-19-81(4) shall be allowed a gross vehicle
384 weight tolerance of ten percent (10%), not to exceed eighty-eight
385 thousand (88,000) pounds. However, the board of supervisors of
386 any county and the governing authorities of any municipality may
387 designate the roads, streets and highways under their respective
388 jurisdiction on and along which vehicles for which a harvest
389 permit has been issued may travel. This subsection shall not
390 apply to the federal interstate system.

391 (b) Any owner or operator who has been issued a harvest
392 permit and who wishes to operate a vehicle on the roads, streets



393 or highways under the jurisdiction of a county or municipality at
394 a gross vehicle weight greater than the weight allowed by law or
395 greater than the maximum weight established for such roads,
396 streets or highways by the board of supervisors or municipal
397 governing authorities, shall notify, in writing, the board of
398 supervisors or the governing authorities, as the case may be,
399 before operating such vehicle on the roads, streets or highways of
400 such county or municipality. In his notice, the permit holder
401 shall identify the routes over which he intends to operate
402 vehicles for which the permit has been issued and the dates or
403 time period during which he will be operating such vehicles. The
404 board of supervisors or the governing authorities, as the case may
405 be, shall have two (2) working days to respond in writing to the
406 permit holder to notify the permit holder of the routes on and
407 along which the permit holder may operate vehicles for which a
408 harvest permit has been issued. Failure of the board of
409 supervisors or the governing authorities timely to notify the
410 permit holder and to designate the routes on and along which the
411 permit holder may operate shall be considered as authorizing the
412 permit holder to operate on any of the roads, streets or highways
413 of the county or municipality in accordance with the authority
414 granted to the permit holder by the harvest permit.

415 (c) Any time a timber deed is filed with the chancery
416 clerk, the grantee, at that time, may make a written request of
417 the board of supervisors of the county or the governing



418 authorities of the municipality, as the case may be, for the
419 purpose of providing to the grantee, within three (3) working days
420 of the filing of the request, a designated and approved route over
421 the roads, streets or highways under the jurisdiction of the
422 county or city, as the case may be, that the grantee may travel
423 for the purpose of transporting harvested timber. Upon providing
424 such route designation, the county or city, as the case may be,
425 shall also provide to the grantee a map designating the approved
426 route. An approved route designation provided to a grantee under
427 the provisions of this paragraph shall be valid for a period of
428 six (6) months from its date of issue. The permit authorized to
429 be issued under paragraph (b) of this subsection shall not be
430 required for any person who obtains a permit issued under this
431 paragraph.

432 (d) This subsection (5) shall stand repealed from and
433 after July 1, * * *2025.

434 (6) Nothing in this section or subsections (1) through (4)
435 of Section 63-5-27 shall be construed to deny the operation of any
436 vehicle or combination of vehicles that could be lawfully operated
437 upon the interstate highway system of this state on January 4,
438 1975.

439 (7) (a) Notwithstanding any provisions of Section 63-5-27
440 to the contrary, a vehicle that is operated by an engine fueled
441 primarily by compressed or liquefied natural gas may exceed the
442 gross vehicle weight limits by an amount, not to exceed a maximum



443 of two thousand (2,000) pounds, that is equal to the difference
444 between the weight of the vehicle attributable to the natural gas
445 tank and fueling system carried by the vehicle and the weight of a
446 comparable diesel tank and fueling system.

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

450 **SECTION 2.** This act shall take effect and be in force from
451 and after July 1, 2022.

