

By: Senator(s) Branning, Sparks

To: Highways and
Transportation

SENATE BILL NO. 2480

1 AN ACT TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972, TO
 2 REMOVE THE REPEALER ON THE PROVISIONS OF LAW ALLOWING A GROSS
 3 VEHICLE WEIGHT TOLERANCE OF 10%, NOT TO EXCEED 88,000 POUNDS, FOR
 4 VEHICLES FOR WHICH A HARVEST PERMIT HAS BEEN ISSUED, AND SETTING
 5 PROCEDURES BY WHICH HARVEST PERMIT HOLDERS AND TIMBER DEED
 6 GRANTEES MAY PETITION LOCAL AUTHORITIES FOR THE USE OF CERTAIN
 7 ROADWAYS; TO CONFORM THE LIST OF PRODUCTS HAULED FOR WHICH A
 8 WEIGHT TOLERANCE IS GRANTED TO THE LIST OF PRODUCTS HAULED FOR
 9 WHICH A HARVEST PERMIT MAY BE ISSUED UNDER SECTION 27-19-81(4); TO
 10 AMEND SECTION 27-19-81, MISSISSIPPI CODE OF 1972, TO REMOVE THE
 11 REPEALER ON THE PROVISION OF LAW AUTHORIZING THE ISSUANCE OF
 12 HARVEST PERMITS FOR CERTAIN VEHICLES; AND FOR RELATED PURPOSES.

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

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

16 **[Effective until July 1, 2023, this section will read as**
 17 **follows:]**

18 63-5-33. (1) Subject to the limitations imposed on wheel
 19 and axle loads by Section 63-5-27, and to the further limitations
 20 hereinafter specified, the total combined weight (vehicles plus
 21 load) on any group of axles of a vehicle or a combination of
 22 vehicles shall not exceed the value given in the following table
 23 (Table III) corresponding to the distance in feet between the



24 extreme axles of the group, measured longitudinally to the nearest
25 foot, on those highways or parts of highways designated by the
26 Mississippi Transportation Commission as being capable of carrying
27 the maximum load limits and, in addition thereto, such other
28 highways or parts of highways found by the commission to be
29 suitable to carry the maximum load limits from an engineering
30 standpoint, and so designated as such by order of the commission
31 entered upon its minutes and published once each week for three
32 (3) consecutive weeks in a daily newspaper published in this state
33 and having a general circulation therein. The maximum total
34 combined weight carried on any group of two (2) or more
35 consecutive axles shall be determined by the formula contained in
36 the Federal Weight Law enacted January 4, 1975, as follows: $W=500$
37 $(LN/N-1+12N+36)$ where W =maximum weight in pounds carried on any
38 group of two (2) or more axles computed to the nearest five
39 hundred (500) pounds, L =distance in feet between the extremes of
40 any group of two (2) or more consecutive axles, and N =number of
41 axles in any group under consideration.

42 TABLE III

43 DISTANCE
44 IN FEET
45 BETWEEN THE
46 EXTREMES OF
47 ANY GROUP
48 OF 2 OR MORE



49	CONSECUTIVE	MAXIMUM LOAD IN POUNDS CARRIED ON ANY					
50	AXLES	GROUP OF 2 OR MORE CONSECUTIVE AXLES					
51		2 axles	3 axles	4 axles	5 axles	6 axles	7 axles
52	4	34,000					
53	5	34,000					
54	6	34,000		Axle groups in			
55	7	34,000					
56	8 and						
57	less	34,000	34,000	these spacings			
58	More						
59	than						
60	8	38,000	42,000				
61	9	39,000	42,500				
62	10	40,000	43,500	impractical			
63	11		44,000				
64	12		45,000	50,000			
65	13		45,500	50,500			
66	14		46,500	51,500			
67	15		47,000	52,000			
68	16		48,000	52,500	58,000		
69	17		48,500	53,500	58,500		
70	18		49,500	54,000	59,000		
71	19		50,000	54,500	60,000		
72	20		51,000	55,500	60,500	66,000	
73	21		51,500	56,000	61,000	66,500	



74	22	52,500	56,500	61,500	67,000	
75	23	53,000	57,500	62,500	68,000	
76	24	54,000	58,000	63,000	68,500	74,000
77	25	54,500	58,500	63,500	69,000	74,500
78	26	55,500	59,500	64,000	69,500	75,000
79	27	56,000	60,000	65,000	70,000	75,500
80	28	57,000	60,500	65,500	71,000	76,500
81	29	57,500	61,500	66,000	71,500	77,000
82	30	58,500	62,000	66,500	72,000	77,500
83	31	59,000	62,500	67,500	72,500	78,000
84	32	60,000	63,500	68,000	73,000	78,500
85	33		64,000	68,500	74,000	79,000
86	34		64,500	69,000	74,500	80,000
87	35		65,500	70,000	75,000	80,000
88	36		66,000	70,500	75,500	80,000
89	37		66,500	71,000	76,000	80,000
90	38		67,500	71,500	77,000	80,000
91	39		68,000	72,500	77,500	80,000
92	40		68,500	73,000	78,000	80,000
93	41		69,500	73,500	78,500	80,000
94	42		70,000	74,000	79,000	80,000
95	43		70,500	75,000	80,000	80,000
96	44		71,500	75,500	80,000	80,000
97	45		72,000	76,000	80,000	80,000
98	46		72,500	76,500	80,000	80,000



99	47	73,500	77,500	80,000	80,000
100	48	74,000	78,000	80,000	80,000
101	49	74,500	78,500	80,000	80,000
102	50	75,500	79,000	80,000	80,000
103	51	76,000	80,000	80,000	80,000
104	52	76,500	80,000	80,000	80,000
105	53	77,500	80,000	80,000	80,000
106	54	78,000	80,000	80,000	80,000
107	55	78,500	80,000	80,000	80,000
108	56	79,500	80,000	80,000	80,000
109	57	80,000	80,000	80,000	80,000

110 (2) Moreover, in addition to the per axle weight limitations
111 specified by Section 63-5-27, two (2) consecutive sets of tandem
112 axles may carry a gross load of thirty-four thousand (34,000)
113 pounds each, providing that the overall distance between the first
114 and last axles of such consecutive sets of tandem axles is
115 thirty-six (36) feet or more, except that, until September 1,
116 1989, the axle distance for tank trailers, dump trailers and ocean
117 transport container haulers may be thirty (30) feet or more. Such
118 overall gross weight may not exceed eighty thousand (80,000)
119 pounds, except as provided by this section.

120 (3) Notwithstanding the provisions of Section 63-5-27 and/or
121 Section 63-5-29 to the contrary, vehicles hauling products in the
122 manner set forth in this subsection, whether or not such vehicles
123 are operating with a harvest permit, shall be allowed a gross



124 weight of not to exceed forty thousand (40,000) pounds on any
125 tandem. Vehicles operating without a harvest permit shall be
126 allowed a tolerance not to exceed five percent (5%) above their
127 authorized gross vehicle weight, tandem or axle weight; except
128 that the maximum gross vehicle weight of any such vehicle shall
129 not exceed eighty thousand (80,000) pounds plus a tolerance
130 thereon of not more than two percent (2%). Vehicles operating
131 without a harvest permit loading at a point of origin having
132 scales available for weighing the vehicle shall not be eligible
133 for any tolerance over the gross weight limit of eighty thousand
134 (80,000) pounds. Vehicles operating with a harvest permit shall
135 be allowed a tolerance not to exceed ten percent (10%) above their
136 authorized tandem or axle weight, but the maximum gross vehicle
137 weight of any such vehicle shall not exceed eighty-four thousand
138 (84,000) pounds. However, neither the increased weights in this
139 subsection nor any tolerance shall be allowed on federal
140 interstate highways or on other highways where a tolerance is
141 specifically prohibited by the Transportation Commission, the
142 county board of supervisors or the municipal governing authorities
143 as provided for in Section 63-5-27. The tolerance allowed by this
144 subsection shall only apply to the operation of vehicles from the
145 point of loading to the point of unloading for processing, and to
146 the operation of vehicles hauling sand, gravel, woodchips, wood
147 shavings, sawdust, fill dirt, * * * agricultural products, * * *
148 bulk feed, wood pellets or unprocessed forestry products. The



149 range of such operation shall not exceed a radius of one hundred
150 (100) miles except where the products are being transported for
151 processing within this state.

152 (4) Notwithstanding the provisions of Section 63-5-27 and/or
153 Section 63-5-29 to the contrary, vehicles hauling prepackaged
154 products, unloaded at a state port or to be loaded at a state
155 port, which are containerized in such a manner as to make
156 subdivision thereof impractical shall be allowed a gross weight of
157 not to exceed forty thousand (40,000) pounds on any tandem, and a
158 tolerance not to exceed ten percent (10%) above their authorized
159 gross weight, tandem or axle weight; except that the maximum
160 weight of any vehicle shall not exceed eighty thousand (80,000)
161 pounds plus a tolerance thereon of not more than two percent (2%);
162 however, neither the increased weights in this subsection nor any
163 tolerance shall be allowed on federal interstate highways or on
164 other highways where a tolerance is specifically prohibited by the
165 Transportation Commission, the county board of supervisors or the
166 municipal governing authorities as provided for in Section
167 63-5-27.

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



174 which vehicles for which a harvest permit has been issued may
175 travel. This subsection shall not apply to the federal interstate
176 system.

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



199 of the county or municipality in accordance with the authority
200 granted to the permit holder by the harvest permit.

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

218 * * *

219 (6) Nothing in this section or subsections (1) through (4)
220 of Section 63-5-27 shall be construed to deny the operation of any
221 vehicle or combination of vehicles that could be lawfully operated
222 upon the interstate highway system of this state on January 4,
223 1975.



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

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

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

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



249 standpoint, and so designated as such by order of the commission
 250 entered upon its minutes and published once each week for three
 251 (3) consecutive weeks in a daily newspaper published in this state
 252 and having a general circulation therein. The maximum total
 253 combined weight carried on any group of two (2) or more
 254 consecutive axles shall be determined by the formula contained in
 255 the Federal Weight Law enacted January 4, 1975, as follows: $W=500$
 256 $(LN/N-1+12N+36)$ where W =maximum weight in pounds carried on any
 257 group of two (2) or more axles computed to the nearest five
 258 hundred (500) pounds, L =distance in feet between the extremes of
 259 any group of two (2) or more consecutive axles, and N =number of
 260 axles in any group under consideration.

261 TABLE III

262	DISTANCE						
263	IN FEET						
264	BETWEEN THE						
265	EXTREMES OF						
266	ANY GROUP						
267	OF 2 OR MORE						
268	CONSECUTIVE	MAXIMUM LOAD IN POUNDS CARRIED ON ANY					
269	AXLES	GROUP OF 2 OR MORE CONSECUTIVE AXLES					
270		2 axles	3 axles	4 axles	5 axles	6 axles	7 axles
271	4	34,000					
272	5	34,000					
273	6	34,000					Axle groups in



274	7	34,000					
275	8	and					
276		less 34,000	34,000	these spacings			
277		More					
278		than					
279	8	38,000	42,000				
280	9	39,000	42,500				
281	10	40,000	43,500	impractical			
282	11		44,000				
283	12		45,000	50,000			
284	13		45,500	50,500			
285	14		46,500	51,500			
286	15		47,000	52,000			
287	16		48,000	52,500	58,000		
288	17		48,500	53,500	58,500		
289	18		49,500	54,000	59,000		
290	19		50,000	54,500	60,000		
291	20		51,000	55,500	60,500	66,000	
292	21		51,500	56,000	61,000	66,500	
293	22		52,500	56,500	61,500	67,000	
294	23		53,000	57,500	62,500	68,000	
295	24		54,000	58,000	63,000	68,500	74,000
296	25		54,500	58,500	63,500	69,000	74,500
297	26		55,500	59,500	64,000	69,500	75,000
298	27		56,000	60,000	65,000	70,000	75,500



299	28	57,000	60,500	65,500	71,000	76,500
300	29	57,500	61,500	66,000	71,500	77,000
301	30	58,500	62,000	66,500	72,000	77,500
302	31	59,000	62,500	67,500	72,500	78,000
303	32	60,000	63,500	68,000	73,000	78,500
304	33		64,000	68,500	74,000	79,000
305	34		64,500	69,000	74,500	80,000
306	35		65,500	70,000	75,000	80,000
307	36		66,000	70,500	75,500	80,000
308	37		66,500	71,000	76,000	80,000
309	38		67,500	71,500	77,000	80,000
310	39		68,000	72,500	77,500	80,000
311	40		68,500	73,000	78,000	80,000
312	41		69,500	73,500	78,500	80,000
313	42		70,000	74,000	79,000	80,000
314	43		70,500	75,000	80,000	80,000
315	44		71,500	75,500	80,000	80,000
316	45		72,000	76,000	80,000	80,000
317	46		72,500	76,500	80,000	80,000
318	47		73,500	77,500	80,000	80,000
319	48		74,000	78,000	80,000	80,000
320	49		74,500	78,500	80,000	80,000
321	50		75,500	79,000	80,000	80,000
322	51		76,000	80,000	80,000	80,000
323	52		76,500	80,000	80,000	80,000



324	53	77,500	80,000	80,000	80,000
325	54	78,000	80,000	80,000	80,000
326	55	78,500	80,000	80,000	80,000
327	56	79,500	80,000	80,000	80,000
328	57	80,000	80,000	80,000	80,000

329 (2) Moreover, in addition to the per axle weight limitations
330 specified by Section 63-5-27, two (2) consecutive sets of tandem
331 axles may carry a gross load of thirty-four thousand (34,000)
332 pounds each, providing that the overall distance between the first
333 and last axles of such consecutive sets of tandem axles is
334 thirty-six (36) feet or more, except that, until September 1,
335 1989, the axle distance for tank trailers, dump trailers and ocean
336 transport container haulers may be thirty (30) feet or more. Such
337 overall gross weight may not exceed eighty thousand (80,000)
338 pounds, except as provided by this section.

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



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

371 (4) Notwithstanding the provisions of Section 63-5-27 and/or
372 Section 63-5-29 to the contrary, vehicles hauling prepackaged
373 products, unloaded at a state port or to be loaded at a state



374 port, which are containerized in such a manner as to make
375 subdivision thereof impractical shall be allowed a gross weight of
376 not to exceed forty thousand (40,000) pounds on any tandem, and a
377 tolerance not to exceed ten percent (10%) above their authorized
378 gross weight, tandem or axle weight; except that the maximum
379 weight of any vehicle shall not exceed eighty thousand (80,000)
380 pounds plus a tolerance thereon of not more than two percent (2%);
381 however, neither the increased weights in this subsection nor any
382 tolerance shall be allowed on federal interstate highways or on
383 other highways where a tolerance is specifically prohibited by the
384 Transportation Commission, the county board of supervisors or the
385 municipal governing authorities as provided for in Section
386 63-5-27.

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

396 (b) Any owner or operator who has been issued a harvest
397 permit and who wishes to operate a vehicle on the roads, streets
398 or highways under the jurisdiction of a county or municipality at



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

420 (c) Any time a timber deed is filed with the chancery
421 clerk, the grantee, at that time, may make a written request of
422 the board of supervisors of the county or the governing
423 authorities of the municipality, as the case may be, for the



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

437 * * *

438 (6) Nothing in this section or subsections (1) through (4)
439 of Section 63-5-27 shall be construed to deny the operation of any
440 vehicle or combination of vehicles that could be lawfully operated
441 upon the interstate highway system of this state on January 4,
442 1975.

443 (7) (a) Notwithstanding any provisions of Section 63-5-27
444 to the contrary, a vehicle that is operated by an engine fueled
445 primarily by compressed or liquefied natural gas may exceed the
446 gross vehicle weight limits by an amount, not to exceed a maximum
447 of two thousand (2,000) pounds, that is equal to the difference
448 between the weight of the vehicle attributable to the natural gas



449 tank and fueling system carried by the vehicle and the weight of a
450 comparable diesel tank and fueling system.

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

454 **SECTION 2.** Section 27-19-81, Mississippi Code of 1972, is
455 amended as follows:

456 27-19-81. (1) No vehicle shall be registered by the
457 Department of Revenue or by a tax collector, and no license tag
458 whatsoever shall be issued therefor, where the gross weight of
459 such vehicle exceeds the limits provided by law. In the event of
460 an emergency requiring the hauling of a greater gross weight than
461 permitted by law, the owner or operator of such vehicle shall
462 obtain an excess weight authorization from the Mississippi
463 Department of Transportation or local authority having
464 jurisdiction of the particular road, street or highway before
465 operating such vehicle on the highways of this state to haul such
466 a gross weight over a route to be designated by the aforesaid
467 department. It shall then be necessary for the owner or operator
468 of the vehicle to obtain a permit from the Transportation
469 Department, which shall be issued by the department under the same
470 provisions as are provided for the issuance of trip permits under
471 Section 27-19-79, but which permit shall likewise be obtained
472 prior to the operation of such vehicle on the highways. No
473 persons or agencies other than the Mississippi Department of



474 Transportation shall have authority to issue the permits provided
475 for in this section. The fee to be charged for such permits shall
476 be computed in the same manner provided in Section 27-19-79 for
477 each one thousand (1,000) pounds, or fractional part thereof, of
478 gross weight above the licensed capacity of the vehicle, up to the
479 maximum legal weights provided by this article on the roads to be
480 traveled.

481 This subsection shall apply, but not be limited to, any
482 tractor, road roller or road machinery used solely and
483 specifically in road building or other highway construction or
484 maintenance work.

485 For each one thousand (1,000) pounds, or fractional part
486 thereof, in excess of the weight authorized by Sections 63-5-29
487 and 63-5-33 for any such vehicle or in excess of the limits set by
488 the Transportation Department for specified roads and bridges, the
489 fee shall be Five Cents (5¢) per one thousand (1,000) pounds, or
490 fractional part thereof, for each mile traveled upon the highways
491 of the state, except that the fee for manufactured housing modular
492 units, residential or commercial, shall be Two Cents (2¢) per one
493 thousand (1,000) pounds, or fractional part thereof, for each mile
494 traveled upon the highways of the state. Provided, however, no
495 permit shall be issued for a fee of less than Ten Dollars
496 (\$10.00).

497 The Transportation Department may provide for an annual
498 permit which will allow preapproved vehicles and loads to travel



499 predesignated routes with self-issued permits. Under such
500 self-issuance authority, the owner of the vehicle shall complete
501 the permit in a format designated by the department,
502 electronically transmit a copy to the department prior to the
503 move, and ensure that a copy is in the possession of the operator.
504 Vehicles having a gross weight exceeding the limits provided by
505 law that have a nondivisible gross vehicle weight of ninety-five
506 thousand (95,000) pounds or less, which are otherwise legal, shall
507 not be restricted as to the hours of the day such vehicles may be
508 operated on predesignated routes. The department shall bill the
509 vehicle owner according to the provisions of the preceding
510 paragraph. The department is authorized to modify predesignated
511 routes at any time for cause, such as highway construction or
512 hazardous highway conditions. The annual fee for the
513 self-issuance permit authority obtained pursuant to this paragraph
514 shall be Five Hundred Dollars (\$500.00) per owner, regardless of
515 the number of vehicles which he will operate pursuant to such
516 permit, in addition to any other fees required by this section.
517 Any vehicle and load being operated pursuant to this paragraph for
518 which the operator does not have the permit or a copy thereof in
519 his possession, or for which a copy of the permit was not
520 electronically transmitted to the department, shall be deemed not
521 to have a permit and shall be penalized accordingly.

522 It shall not be necessary for the owner or operator of a
523 vehicle to obtain a permit pursuant to this subsection if such



524 owner or operator has obtained for his vehicle an annual special
525 permit for vehicles transporting heavy equipment pursuant to
526 Section 63-5-52.

527 (2) Before operating a vehicle where the size of the load
528 being hauled is in excess of that permitted by law, the owner or
529 operator of such vehicle shall obtain excess size authorization
530 from the Transportation Department or proper local authority and
531 an excess size permit from the Transportation Department. Such
532 excess size permit shall be issued by the Mississippi Department
533 of Transportation under the same provisions as are provided for
534 the issuance of trip permits under Section 27-19-79, and it shall
535 be obtained prior to the operation of such vehicle on the
536 highways. The fee to be charged for such excess size permit shall
537 be Ten Dollars (\$10.00) per trip. Such permits may be issued for
538 an extended period of time and must coincide with the expiration
539 date and other provisions of the carrier's permit or authorization
540 issued by the Transportation Department or local authority. The
541 fee for such extended permits shall be based upon an annual fee of
542 One Hundred Dollars (\$100.00) per carrier. No permit shall be
543 issued under this subsection if the issuance of the permit would
544 violate federal law or would cause the State of Mississippi to
545 lose federal aid funds. This subsection shall not apply to any
546 tractor, road roller or road machinery used solely and
547 specifically in road building or other highway construction or
548 maintenance work or to any machinery or equipment operated on the



549 highways or transported thereon in the course of normal farming
550 activities, including cotton module transporters.

551 (3) The Executive Director of the Mississippi Department of
552 Transportation may authorize certain carriers of property to issue
553 overweight and/or oversize permits for vehicles owned or operated
554 by such carriers, provided such carriers have blanket
555 authorization from the Transportation Commission and also meet
556 other requirements established by the Transportation Commission.

557 (4) The owner or operator of a vehicle hauling sand, gravel,
558 woodchips, wood shavings, sawdust, fill dirt, agricultural
559 products, bulk feed, wood pellets or unprocessed forestry products
560 may apply to the Mississippi Department of Transportation for a
561 harvest permit for the purpose of authorizing any such vehicles to
562 operate on the highways in this state (other than the federal
563 interstate system or those highways designated by the Mississippi
564 Department of Transportation as not capable of carrying more than
565 fifty-seven thousand six hundred fifty (57,650) pounds at the
566 maximum gross weight specified in Section 63-5-33). Harvest
567 permits may be issued and are valid to permit any such vehicle to
568 be operated on a highway in this state that has been designated by
569 the Mississippi Department of Transportation as not capable of
570 carrying more than fifty-seven thousand six hundred fifty (57,650)
571 pounds only if such vehicle operates in compliance with the
572 provisions of Section 63-5-29(3)(b). A fee of Twenty-five Dollars
573 (\$25.00) shall be charged for each permit issued. The permit



574 shall be in the form of a decal which shall be affixed to each
575 permitted vehicle on the upper left corner of the windshield on
576 the driver's side. Each permit shall expire one (1) year from its
577 date of issue. The fees collected under this subsection shall be
578 deposited into a special fund that is created in the State
579 Treasury. Monies in the fund shall be allocated and distributed
580 quarterly, beginning September 30, 1994, to each of the counties
581 of the state on an equal basis. Monies distributed to the
582 counties under this subsection shall be deposited in each county's
583 road and bridge fund and may be expended, upon approval of the
584 board of supervisors, for any purpose for which county road and
585 bridge fund monies lawfully may be expended. * * *

586 (5) Any owner or operator who has met the requirements set
587 by the Mississippi Transportation Commission may defer payment of
588 permits issued by the department until the end of the current
589 month. If full payment is not received by the twentieth of the
590 following month, there may be added as damages to the total amount
591 of the delinquency or deficiency the following percentages: ten
592 percent (10%) for the first offense; fifteen percent (15%) for the
593 second offense; and twenty-five percent (25%) for the third and
594 any subsequent offense. Upon the third offense, the department
595 may suspend the privilege to defer payment. The balance due shall
596 become payable upon notice and demand by the department.

597 (6) The permit fee monies collected under this section,
598 except as provided for in subsection (4) of this section, shall be



599 deposited into the State Highway Fund for the construction,
600 maintenance and reconstruction of highways and roads of the State
601 of Mississippi or the payment of interest and principal on bonds
602 authorized by the Legislature for construction and reconstruction
603 of highways.

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

608 (8) The Mississippi Department of Transportation and any
609 other law enforcement agency authorized to perform escort of a
610 vehicle designated as a superload vehicle pursuant to regulations
611 of the Mississippi Department of Transportation may charge a
612 reasonable fee to perform the escort of superload vehicles. The
613 fee charged for escort will be collected by the agency performing
614 the escort.

615 **SECTION 3.** This act shall take effect and be in force from
616 and after July 1, 2022.

