

By: Representative Busby

To: Transportation

HOUSE BILL NO. 1473

1 AN ACT TO BRING FORWARD SECTION 63-5-33, MISSISSIPPI CODE OF
2 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED
3 PURPOSES.

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

5 **SECTION 1.** Section 63-5-33, Mississippi Code of 1972, is
6 brought forward as follows:

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

9 63-5-33. (1) Subject to the limitations imposed on wheel
10 and axle loads by Section 63-5-27, and to the further limitations
11 hereinafter specified, the total combined weight (vehicles plus
12 load) on any group of axles of a vehicle or a combination of
13 vehicles shall not exceed the value given in the following table
14 (Table III) corresponding to the distance in feet between the
15 extreme axles of the group, measured longitudinally to the nearest
16 foot, on those highways or parts of highways designated by the
17 Mississippi Transportation Commission as being capable of carrying
18 the maximum load limits and, in addition thereto, such other



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

33 TABLE III

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



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



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



94	51	76,000	80,000	80,000	80,000
95	52	76,500	80,000	80,000	80,000
96	53	77,500	80,000	80,000	80,000
97	54	78,000	80,000	80,000	80,000
98	55	78,500	80,000	80,000	80,000
99	56	79,500	80,000	80,000	80,000
100	57	80,000	80,000	80,000	80,000

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

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



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.



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



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

209 (d) This subsection (5) shall stand repealed from and
210 after July 1, 2025.

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

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

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



266	7	34,000				
267	8	and				
268		less 34,000	34,000	these spacings		
269		More				
270		than				
271	8	38,000	42,000			
272	9	39,000	42,500			
273	10	40,000	43,500	impractical		
274	11		44,000			
275	12		45,000	50,000		
276	13		45,500	50,500		
277	14		46,500	51,500		
278	15		47,000	52,000		
279	16		48,000	52,500	58,000	
280	17		48,500	53,500	58,500	
281	18		49,500	54,000	59,000	
282	19		50,000	54,500	60,000	
283	20		51,000	55,500	60,500	66,000
284	21		51,500	56,000	61,000	66,500
285	22		52,500	56,500	61,500	67,000
286	23		53,000	57,500	62,500	68,000
287	24		54,000	58,000	63,000	68,500 74,000
288	25		54,500	58,500	63,500	69,000 74,500
289	26		55,500	59,500	64,000	69,500 75,000
290	27		56,000	60,000	65,000	70,000 75,500



291	28	57,000	60,500	65,500	71,000	76,500
292	29	57,500	61,500	66,000	71,500	77,000
293	30	58,500	62,000	66,500	72,000	77,500
294	31	59,000	62,500	67,500	72,500	78,000
295	32	60,000	63,500	68,000	73,000	78,500
296	33		64,000	68,500	74,000	79,000
297	34		64,500	69,000	74,500	80,000
298	35		65,500	70,000	75,000	80,000
299	36		66,000	70,500	75,500	80,000
300	37		66,500	71,000	76,000	80,000
301	38		67,500	71,500	77,000	80,000
302	39		68,000	72,500	77,500	80,000
303	40		68,500	73,000	78,000	80,000
304	41		69,500	73,500	78,500	80,000
305	42		70,000	74,000	79,000	80,000
306	43		70,500	75,000	80,000	80,000
307	44		71,500	75,500	80,000	80,000
308	45		72,000	76,000	80,000	80,000
309	46		72,500	76,500	80,000	80,000
310	47		73,500	77,500	80,000	80,000
311	48		74,000	78,000	80,000	80,000
312	49		74,500	78,500	80,000	80,000
313	50		75,500	79,000	80,000	80,000
314	51		76,000	80,000	80,000	80,000
315	52		76,500	80,000	80,000	80,000



316	53	77,500	80,000	80,000	80,000
317	54	78,000	80,000	80,000	80,000
318	55	78,500	80,000	80,000	80,000
319	56	79,500	80,000	80,000	80,000
320	57	80,000	80,000	80,000	80,000

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

331 (3) Notwithstanding the provisions of Section 63-5-27 and/or
 332 Section 63-5-29 to the contrary, vehicles hauling products in the
 333 manner set forth in this subsection, whether or not such vehicles
 334 are operating with a harvest permit, shall be allowed a gross
 335 weight of not to exceed forty thousand (40,000) pounds on any
 336 tandem. Vehicles operating without a harvest permit shall be
 337 allowed a tolerance not to exceed five percent (5%) above their
 338 authorized gross vehicle weight, tandem or axle weight; except
 339 that the maximum gross vehicle weight of any such vehicle shall
 340 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 gross vehicle weight, tandem or axle weight, but the maximum gross vehicle weight of any such vehicle shall not exceed eighty-eight thousand (88,000) 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



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

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

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



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

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



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

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

(6) Nothing in this section or subsections (1) through (4) of Section 63-5-27 shall be construed to deny the operation of any vehicle or combination of vehicles that could be lawfully operated upon the interstate highway system of this state on January 4, 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 by an amount, not to exceed a maximum



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

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

448 **SECTION 2.** This act shall take effect and be in force from
449 and after July 1, 2023.

