

2019 Regular Session

HOUSE BILL NO. 164

BY REPRESENTATIVE FRANKLIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MTR VEHICLE/TRUCK REGS: Provides relative to dump trucks

1 AN ACT

2 To amend and reenact R.S. 32:388(B)(1)(b)(i) and to enact R.S. 32:387.21, relative to trucks
3 hauling construction aggregates or construction commodities; to authorize the
4 issuance of special permits for vehicles transporting construction aggregates or
5 construction commodities under certain circumstances; to provide that such
6 authorization to exceed the maximum gross vehicle weight limit shall not apply in
7 certain circumstances; to provide for weight limits under the special permit for dump
8 trucks; to establish a fee for the special permit for dump trucks; to provide for
9 exceptions; to provide for definitions; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 32:388(B)(1)(b)(i) is hereby amended and reenacted and R.S.
12 32:387.21 is hereby enacted to read as follows:

13 §387.21. Special permit; dump trucks

14 A. Notwithstanding any provision of law to the contrary, upon application,
15 the secretary shall issue a thirty-day special permit authorizing the operation of dump
16 trucks on state-maintained highways and frontage roads adjacent to a federal
17 interstate highway. The permit shall not authorize the operation of dump trucks on
18 interstate highways.

19 B.(1) The permit shall authorize the operation of a dump truck with a gross
20 vehicle weight not to exceed sixty-nine thousand, eight hundred fifty pounds if a rear

1 tandem-axle dump truck, a gross vehicle weight not to exceed eighty-three thousand
2 pounds if a rear tri-axle dump truck, and a gross vehicle weight not to exceed eighty-
3 six thousand pounds if a rear quad-axle dump truck.

4 (2) The permit shall be specific to the vehicle that is listed in the permit
5 application.

6 (3) The fee for the permit per vehicle shall be one hundred dollars per
7 vehicle regardless of the number of axles.

8 C. A permit issued pursuant to this Section shall be valid for thirty days and
9 shall be carried in the vehicle for which it is issued.

10 D. When the department issues a permit pursuant to this Section, it shall
11 issue a form to be carried in the vehicle at all times. The department shall design the
12 form to aid in the enforcement of weight limits for vehicles. The form shall indicate
13 the expiration date of the permit and be removed from the vehicle when the permit
14 for the operation of the vehicle expires, the lease of the vehicle expires, or the
15 vehicle is sold.

16 E. If the permitted gross vehicle weight is not exceeded, there shall be no
17 finer imposed for over axle weight.

18 F. As used in this Section, the following terms shall have the meaning
19 ascribed to them:

20 (1) "Dump truck" shall mean a vehicle designed exclusively to transport
21 construction aggregates or construction commodities.

22 (2) "Construction commodities" shall mean bulk soil , bulk rock, sand rock,
23 or asphalt millings.

24 §388. Penalties; payments

25 * * *

26 B.(1)

27 * * *

28 ~~(b)(i) Any truck hauling concrete or construction aggregates shall not be~~
29 ~~assessed a penalty for weight which exceeds the maximum allowable axle weights,~~

Proposed law requires a fee for the permit to be collected per vehicle in the amount of \$100 regardless of the number of axles.

Proposed law specifies that a permit issued pursuant to proposed law is valid for 30 days and requires the permit be carried in the vehicle for which it is issued.

Proposed law requires the Dept. of Transportation and Development to issue a form to be carried in the vehicle at all times. Specifies that the form must indicate the expiration date of the permit and be removed from the vehicle when the permit for the operation of the vehicle expires, the lease of the vehicle expires, or the vehicle is sold.

Proposed law provides that if the permitted gross vehicle weight is not exceeded then there would be no fines imposed for over axle weight.

Proposed law defines "dump truck" as a vehicle designed exclusively to transport construction aggregates or construction commodities.

Proposed law defines "construction commodities" as bulk soil, bulk rock, sand rock, or asphalt millings.

Present law authorizes trucks hauling concrete or construction aggregates to exceed the maximum allowable axle weights, without penalty, provided the truck does not exceed the maximum permissible gross weight as provided in present law and the truck is not operating on the interstate system.

Proposed law modifies present law by authorizing trucks hauling concrete or construction aggregates to exceed the maximum permissible gross weight, without a penalty, provided the total excess weight is 10% or less of the truck's maximum permissible gross weight, the truck does not exceed the posted load while crossing a posted bridge, the truck is not operating on the interstate system, and no tire on the truck exceeds its tire weight rating.

Proposed law further provides that if the truck's total excess weight is greater than 10% of its maximum permissible gross weight it must be assessed a penalty based on the total amount by which the truck's weight exceeds its maximum permissible gross weight.

Proposed law provides an exemption from penalties for a "dump truck" that has been issued a permit pursuant to proposed law.

(Amends R.S. 32:388(B)(1)(b)(i); Adds R.S. 32:387.21)