

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 46.2-1149.3 of the Code of Virginia and to amend the Code of Virginia*
3 *by adding a section numbered 46.2-1144.1, relating to overweight permits for tank wagons.*

[S 1321]

Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 46.2-1149.3 of the Code of Virginia is amended and reenacted and that the Code of**
8 **Virginia is amended by adding a section numbered 46.2-1144.1 as follows:**

9 *§ 46.2-1144.1. Overweight permits for tank wagons.*

10 *The Commissioner, upon written application and payment of a fee by the owner of tank wagon*
11 *vehicles as defined in § 58.1-2201, shall issue overweight permits for operation of said vehicles.*

12 *The overweight permit fees shall be based on a fee schedule established by the Commonwealth*
13 *Transportation Commissioner. Such fees shall be dedicated to and deposited into the Highway*
14 *Maintenance and Operating Fund.*

15 *The Commissioner may also assess a separate application fee for applications pursuant to this*
16 *section that covers the administrative expenses of the Department. Funds from the application fee are to*
17 *be designated as specified in § 46.2-1149.3.*

18 *No permit issued under this section shall authorize a single axle weight of more than 24,000 pounds*
19 *and a total gross weight in excess of 36,000 pounds. Permits issued under this section shall be valid for*
20 *one year from the date of issuance. No permit issued under this section shall authorize violation of any*
21 *weight limitation, promulgated and posted in accordance with § 46.2-1130, applicable to bridges or*
22 *culverts. This permit shall not be combined with any other overweight permit or extension of weight*
23 *limits.*

24 *§ 46.2-1149.3. Payment of fees into special fund.*

25 *All Except as provided in § 46.2-1144.1, all fees collected by the Commissioner under §§ 46.2-1139*
26 *through 46.2-1149.2 shall be paid into the state treasury and set aside as a special fund to be used to*
27 *meet the expenses of the Department.*

28 **2. That from July 1, 2007 to July 1, 2008, the annual overweight permit fee shall be \$800 for each**
29 **eligible vehicle. The Commonwealth Transportation Commissioner shall establish a fee structure**
30 **that shall become effective on July 1, 2008, based on the results of a study of overweight vehicles.**

31 **3. That the fee structure established by the Commonwealth Transportation Commissioner**
32 **pursuant to § 46.2-1144.1 shall not be subject to the requirements of the Administrative Process**
33 **Act (§ 2.2-4000 et seq.).**

ENROLLED

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