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HOUSE BILL NO. 27

Offered January 8, 2014

Prefiled November 27, 2013

A BILL to amend and reenact §§ 46.2-1128 and 46.2-1129 of the Code of Virginia, relating to extension of certain vehicle weight limits.

Patron—Cole (By Request)

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1128 and 46.2-1129 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-1128. Extensions of weight limits; fees.

The owner of any motor vehicle may obtain an extension of single axle, tandem axle, and gross weight set forth in this article by purchasing an overload permit for such vehicle. The permit shall extend the single axle weight limit of 20,000 pounds, tandem axle weight limit of 34,000 pounds, and gross weight limit based on axle spacing and number of axles on such vehicle by a maximum of five percent. However, no such permit shall authorize the operation of a motor vehicle whose gross weight exceeds 84,000 pounds, nor shall any such permit authorize any extension of the limitations provided in § 46.2-1127 for interstate highways, *except for portions of interstate highways that are simultaneously designated as state primary or secondary highways.*

Permits under this section shall be valid for one year and the fee shall be \$250.

Such fee shall be allocated as follows: (i) \$245 deposited into the Highway Maintenance and Operating Fund to be used to assist in funding needed highway pavement and bridge maintenance and rehabilitation and (ii) a \$5 administrative fee paid into the state treasury and set aside as a special fund to be used to meet the expenses of the Department.

The Commissioner shall make the permit available to vehicles registered outside the Commonwealth under the same conditions and restrictions which are applicable to vehicles registered within the Commonwealth. The Commissioner may promulgate regulations governing such permits. Except as provided in this section and § 46.2-1129, no weights in excess of those authorized by law shall be tolerated.

Vehicles that are registered as farm use vehicles as provided in § 46.2-698 may operate as authorized under this section without a permit or the payment of any fee; provided, however, that should such vehicle violate the weight limits permitted by this section and § 46.2-1129, such vehicle shall be required to apply for and receive a permit and pay the permit fee to operate as authorized in this section.

§ 46.2-1129. Further extensions of weight limits for certain vehicles hauling Virginia-grown farm or forest products.

The owner of any motor vehicle used for hauling Virginia-grown forest or farm products, as defined in § 3.2-4709, from the place where they are first produced, cut, harvested, or felled to the location where they are first processed may obtain from the Commissioner an extension for such vehicle of the single axle, tandem axle, and gross weight limits set forth in this title. The permit shall extend the single axle, tandem axle, and gross weight limits set forth in this title. The permit shall extend the single axle, tandem axle, and gross weight limits based on axle spacing and number of axles on such vehicle by five percent, respectively. However, no such permit shall authorize the operation of a motor vehicle whose gross weight exceeds 84,000 pounds.

No permit issued under this section shall permit the operation on an interstate highway *that is not simultaneously designated as a state primary or secondary highway* of any vehicle with (i) a single axle weight in excess of 20,000 pounds, or (ii) a tandem axle weight in excess of 34,000 pounds, or (iii) a gross weight, based on axle spacing, greater than that permitted in § 46.2-1126, or (iv) a gross weight, regardless of axle spacing, in excess of 80,000 pounds. The Commissioner may promulgate regulations governing such permits.

Weight extensions provided in this section shall be in addition to those provided in § 46.2-1128, but no weights beyond those permitted by the combination of the extensions provided in this section and § 46.2-1128 shall be tolerated.

Vehicles that are registered as farm use vehicles as provided in § 46.2-698 may operate as authorized under this section; provided, however, that should such vehicle violate the weight limits permitted by this section and § 46.2-1128, such vehicle shall no longer be permitted to operate as authorized in this section.

INTRODUCED

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