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HOUSE BILL NO. 1412

Offered January 11, 2017

Prefiled October 7, 2016

A *BILL to amend and reenact § 46.2-1128 of the Code of Virginia, relating to extensions of weight limits.*

Patrons—Cole (By Request), Fariss, Orrock and Webert; Senator: Stuart

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1128 of the Code of Virginia is 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 (i) 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 up to 84,000 pounds or (ii) authorize the operation of a motor vehicle with a gross weight of up to 90,000 pounds provided that such vehicle is able to bridge the weight without any axle or group overweight allowance. ~~However, no such permit shall authorize the operation of a motor vehicle whose gross weight exceeds 84,000 pounds, nor shall any~~ No such permit shall authorize any extension of the limitations provided in § 46.2-1127 for interstate 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 established pursuant to § 33.2-1530 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.

INTRODUCED

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