

1 AN ACT relating to overweight vehicles.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 189.222 is amended to read as follows:

4 (1) Except as provided in subsection (2) of this section, the secretary of the
5 Transportation Cabinet in respect to highways which are a part of the state-
6 maintained system, by official order, may increase on designated highways or
7 portions thereof, the maximum height, length, and gross weight prescribed in KRS
8 189.221, if in the opinion of the secretary, the increased height, length, and weight
9 designated by him are justified by the strength, safety, and durability of the
10 designated highways, and the highways do not appear susceptible to unreasonable
11 and unusual damage by reason of the increases and the secretary may establish
12 reasonable classification of state maintained roads and fix a different maximum for
13 each classification. Any increase in the height, length, or width of any motor truck
14 or tractor semitrailer combinations or any other vehicle combinations including any
15 part of the body or load or designation of highways to be used by the vehicles, shall
16 not, in any way, exceed the federal law or regulations thereunder or jeopardize the
17 allotment or qualification for federal aid funds of the Commonwealth of Kentucky
18 or exceed the following dimensions and weights:

- 19 (a) 1. Height, for vehicles transporting motor vehicles, fourteen (14) feet; and
20 2. Height, for all other vehicles, thirteen and one-half (13-1/2) feet;
- 21 (b) Length, semitrailers, fifty-three (53) feet; trailers, twenty-eight (28) feet;
22 motor trucks, forty-five (45) feet, not to exceed two (2) trailers per truck
23 tractor;
- 24 (c) Weight, twenty thousand (20,000) pounds per single axle, with axles less than
25 forty-two (42) inches apart to be considered as a single axle; thirty-four
26 thousand (34,000) pounds on two (2) axles in tandem arrangement which are
27 spaced forty-two (42) inches or more apart and less than ninety-six (96) inches

1 apart; forty-eight thousand (48,000) pounds on three (3) axles which are
2 spaced forty-two (42) inches or more apart and less than one hundred twenty
3 (120) inches apart. No single axle in any arrangement shall exceed twenty
4 thousand (20,000) pounds or seven hundred (700) pounds per inch of the
5 aggregate width of all the tires on a single axle, whichever is less. The total
6 gross weight of the vehicle and load shall not exceed eighty thousand (80,000)
7 pounds;

8 (d) Except on the interstate highway system, a tolerance of not more than five
9 percent (5%) per axle load shall be permitted before a carrier is deemed to
10 have violated paragraph (c) of this subsection. The gross weight shall not
11 exceed eighty thousand (80,000) pounds;

12 (e) Except as provided for in paragraph (f) of this subsection, truck tractor,
13 semitrailer and trailer combinations, and other vehicle combinations may be
14 operated only on the interstate system and on those parts of the federal aid
15 highway system and the state-maintained system which have been designated
16 by the secretary of the Transportation Cabinet by official order as safely
17 allowing same;

18 (f) A vehicle or combination of vehicles that is one hundred two (102) inches
19 wide or less and has a gross weight of not more than eighty thousand (80,000)
20 pounds may be driven on any state highway, for a distance of up to fifteen
21 (15) miles from an interstate or parkway exit.

22 (2) In addition to the provisions of KRS 189.2226, vehicles with a gross weight of up to
23 eighty thousand (80,000) pounds may travel on any state highway in the
24 Commonwealth without obtaining a special permit, if the weight does not exceed
25 any limits mandated by federal law or regulation, any posted bridge weight limit, or
26 the weight limits for the size and type of vehicle established under paragraph (c) of
27 subsection (1) of this section, and if the vehicle is transporting any of the following:

- 1 (a) Meats or agricultural crop products originating from a farm to first market;
- 2 (b) Livestock or poultry from their point of origin to first market. As used in this
3 paragraph and in paragraph (d) of this subsection, "livestock" means cattle,
4 sheep, swine, goats, horses, alpacas, llamas, buffaloes, or any other animals of
5 the bovine, ovine, porcine, caprine, equine, or camelid species;
- 6 (c) Primary forest products, including, but not limited to, sawdust, wood chips,
7 bark, slabs, or logs originating from their points of origin to first market; or
- 8 (d) Supplies, materials, or equipment necessary to carry out a farming operation
9 engaged in the production of agricultural crop products, meats, livestock, or
10 poultry.
- 11 (3) **The following** vehicles registered under KRS 186.050 ~~that are engaged exclusively~~
12 ~~in the transportation of items listed in subsection (2)(a), (b), and (c) of this section~~
13 ~~may exceed the gross weight provisions set forth in subsection (1)(c) of this section~~
14 ~~by a weight tolerance of ten percent (10%), except on the interstate highway system;~~
15 **(a) Vehicles that are engaged exclusively in the transportation of items listed in**
16 **subsection (2)(a), (b), and (c) of this section; and**
17 **(b) Vehicles that are engaged exclusively in the transportation of feed for**
18 **livestock or poultry.**
- 19 (4) Vehicles exclusively engaged in the transportation of motor vehicles,
20 unmanufactured tobacco, or unmanufactured tobacco products may, on those
21 highways which are a part of the state-maintained system and which have been
22 designated by the secretary of the Transportation Cabinet by official order as safely
23 allowing same, attain the maximum lengths as provided by subsection (1)(b) of this
24 section, excluding the usual and ordinary bumper overhang of the transported
25 vehicles.
- 26 (5) Vehicles engaged exclusively in the transportation of farm or primary forestry
27 products and registered under KRS 186.050(4) or 186.050(9) and vehicles engaged

1 exclusively in the transportation of ready-mixed concrete shall be excluded from the
2 axle weight provisions, except on interstate highways, and subject only to total
3 gross weight provisions.

4 (6) Vehicles registered pursuant to KRS 186.050(3)(b) and engaged in the
5 transportation of primary forest products, including, but not limited to, vehicles
6 transporting sawdust, wood chips, bark, slabs, or logs, may exceed the axle, or gross
7 weight provisions as set forth in accordance with subsection (1)(c) of this section by
8 a weight tolerance of ten percent (10%), except on the interstate highway system.

9 (7) Vehicles designed for and engaged exclusively in the collection and hauling of
10 refuse and registered under KRS 186.050(3)(b) shall be excluded from the axle
11 weight provisions, except when in operation on the federal interstate system, and
12 subject only to total gross weight provisions.

13 (8) The secretary of the Transportation Cabinet may by order increase the weight and
14 height limits prescribed by this chapter for motor vehicles while being operated
15 exclusively on roads or highways being constructed, reconstructed, or repaired
16 under contract with the Transportation Cabinet by the contractor or subcontractor,
17 agent, or employee thereof.

18 (9) Except as otherwise provided in this chapter, the secretary of the Transportation
19 Cabinet shall not authorize the operation of any vehicle or combination of vehicles,
20 upon any part of the federal aid highway system or state parkway system, which
21 exceeds the following dimensions and weights:

22 (a) Width, one hundred two (102) inches, including any part of the body or load;

23 (b) Weight, twenty thousand (20,000) pounds per single axle, with axles less than
24 forty-two (42) inches apart to be considered as a single axle; thirty-four
25 thousand (34,000) pounds on two (2) axles in tandem arrangement which are
26 spaced forty-two (42) inches or more apart and less than ninety-six (96) inches
27 apart; forty-eight thousand (48,000) pounds on three (3) axles which are

1 spaced forty-two (42) inches or more apart and less than one hundred twenty
2 (120) inches apart. The total gross weight of the vehicle and load shall not
3 exceed eighty thousand (80,000) pounds. If any federal law or laws or
4 regulations thereunder are hereafter enacted authorizing weights and
5 dimensions in excess of those set out in paragraphs (a) and (b) of this
6 subsection, the secretary of the Transportation Cabinet may by official order
7 increase the maximum weights and dimensions but the increased weights and
8 dimensions shall not exceed those set out in this section.

9 (10) Except on the interstate highway system, vehicles engaged exclusively in the
10 transportation of crushed stone, fill dirt and rock, soil, bulk sand, coal, phosphate
11 muck, asphalt, concrete, solid waste, tankage or animal residues, livestock, feed for
12 livestock or poultry, and agricultural products shall be permitted a tolerance of ten
13 percent (10%) of the axle weight provisions before a carrier is deemed to have
14 violated paragraph (1)(c) of this section.

15 (11) The Transportation Cabinet may promulgate administrative regulations pursuant to
16 KRS Chapter 13A, relating to the implementation of 23 C.F.R. Part 658 as it relates
17 to state-maintained or locally maintained roads. The enforcement of the provisions
18 of KRS 189.221 and this section on locally maintained roads shall not be the
19 responsibility of the law enforcement officers of the Transportation Cabinet, unless
20 the head of the corresponding local government unit has requested, in writing,
21 enforcement assistance from the Transportation Cabinet.