

2016 Regular Session

HOUSE BILL NO. 1058

BY REPRESENTATIVE THIBAUT

TRANSPORTATION: Creates annual permits for ready-mix concrete trucks

1 AN ACT

2 To enact R.S. 32:387.20 and to repeal R.S. 32:388(B)(1)(b)(iv), relative to special permits
3 for ready-mixed concrete trucks; to provide for the issuance of special permits for
4 vehicles transporting ready-mixed concrete under certain conditions; to provide for
5 weight limits under the special permit for ready-mixed concrete trucks; to provide
6 for a fee to be charged for the special permit for ready-mixed concrete trucks; to
7 repeal an exemption from a penalty for certain trucks hauling ready-mixed concrete;
8 and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 32:387.20 is hereby enacted to read as follows:

11 §387.20. Special permit; ready-mixed concrete trucks

12 A. Notwithstanding any provision of law to the contrary, the secretary shall
13 issue annual special permits authorizing the operation of ready-mixed concrete
14 trucks on state-maintained highways and frontage roads adjacent to a federal
15 interstate highway. The permit shall not authorize the operation of ready-mixed
16 concrete trucks on interstate highways.

17 B.(1) The permit shall authorize the operation of a ready-mix concrete truck
18 with a gross vehicle weight not to exceed seventy thousand pounds if a rear tandem
19 axle mixer truck, a gross vehicle weight not to exceed seventy five thousand pounds

1 if a rear tri-axle mixer truck, and a gross vehicle weight not to exceed eighty
2 thousand pounds if a rear quad-axle mixer truck.

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

5 (3) The fee for the permit shall be one thousand dollars annually per vehicle.

6 C. A permit issued pursuant to this Section shall be valid for one year and
7 shall be carried in the vehicle for which it is issued.

8 D. When the department issues a permit pursuant to this Section, it shall
9 issue a sticker to be placed in the front windshield of the vehicle above the inspection
10 certificate issued to the vehicle. The department shall design the form of the sticker
11 to aid in the enforcement of weight limits for vehicles. The sticker shall indicate the
12 expiration date of the permit and be removed from the vehicle when the permit for
13 the operation of the vehicle expires, the lease of the vehicle expires, or the vehicle
14 is sold.

15 E. As used in this Section, "ready-mixed concrete truck" shall mean a vehicle
16 designed exclusively to transport or manufacture ready-mixed concrete.

17 Section 2. R.S. 32:388(B)(1)(b)(iv) is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1058 Original

2016 Regular Session

Thibaut

Abstract: Creates an annual permit for ready-mixed concrete trucks and provides for fees and matters relating to such permit. Repeals penalty exemptions relating to ready-mixed concrete trucks.

Proposed law requires the secretary to issue annual special permits authorizing the operation of ready-mixed concrete trucks on state-maintained highways and frontage roads adjacent to federal interstate highways.

Proposed law defines "ready-mixed concrete truck" for purposes of proposed law to mean a vehicle designed exclusively to transport or manufacture ready-mixed concrete.

Proposed law provides that the permit created by proposed law would authorize the operation of a ready-mixed concrete truck with a gross vehicle weight not to exceed 70,000 pounds if a rear tandem axle mixer truck, a gross vehicle weight not to exceed 75,000

pounds if a rear triaxle mixer truck, and a gross vehicle weight not to exceed 80,000 pounds if a rear quad-axle mixer truck.

Proposed law requires the permit created by proposed law be specific to the vehicle that is listed in the permit application.

Proposed law provides that a fee of \$1,000 annually shall be charged for the permit created by proposed law and that the permit shall be valid for one year and carried in the vehicle for which it is issued.

Proposed law requires the Dept. of Transportation and Development to issue a sticker to be placed in the front windshield of the vehicle above the inspection certificate issued to the vehicle for which a permit is issued pursuant to proposed law. Specifies that the sticker would 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.

Present law prohibits the assessment of a penalty on any truck hauling ready-mixed concrete which exceeds its maximum allowable gross weight, as determined by law, provided the total excess weight is ten percent or less of the truck's maximum allowable gross weight, the truck contains a certificate evidencing its most recent mixer chip-out of a build-up occurred within the previous ninety days, 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.

Present law provides that if the truck's total excess weight is greater than 10% of the truck's maximum allowable gross weight, as determined by law, the truck shall be assessed a penalty calculated on the total amount by which the truck's weight exceeds its maximum permissible gross weight, as determined by law.

Present law applies to a ready-mixed concrete truck which is defined as a vehicle designed exclusively to transport or manufacture ready-mixed concrete and includes a vehicle designed exclusively to transport and manufacture ready-mixed concrete or a concrete pump truck, engaged in hauling ready-mixed concrete.

Present law terminates July 31, 2016.

Proposed law repeals present law.

(Adds R.S. 32:387.20; Repeals R.S. 32:388(B)(1)(b)(iv))