

2020 Regular Session

HOUSE BILL NO. 495

BY REPRESENTATIVE FONTENOT

TRANSPORTATION: Creates an overweight permit to transport earthen materials for government funded levee projects

1 AN ACT

2 To enact R.S. 32:387.21, relative to trucks transporting earthen materials; to authorize the
3 issuance of per project special permits for trucks transporting earthen materials under
4 certain circumstances; to establish a fee for the special permit; to provide for a
5 weight limitation; to establish certain requirements for permit holders; to provide for
6 a penalty; to provide for rule promulgation; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:387.21 is hereby enacted to read as follows:

9 §387.21. Special permit; trucks transporting earthen materials for government
10 funded levee projects

11 A. Notwithstanding any other provision of law to the contrary, the secretary
12 shall issue a per project special overweight permit to persons who operate trucks that
13 transport earthen materials for government funded levee projects. Each per project
14 permit shall be valid for one year from the date of issuance.

15 B. The permit shall be issued in accordance with the following provisions:

16 (1) Upon application for a special permit, the applicant shall designate the
17 specific routes to be utilized for transporting the materials and identify the project
18 for which they are transporting materials.

1 (2) The fee for the permit shall be one thousand dollars per project.

2 However, if the project exceeds the one-year validity of the permit, a new permit
 3 shall be required.

4 (3) The permit shall authorize the operation of a vehicle with three rear axles
 5 at a gross weight not to exceed seventy-five thousand pounds.

6 (4) The permit shall not authorize the operation of trucks transporting
 7 earthen materials on interstate highways.

8 C. The secretary may impose a civil penalty of up to five cents per pound for
 9 each violation of the weight limit established by this Section.

10 D. As used in this Section, "earthen materials" includes minerals, rocks, soil,
 11 and water.

12 E. The secretary may promulgate rules and regulations in accordance with
 13 the Administrative Procedure Act as are necessary to enforce the provisions of this
 14 Section.

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 495 Reengrossed

2020 Regular Session

Fontenot

Abstract: Creates an overweight per project permit for trucks transporting earthen materials for government funded levee projects.

Proposed law establishes a per project special overweight permit for persons who operate trucks transporting earthen materials for government funded levee projects.

Proposed law specifies that the permit is valid for one year from the date of issuance.

Proposed law requires that the permit be issued in accordance with the following provisions:

- (1) The applicant for the special permit must designate the specific routes to be utilized for transporting the earthen materials and identify the project for which they are transporting materials upon application.
- (2) The permit fee is \$1,000 per project. Requires a new permit if the project exceeds the one-year validity of the project.
- (3) The vehicle must contain three rear axles and must not exceed a gross weight of 75,000 lbs.

- (4) The overweight truck transporting earthen materials is not authorized to operate on interstate highways.

Proposed law authorizes the secretary to impose a civil penalty of up to five cents per lb. for each violation of the weight limit established by proposed law.

Proposed law defines "earthen materials" as materials which include minerals, rocks, soil, and water.

Proposed law authorizes the secretary of the department to promulgate rules and regulations as are necessary to enforce the provisions of proposed law.

(Adds R.S. 32:387.21)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Specifies that the permit must authorize the operation of a vehicle with three rear axles at a gross weight not to exceed 75,000 pounds instead of 90,000 pounds.