

1 **PORT OF ENTRY AND AXLE WEIGHT AMENDMENTS**

2 2017 FIRST SPECIAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Don L. Ipson**

5 House Sponsor: Lee B. Perry

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions related to the imposition of a fine for overweight vehicles.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ amends provisions to allow the Department of Transportation discretion in
13 imposing fines for overweight vehicles based on the circumstances.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 This bill provides a special effective date.

18 **Utah Code Sections Affected:**

19 AMENDS:

20 72-7-404, as last amended by Laws of Utah 2016, Chapter 303

22 *Be it enacted by the Legislature of the state of Utah:*

23 Section 1. Section 72-7-404 is amended to read:

24 **72-7-404. Maximum gross weight limitation for vehicles -- Bridge formula for**
25 **weight limitations -- Minimum mandatory fines.**

26 (1) (a) As used in this section:

27 (i) "Axle load" means the total load on all wheels whose centers may be included
28 between two parallel transverse vertical planes 40 inches apart.

29 (ii) "Tandem axle" means two or more axles spaced not less than 40 inches nor more

30 than 96 inches apart and having at least one common point of weight suspension.

31 (b) The tire load rating shall ~~[be marked]~~ appear on the tire sidewall. A tire, wheel, or
32 axle may not carry a greater weight than the manufacturer's rating.

33 (2) (a) ~~[A]~~ An individual may not operate or move a vehicle ~~[may not be operated or~~
34 ~~moved]~~ on any highway in the state with:

35 (i) a gross weight in excess of 10,500 pounds on one wheel;

36 (ii) a single axle load in excess of 20,000 pounds; or

37 (iii) a tandem axle load in excess of 34,000 pounds.

38 (b) Subject to the limitations of Subsection (3), the gross vehicle weight of any vehicle
39 or combination of vehicles may not exceed 80,000 pounds.

40 (3) (a) Subject to the limitations in Subsection (2), no group of two or more
41 consecutive axles between the first and last axle of a vehicle or combination of vehicles and no
42 vehicle or combination of vehicles may carry a gross weight in excess of the weight provided
43 by the following bridge formula, except as provided in Subsection (3)(b):

44
$$W = 500 \{LN/(N-1) + 12N+36\}$$

45 (i) W = overall gross weight on any group of two or more consecutive axles to the
46 nearest 500 pounds.

47 (ii) L = distance in feet between the extreme of any group of two or more consecutive
48 axles. When the distance in feet includes a fraction of a foot of one inch or more the next
49 larger number of feet shall be used.

50 (iii) N = number of axles in the group under consideration.

51 (b) Two consecutive sets of tandem axles may carry a gross weight of 34,000 pounds
52 each if the overall distance between the first and last axles of the consecutive sets of tandem
53 axles is 36 feet or more.

54 (4) ~~[Any]~~ The department may authorize an exception to this section ~~[must be~~
55 ~~authorized]~~ by an overweight permit as provided in Section [72-7-406](#).

56 (5) (a) Any person who violates this section is guilty of an infraction except that,
57 notwithstanding Sections [76-3-301](#) and [76-3-302](#), the department may require the violator

58 ~~[shall pay the largest minimum mandatory]~~ to pay a fine of either:

59 (i) \$50 plus the sum of the overweight axle fines calculated under Subsection (5)(b); or

60 (ii) \$50 plus the gross vehicle weight fine calculated under Subsection (5)(b).

61 (b) The department shall calculate the fine for each axle and a gross vehicle weight

62 violation ~~[shall be calculated]~~ according to the following schedule:

63	Number of Pounds Overweight	Axle Fine (Cents per Pound for Each Overweight Axle)	Gross Vehicle Weight Fine(Cents per Pound)
64	1 - 2,000	0	0
65	2,001 - 5,000	4	5
66	5,001 - 8,000	5	5
67	8,001 - 12,000	6	5
68	12,001 - 16,000	7	5
69	16,001 - 20,000	9	5
70	20,001 - 25,000	11	5
71	25,001 or more	13	5

72 **Section 2. Effective date.**

73 If approved by two-thirds of all the members elected to each house, this bill takes effect

74 upon approval by the governor, or the day following the constitutional time limit of Utah

75 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,

76 the date of veto override.