

No. 23. An act relating to commercial motor vehicle operation on the interstate system.

(S.49)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 23 V.S.A. § 1391 is amended to read:

§ 1391. TIRE AND AXLE LIMITS

(a) Except as otherwise provided in this chapter, a person or corporation shall not operate or cause to be operated a tractor, trailer, semi-trailer, motor truck, or any other motor vehicle without sufficient weight maintained upon the front axle of such vehicle to make such vehicle safe in operation; nor shall the maximum load on any axle of such vehicle exceed a gross weight of more than 600 pounds per inch of tire width computed in conformity with the manufacturer's designated width.

(b) No single axle load shall be in excess of 22,400 pounds and a 10 percent tolerance shall be allowed on each single axle load, nor shall any tandem axle load be in excess of 36,000 pounds, with a 10 percent tolerance allowed, except in the case of such vehicles owned by persons to whom special permits shall be issued in accordance with the provisions of section 1400 of this title.

(c) ~~On~~ Unless federal law authorizes the axle load limits, tolerances, or both provided for in subsection (b) of this section to apply on those highways designated as the national system of interstate and defense highways (the

“interstate highways”), no single axle load on interstate highways shall be in excess of 20,000 pounds with no tolerance allowed, nor shall any tandem axle load be in excess of 34,000 pounds, with no tolerance allowed, except in the case of vehicles owned by persons to whom special permits have been issued in accordance with section 1400 of this title.

Sec. 2. 23 V.S.A. § 1392 is amended to read:

§ 1392. GROSS WEIGHT LIMITS ON HIGHWAYS

Except as provided in section 1400 of this title, a person or corporation shall not operate or cause to be operated a motor vehicle in excess of the total weight, including vehicle, object, or contrivance and load, of:

* * *

(3) No vehicle may exceed a gross weight in excess of 80,000 pounds unless the operator or owner of the vehicle has complied with the provisions of section 1400 of this title, or except as otherwise provided in this section.

* * *

(5)(A) Despite the axle load provisions of section 1391 of this title and the distance in feet between first and last axle as provided for in subdivision (4) of this section, a motor truck having three axles, if the two rear axles are both power driven and both equipped with adequate brakes, the gross weight of the three axles of the truck shall not exceed 55,000 pounds.

(B) When application is made to register a motor truck under the provisions of this subdivision, the applicant shall submit to the commissioner of motor vehicles specifications as to its make, brake equipment, and manufacturer's recommended gross weight. In the commissioner's discretion, the commissioner may refuse registration for its operation under this subdivision if the specifications for the vehicle would not permit its safe operation when so loaded.

(6) Despite the axle load provisions of section 1391 of this title and the distance in feet between first and last axle as provided for in subdivision (4) of this section, a motor truck having four axles, three of which are a tri-axle and at least two axles in this group being power driven and equipped with adequate brakes; the gross weight of the four axles of the truck shall not exceed 60,000 pounds, however:

(A) No two axles in the tri-axle group shall support more than 42,000 pounds with a ten percent tolerance;

(B) No single axle of the tri-axle group shall support more than 22,400 pounds with a ten percent tolerance;

(C) The total load supported by the tri-axle group shall not exceed 54,000 pounds;

(D) Three or more axles within a distance of 12 feet or less apart shall be considered as a tri-axle group and, if a single axle is closer than 8 feet

to the nearest axle of the tri-axle group, the total load shall not exceed that allowed for a tri-axle group;

(E) [Repealed.]

(7), (8) [Repealed.]

(9) ~~Notwithstanding the provisions of subdivision (4) of this section an indivisible load consisting of quarried rock may be transported upon the designated highways of this state consistent with section 1400 of this title together with zone blanket permits regulations as set forth in the regulations and instructions governing overweight and overdimension vehicle permits on file with the secretary of state and any amendment thereto. [Repealed.]~~

(10) [Repealed.]

(11) ~~Subdivisions~~ The weights or tolerances or both as set forth in subdivisions (5) and (6) of this section shall not apply to the highways designated as portions of the national system of interstate and defense highways unless authorized by federal law.

(12) [Repealed.]

(13) Despite the axle-load provisions of section 1391 of this title and the maximum gross load of subdivision (4) of this section, a special annual permit, which shall expire coincidentally with the vehicle's registration, except for vehicles not registered in Vermont in which case the permit shall become void on January 1 following date of issue, may be issued to a person or corporation

operating on designated routes on the state highway system for a fee of \$310.00 for each vehicle which must be registered for a weight of 80,000 pounds. This special permit shall be issued only for a combination of vehicle and semi-trailer or trailer equipped with five or more axles, with a distance between axles which meets the minimum requirements of registering the vehicle to 80,000 pounds as allowed under subdivision (4) of this section. The maximum gross load under this special permit shall be 90,000 pounds. ~~The provision of~~ Unless authorized by federal law, this subdivision shall not apply to operation on the interstate and defense highway system.

(14) Despite the axle-load provisions of section 1391 of this title and the axle spacing and the maximum gross load of subdivision (4) of this section, a special annual permit, which shall expire coincidentally with the vehicle's registration, except for vehicles not registered in Vermont in which case the permit shall become void on January 1 following date of issue, may be issued to a person or corporation transporting loads on vehicles on designated routes on the state highway system for the following fees for each vehicle unit. Unless authorized by federal law, the provisions of this subdivision regarding weight limits, tolerances, or both shall not apply to operation on the interstate and defense highway system. This special permit shall be issued for the following vehicles and conditions:

(A) 3-axle trucks with a single steering axle and a rear tandem axle which have a maximum gross weight of not more than 60,000 pounds when registered for a minimum gross weight of not more than 55,000 pounds, the permit fee shall be \$115.00;

(B) 4-axle trucks with a single steering axle and a rear tri-axle unit which have a maximum gross weight of not more than 69,000 pounds when registered for a minimum weight of 60,000 pounds, the permit fee shall be \$260.00;

(C) 4-axle tractor semi-trailer or truck trailer combination with a maximum gross weight of not more than 72,000 pounds provided the distance between the second axle of the tractor and the rear axle of the trailer is at least 24 feet measured to the nearest foot. For each foot or fraction of a foot less than 24 feet, measured to the nearest foot, a reduction of 2,000 pounds in the maximum gross weight shall be made. The permit fee shall be \$10.00;

(D) 5- or more axle tractor semi-trailer or truck trailer combination with a maximum gross weight of not more than 76,000 pounds provided that the distance between the first and last axle of two consecutive sets of tandem axles is at least 24 feet measured to the nearest foot. For each foot or fraction of a foot less than 24 feet, measured to the nearest foot, a reduction of 2,000 pounds in the maximum gross weight shall be made. The permit fee shall be \$10.00;

(E) No single axle of a tandem axle unit shall support more than 60 percent of the total weight supported by such tandem axle unit;

(F) No single axle of a tri-axle unit shall support more than 40 percent of the total weight supported by such tri-axle unit;

(G) The maximum load on any axle of such vehicle shall not exceed more than 600 pounds per inch of tire width computed in conformity with the manufacturer's designated width;

(H) A five percent tolerance shall be allowed on the gross vehicle weights allowed under permits issued pursuant to this subdivision.

(15) Despite the axle load provisions of section 1391 of this title and the axle spacing and the maximum gross load of subdivision (4) of this section, a 5-axle tractor semi-trailer may operate on state highways with the following conditions:

(A) For each foot or fraction of a foot less than 36 feet between the first and last axle of two consecutive sets of tandem axles, a reduction of 2,000 pounds in the maximum gross weight of 80,000 pounds shall be made;

(B) Conditions in subdivisions (14)(D) and (F) of this section shall also apply to this subdivision, and unless authorized by federal law, this subdivision shall not apply to operation on the interstate and defense highway system.

(16) Notwithstanding ~~any other provision of law~~ the axle load provisions of section 1391 of this title and the maximum gross load of subdivision (4) of this section, a five or more axle truck tractor, semi-trailer combination, or truck trailer combination, when the load consists solely of unprocessed milk products as defined in subdivision 4(55) of this title, may be registered for and operated with a maximum gross weight of 90,000 pounds on state highways without permit, and upon posted state and town highways and on those highways designated as the national system of interstate and defense highways when the vehicle has been issued a permit in compliance with the provisions of section 1400 of this title; however:

(A) Vehicles ~~registered~~ operated pursuant to this subdivision (16) shall be subject to the same axle spacing restrictions as are applied to five or more axle vehicles registered to 80,000 pounds as set forth in subdivision (4) of this section;

(B) ~~The following shall also apply to vehicles registered pursuant to this subdivision (16):~~

~~(i) no single axle load shall be in excess of 22,400 pounds except that a 10 percent tolerance shall be allowed on each single axle;~~

~~(ii) no tandem axle load shall be in excess of 36,000 pounds except that a 10 percent tolerance shall be allowed on each tandem axle;~~

~~(iii) no single axle of a tandem axle unit shall support more than 60 percent of the total rate supported by the tandem axle unit;~~

~~(iv) no tri axle group, as defined in subdivision (6)(D) of this section, shall support a gross weight in excess of that allowed in subdivision (4) of this section and no tolerance shall be allowed on any tri axle group;~~

~~(v) no single axle of a tri axle group shall support more than 40 percent of the total weight supported by the tri axle group;~~

~~(vi) the maximum load on any axle of the vehicle shall not exceed more than 600 pounds per inch of tire width computed in conformity with the manufacturer's designated width;~~

~~(vii) no tolerance shall be allowed on the gross weight of any vehicle registered under the provisions of this subdivision, nor shall the axle tolerance permitted in subdivisions (i) and (ii) of this subdivision apply when the vehicle is being operated upon posted state or town highways pursuant to the provisions of section 1400 of this title. On those highways designated as the national system of interstate and defense highways, the provisions of subsection 1391(c) of this title shall apply unless other axle load limits, tolerances, or both are authorized under federal law.~~

(C) The fee for the annual permit as provided in this subdivision shall be \$7.00 when the fee has been paid to register the vehicle for 90,000 pounds or \$285.00 when the vehicle is registered for 80,000 pounds.

(17) Notwithstanding the gross vehicle weight provisions of subdivision (4) of this section, a truck trailer combination or truck tractor, semi-trailer combination with six or more load-bearing axles shall be allowed to bear a maximum of 99,000 pounds by special annual permit, which shall expire coincidentally with the vehicle's registration, except for vehicles not registered in Vermont in which case the permit shall become void on January 1 following the date of issue, for operating on designated routes on ~~the~~ state and town highways, subject to the following:

* * *

(E) ~~The~~ Unless authorized by federal law, the provisions of this subdivision shall not apply to operation on the interstate and defense highway system.

(F) The fee for the annual permit as provided in this subdivision shall be \$310.00 for vehicles bearing up to 90,000 pounds and \$500.00 for vehicles bearing up to 99,000 pounds.

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(19)(A) A person issued a permit under the provisions of ~~subdivisions~~ subdivision (13), (14), (16), or (17), ~~or (20)~~ of this section and upon payment of a \$10.00 administrative fee for each additional permit, may obtain additional permits for the same vehicle provided the additional permit is for a lesser

weight and provided the vehicle or combination of vehicles meets the minimum requirements for the permit sought as set forth in this section.

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Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Approved: May 11, 2011