

1 S.277

2 Introduced by Senators Illuzzi, Shumlin and Starr

3 Referred to Committee on

4 Date:

5 Subject: Highways; interstates; weight limits; federal pilot program;
6 implementation

7 Statement of purpose: This bill proposes to implement the one-year pilot
8 program created in 23 U.S.C. section 127(a)(13) by amending language in
9 Vermont law making weight limits above 80,000 pounds not applicable to the
10 interstate highway system, and to have Vermont law revert to its prior state if
11 and when the pilot program is terminated.

12 An act relating to raising weight limits on interstate highways pursuant to
13 federal legislation

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

15 Sec. 1. 23 V.S.A. § 1391(c) is amended to read:

16 (c) ~~On those highways designated as the national system of~~ Unless
17 authorized by federal law, on interstate and defense highways highway 189, no
18 single axle load shall be in excess of 20,000 pounds with no tolerance allowed,
19 nor shall any tandem axle load be in excess of 34,000 pounds, with no

1 tolerance allowed, except in the case of vehicles owned by persons to whom
2 special permits have been issued in accordance with section 1400 of this title.

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

4 § 1392. GROSS LIMITS ON HIGHWAYS

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

8 * * *

9 (11) ~~Subdivisions~~ Unless authorized by federal law, subdivisions (5)
10 and (6) of this section shall not apply to the highways designated as portions of
11 the national system of interstate and defense highways highway 189.

12 * * *

13 (13) Despite the axle-load provisions of section 1391 of this title and the
14 maximum gross load of subdivision (4) of this section, a special annual permit,
15 which shall expire coincidentally with the vehicle's registration, except for
16 vehicles not registered in Vermont in which case the permit shall become void
17 on January 1 following date of issue, may be issued to a person or corporation
18 transporting unprocessed forest products on designated routes on the state
19 highway system for a fee of \$310.00 for each vehicle which must be registered
20 for a weight of 80,000 pounds. "Unprocessed forest products" includes whole
21 trees, parts thereof, logs, wood chips, sawdust, shavings, and bark mulch. This

1 special permit shall be issued only for a combination of vehicle and
2 semi-trailer or trailer equipped with five or more axles, with a distance
3 between axles which meets the minimum requirements of registering the
4 vehicle to 80,000 pounds as allowed under subdivision (4) of this section. The
5 maximum gross load under this special permit shall be 90,000 pounds. ~~The~~
6 Unless authorized by federal law, the provision of this subdivision shall not
7 apply to operation on ~~the~~ interstate and defense highway ~~system~~ 189.

8 * * *

9 (16) Notwithstanding any other provision of law, a five or more axle
10 truck tractor, semi-trailer combination, ~~2~~ or truck trailer combination, when the
11 load consists solely of unprocessed milk products as defined in subdivision
12 4(55) of this title, may be registered for and operated with a maximum gross
13 weight of 90,000 pounds on state highways, without permit, and upon posted
14 state and town highways and on those highways designated as the national
15 system of interstate and defense highways when the vehicle has been issued a
16 permit in compliance with the provisions of section 1400 of this title; however

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

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

3 * * *

4 (vii) no tolerance shall be allowed on the gross weight of any
5 vehicle registered under the provisions of this subdivision, nor shall the axle
6 tolerance permitted in subdivisions (i) and (ii) of this subdivision apply when
7 the vehicle is being operated upon posted state or town highways pursuant to
8 the provisions of section 1400 of this title. On ~~those highways designated as~~
9 ~~the national system of interstate and defense highways~~ highway 189, the
10 provisions of subsection 1391(c) of this title shall apply.

11 * * *

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

21 * * *

1 (E) ~~The~~ Unless authorized by federal law, the provisions of this
2 subdivision shall not apply to operation on ~~the~~ interstate and defense highway
3 ~~system~~ 189.

4 * * *

5 (20) Notwithstanding the gross vehicle weight provisions of
6 subdivision (4) of this section, a truck trailer combination or truck tractor,
7 semi-trailer combination with six or more load bearing axles shall be allowed
8 to bear a maximum of 90,000 pounds by special annual permit, which shall
9 expire coincidentally with the vehicle's registration, except for vehicles not
10 registered in Vermont in which case the permit shall become void on January 1
11 following the date of issue, for operating on designated routes on the state and
12 town highways, subject to the following:

13 * * *

14 (E) ~~The~~ Unless authorized by federal law, the provisions of this
15 subdivision shall not apply to operation on ~~the~~ interstate and defense highway
16 ~~system~~ 189.

17 * * *

18 Sec. 3. 23 V.S.A. § 1391(c) is amended to read:

19 (c) ~~Unless authorized by federal law, on~~ On those highways designated as
20 the national system of interstate and defense ~~highway 189~~ highways, no single
21 axle load shall be in excess of 20,000 pounds with no tolerance allowed, nor

1 shall any tandem axle load be in excess of 34,000 pounds, with no tolerance
2 allowed, except in the case of vehicles owned by persons to whom special
3 permits have been issued in accordance with section 1400 of this title.

4 Sec. 4. 23 V.S.A. § 1392 is amended to read:

5 § 1392. GROSS LIMITS ON HIGHWAYS

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

9 * * *

10 (11) ~~Unless authorized by federal law, subdivisions~~ Subdivisions (5) and
11 (6) of this section shall not apply to the highways designated as portions of the
12 national system of interstate and defense highway 189 highways.

13 * * *

14 (13) Despite the axle-load provisions of section 1391 of this title and the
15 maximum gross load of subdivision (4) of this section, a special annual permit,
16 which shall expire coincidentally with the vehicle's registration, except for
17 vehicles not registered in Vermont in which case the permit shall become void
18 on January 1 following date of issue, may be issued to a person or corporation
19 transporting unprocessed forest products on designated routes on the state
20 highway system for a fee of \$310.00 for each vehicle which must be registered
21 for a weight of 80,000 pounds. "Unprocessed forest products" includes whole

1 trees, parts thereof, logs, wood chips, sawdust, shavings, and bark mulch. This
2 special permit shall be issued only for a combination of vehicle and
3 semi-trailer or trailer equipped with five or more axles, with a distance
4 between axles which meets the minimum requirements of registering the
5 vehicle to 80,000 pounds as allowed under subdivision (4) of this section. The
6 maximum gross load under this special permit shall be 90,000 pounds. ~~Unless~~
7 ~~authorized by federal law, the~~ The provision of this subdivision shall not apply
8 to operation on the interstate and defense highway 189 system.

9 * * *

10 (16) Notwithstanding any other provision of law, a five or more axle
11 truck tractor, semi-trailer combination, or truck trailer combination, when the
12 load consists solely of unprocessed milk products as defined in subdivision
13 4(55) of this title, may be registered for and operated with a maximum gross
14 weight of 90,000 pounds on state highways, without permit, and upon posted
15 state and town highways and on those highways designated as the national
16 system of interstate and defense highways when the vehicle has been issued a
17 permit in compliance with the provisions of section 1400 of this title; however

18 * * *

19 (vii) no tolerance shall be allowed on the gross weight of any
20 vehicle registered under the provisions of this subdivision, nor shall the axle
21 tolerance permitted in subdivisions (i) and (ii) of this subdivision apply when

1 the vehicle is being operated upon posted state or town highways pursuant to
2 the provisions of section 1400 of this title. On those highways designated as
3 the national system of interstate and defense highway 189 highways, the
4 provisions of subsection 1391(c) of this title shall apply.

5 * * *

6 (17) Notwithstanding the gross vehicle weight provisions of
7 subdivision (4) of this section, a truck trailer combination or truck tractor,
8 semi-trailer combination with six or more load bearing axles and specially
9 equipped for hauling unprocessed milk, unprocessed forest or unprocessed
10 quarry products shall be allowed to bear a maximum of 99,000 pounds by
11 special annual permit, which shall expire coincidentally with the vehicle's
12 registration, except for vehicles not registered in Vermont in which case the
13 permit shall become void on January 1 following the date of issue, for
14 operating on designated routes on the state and town highways, subject to the
15 following:

16 * * *

17 (E) ~~Unless authorized by federal law, the~~ The provisions of this
18 subdivision shall not apply to operation on the interstate and defense highway
19 ~~189~~ system.

20 * * *

1 (20) Notwithstanding the gross vehicle weight provisions of subdivision
2 (4) of this section, a truck trailer combination or truck tractor, semi-trailer
3 combination with six or more load bearing axles shall be allowed to bear a
4 maximum of 90,000 pounds by special annual permit, which shall expire
5 coincidentally with the vehicle's registration, except for vehicles not registered
6 in Vermont in which case the permit shall become void on January 1 following
7 the date of issue, for operating on designated routes on the state and town
8 highways, subject to the following:

9 * * *

10 (E) ~~Unless authorized by federal law, the~~ The provisions of this
11 subdivision shall not apply to operation on the interstate and defense highway
12 ~~189~~ system.

13 * * *

14 Sec. 5. EFFECTIVE DATES

15 (a) This section and Secs. 1 and 2 of this act shall take effect on passage.

16 (b) Secs. 3 and 4 of this act shall take effect if, and on the day when, the
17 pilot program created by 23 U.S.C. section 127(a)(13) is terminated.