

2024 Regular Session

HOUSE BILL NO. 695

BY REPRESENTATIVE FONTENOT

TRANSPORTATION: Creates an overweight permit to transport earthen material 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 the vehicle combination at a
5 gross weight not to exceed seventy thousand pounds for which twenty-two thousand
6 pounds for steering axle and forty-eight thousand pounds for tridum group. Nothing
7 contained in this Section shall preempt municipal or parish ordinances from
8 regulating weight limits on municipal or parish streets or roads.

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

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

13 E. The secretary may promulgate rules and regulations in accordance with
14 the Administrative Procedure Act as are necessary to enforce the provisions of this
15 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 695 Reengrossed 2024 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 combination must not exceed a gross weight of 70,000 lbs. for which 22,000 lbs. for a steering axle and 48,000 lbs. for tridum group.

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

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

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

Proposed law specifies that nothing contained in proposed law preempts municipal or parish ordinances from regulating weight limits on municipal or parish streets or roads.

(Adds R.S. 32:387.21)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Change the gross weight from 90,000 lbs. to 70,000 lbs for which 22,000 lbs. for single axle and 48,000 lbs. for tridum group.
2. Clarify that nothing contained in proposed law will preempt municipal or parish ordinances from regulating weight limits on municipal or parish streets or roads.

The House Floor Amendments to the engrossed bill:

1. Change the axle type from a single axle to a steering axle for the special permit applicable to the operation of a vehicle combination.
2. Change the civil penalty imposed in present law from five cents to one cent.
3. Remove water from being included in the definition of "earthen materials".