

SECOND REGULAR SESSION

HOUSE BILL NO. 2773

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BURGER.

5181H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 304.180, RSMo, and to enact in lieu thereof two new sections relating to weight limitations on trucks.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 304.180, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 304.180 and 304.850, to read as follows:

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise					
	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000

52	31	40,000	59,000	62,500	67,500	72,500
53	32	40,000	60,000	63,500	68,000	73,000
54	33	40,000	60,000	64,000	68,500	74,000
55	34	40,000	60,000	64,500	69,000	74,500
56	35	40,000	60,000	65,500	70,000	75,000
57	36		60,000	66,000	70,500	75,500
58	37		60,000	66,500	71,000	76,000
59	38		60,000	67,500	72,000	77,000
60	39		60,000	68,000	72,500	77,500
61	40		60,000	68,500	73,000	78,000
62	41		60,000	69,500	73,500	78,500
63	42		60,000	70,000	74,000	79,000
64	43		60,000	70,500	75,000	80,000
65	44		60,000	71,500	75,500	80,000
66	45		60,000	72,000	76,000	80,000
67	46		60,000	72,500	76,500	80,000
68	47		60,000	73,500	77,500	80,000
69	48		60,000	74,000	78,000	80,000
70	49		60,000	74,500	78,500	80,000
71	50		60,000	75,500	79,000	80,000
72	51		60,000	76,000	80,000	80,000
73	52		60,000	76,500	80,000	80,000
74	53		60,000	77,500	80,000	80,000
75	54		60,000	78,000	80,000	80,000
76	55		60,000	78,500	80,000	80,000
77	56		60,000	79,500	80,000	80,000
78	57		60,000	80,000	80,000	80,000

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80 Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load
 81 of thirty-four thousand pounds each if the overall distance between the first and last axles of
 82 such consecutive sets of tandem axles is thirty-six feet or more.

83 4. Whenever the state highways and transportation commission finds that any state
 84 highway bridge in the state is in such a condition that use of such bridge by vehicles of the
 85 weights specified in subsection 3 of this section will endanger the bridge, or the users of the
 86 bridge, the commission may establish maximum weight limits and speed limits for vehicles

87 using such bridge. The governing body of any city or county may grant authority by act or
88 ordinance to the commission to enact the limitations established in this section on those
89 roadways within the purview of such city or county. Notice of the weight limits and speed
90 limits established by the commission shall be given by posting signs at a conspicuous place at
91 each end of any such bridge.

92 5. Nothing in this section shall be construed as permitting lawful axle loads, tandem
93 axle loads or gross loads in excess of those permitted under the provisions of P.L. 97-424
94 codified in Title 23 of the United States Code (23 U.S.C. Section 101, et al.), as amended.

95 6. Notwithstanding the weight limitations contained in this section, any vehicle or
96 combination of vehicles operating on highways other than the interstate highway system may
97 exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two
98 thousand pounds. However, total gross weight shall not exceed eighty thousand pounds,
99 except as provided in subsections 9, 10, 12, ~~and~~ 13, and 14 of this section.

100 7. Notwithstanding any provision of this section to the contrary, the commission shall
101 issue a single-use special permit, or upon request of the owner of the truck or equipment shall
102 issue an annual permit, for the transporting of any crane or concrete pump truck or well-
103 drillers' equipment. The commission shall set fees for the issuance of permits and parameters
104 for the transport of cranes pursuant to this subsection. Notwithstanding the provisions of
105 section 301.133, cranes, concrete pump trucks, or well-drillers' equipment may be operated
106 on state-maintained roads and highways at any time on any day.

107 8. Notwithstanding the provision of this section to the contrary, the maximum gross
108 vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with
109 an idle reduction technology may be increased by a quantity necessary to compensate for the
110 additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as
111 amended. In no case shall the additional weight increase allowed by this subsection be
112 greater than five hundred fifty pounds. Upon request by an appropriate law enforcement
113 officer, the vehicle operator shall provide proof that the idle reduction technology is fully
114 functional at all times and that the gross weight increase is not used for any purpose other
115 than for the use of idle reduction technology.

116 9. Notwithstanding any provision of this section or any other law to the contrary, the
117 total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a
118 processing facility or livestock may be as much as, but shall not exceed, eighty-five thousand
119 five hundred pounds while operating on highways other than the interstate highway system.
120 The provisions of this subsection shall not apply to vehicles operated and operating on the
121 Dwight D. Eisenhower System of Interstate and Defense Highways.

122 10. Notwithstanding any provision of this section or any other law to the contrary, any
123 vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest

124 may be as much as, but not exceeding, ten percent over the maximum weight limitation
125 allowable under subsection 3 of this section while operating on highways other than the
126 interstate highway system. The provisions of this subsection shall not apply to vehicles
127 operated and operating on the Dwight D. Eisenhower System of Interstate and Defense
128 Highways.

129 11. Notwithstanding any provision of this section or any other law to the contrary, the
130 commission shall issue emergency utility response permits for the transporting of utility wires
131 or cables, poles, and equipment needed for repair work immediately following a disaster
132 where utility service has been disrupted. Under exigent circumstances, verbal approval of
133 such operation may be made either by the department of transportation motor carrier
134 compliance supervisor or other designated motor carrier services representative. Utility
135 vehicles and equipment used to assist utility companies granted special permits under this
136 subsection may be operated and transported on state-maintained roads and highways at any
137 time on any day. The commission shall promulgate all necessary rules and regulations for the
138 administration of this section. Any rule or portion of a rule, as that term is defined in section
139 536.010, that is created under the authority delegated in this section shall become effective
140 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
141 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
142 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
143 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
144 of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be
145 invalid and void.

146 12. Notwithstanding any provision of this section to the contrary, emergency vehicles
147 designed to be used under emergency conditions to transport personnel and equipment and to
148 support the suppression of fires and mitigate hazardous situations may have a maximum gross
149 vehicle weight of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a
150 single steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-
151 two thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear-drive
152 steer axle; except that, such emergency vehicles shall only operate on the Dwight D.
153 Eisenhower National System of Interstate and Defense Highways.

154 13. Notwithstanding any provision of this section to the contrary, a vehicle operated
155 by an engine fueled primarily by natural gas may operate upon the public highways of this
156 state in excess of the vehicle weight limits set forth in this section by an amount that is equal
157 to the difference between the weight of the vehicle attributable to the natural gas tank and
158 fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling
159 system. In no event shall the maximum gross vehicle weight of the vehicle operating with a
160 natural gas engine exceed eighty-two thousand pounds.

161 **14. Notwithstanding any provision of this section to the contrary, any vehicle or**
162 **combination of vehicles hauling materials may operate upon the public roadways of this**
163 **state in excess of the maximum gross vehicle weight limits set forth in this section,**
164 **provided such vehicle or combination of vehicles is in possession of a special permit**
165 **issued by the motor carrier services division under section 304.850 and is operating**
166 **within the parameters specified under such section.**

304.850. 1. Notwithstanding any provision of law to the contrary, the motor
2 **carrier services division may, upon the request of an owner of a truck or equipment,**
3 **issue a vehicle-specific special permit for the transport of materials on trucks or**
4 **equipment that exceed the maximum gross vehicle weight limitations of section 304.180,**
5 **as long as the truck's or equipment's gross vehicle weight does not exceed one hundred**
6 **ten thousand pounds. Such permit, which shall be required for each truck or equipment**
7 **operating on a designated route, shall allow the transport of materials only within a**
8 **ninety-mile radius of the original location, on a specific route designated by the truck or**
9 **equipment owner on the special permit application.**

10 **2. In addition to a flat fee of five hundred dollars for a special permit issued**
11 **under this section, truck and equipment owners operating under a special permit shall**
12 **be assessed a weight-based fee of two cents per ton for each mile of operation in which**
13 **the total weight of the truck or equipment exceeds eighty thousand pounds. The**
14 **proceeds from fees collected under this section shall be distributed on a pro rata basis,**
15 **with each roadway jurisdiction receiving a prorated portion based upon its percentage**
16 **of miles to the total miles on the permitted route, with such moneys to be used for road**
17 **repairs and improvements.**

18 **3. The motor carrier services division may promulgate all necessary rules and**
19 **regulations for the administration of this section. Any rule or portion of a rule, as that**
20 **term is defined in section 536.010, that is created under the authority delegated in this**
21 **section shall become effective only if it complies with and is subject to all of the**
22 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
23 **536 are nonseverable, and if any of the powers vested with the general assembly**
24 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
25 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
26 **and any rule proposed or adopted after August 28, 2022, shall be invalid and void.**

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