

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-1999

Legislative Document

No. 2303

H.P. 1643

House of Representatives, December 21, 1999

An Act to Amend Truck Weights.

Submitted by the Secretary of State pursuant to Joint Rule 204.

Received by the Clerk of the House on December 17, 1999. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LINDAHL of Northport.
Cosponsored by Representative WHEELER of Bridgewater.

Be it enacted by the People of the State of Maine as follows:

2
4 **Sec. 1. 10 MRSA §1191, sub-§2**, as amended by PL 1995, c. 65,
Pt. A, §17 and affected by §153 and Pt. C, §15, is further
amended to read:

6
8 **2. Motor vehicle.** "Motor vehicle" means any self-propelled
vehicle designed primarily to transport not more than 14
10 individuals, except motorcycles, snowmobiles, all-terrain
vehicles, customized vans and any vehicle operated exclusively on
12 a rail or rails. This definition is intended to include motor
trucks that have a gross weight of not more than 8,600 pounds as
14 certified by the vehicle manufacturer or franchise representative
pursuant to ~~Title 29-A, section 2354, subsection 2, paragraph D,~~
16 Title 29-A, section 2364, subsection 5 and ~~Title 29-A, section~~
~~2365, subsection 8.~~

18 **Sec. 2. 29-A MRSA §504, sub-§1, ¶¶CC and DD** are enacted to
read:

20 CC. For gross weight from 90,001 to 94,000 pounds, the fee
22 is \$1,026.

24 DD. For gross weight from 94,001 to 100,000 pounds, the fee
26 is \$1,234.

28 **Sec. 3. 29-A MRSA §2352, first ¶**, as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

30 Except as allowed by specific exception in ~~sections 2357,~~
32 ~~2365 and section~~ 2382, a vehicle may not be operated on a public
way if the weight exceeds:

34 **Sec. 4. 29-A MRSA §2352, sub-§1**, as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

36 **1. Maximum.** A gross vehicle weight of 90,000 100,000
38 ~~pounds, except as provided in section 2354, subsection 2;~~

40 **Sec. 5. 29-A MRSA §2353, sub-§1, ¶D**, as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

42 D. Except as provided in paragraph E, section 2354,
44 ~~subsections 1 and 2,~~ section 2357, subsection 4 and section
46 2365 for combination vehicles with 5 or more axles, 80,000
pounds.

48 **Sec. 6. 29-A MRSA §2353, sub-§1, ¶E** is enacted to read:

2 E. For a combination of 3-axle truck tractor and tri-axle
3 semitrailer, 100,000 pounds.

4 **Sec. 7. 29-A MRSA §2354**, as enacted by PL 1993, c. 683, Pt.
5 A, §2 and affected by Pt. B, §5, is amended to read:

6 **§2354. Six-axle limits**

7 Notwithstanding this subchapter, a combination vehicle
8 consisting of a 3-axle truck tractor with a tri-axle semitrailer
9 may be operated with a maximum gross vehicle weight of:

10 **1. 90,000 pounds.** ~~Ninety thousand pounds, as long as~~

11 ~~A. The vehicle is registered for at least 90,000 pounds or~~
12 ~~the maximum allowable registered weight in its home~~
13 ~~jurisdiction; and~~

14 ~~B. If the maximum allowable registered weight in the home~~
15 ~~jurisdiction is less than 90,000 pounds, the vehicle has a~~
16 ~~permit authorizing that operation in this State. The annual~~
17 ~~fee for the permit is \$105. The permit may be issued for a~~
18 ~~period of 3 months or more on a monthly prorated basis, but~~
19 ~~may not exceed the expiration date of the annual~~
20 ~~registration.~~

21 ~~The maximum gross vehicle weight permitted is reduced by 2,000~~
22 ~~pounds for each foot the distance is less than 32 feet between~~
23 ~~the extreme axles, excluding the steering axle, measured to the~~
24 ~~nearest foot; or~~

25 **2. 100,000 pounds.** One hundred thousand pounds, as long as
26 the vehicle meets ~~the requirements of subsection 1~~ and these
27 additional requirements:

28 **A.** The distance between the extreme axles, excluding the
29 steering axle, is not less than 36 feet as measured to the
30 nearest foot. The maximum gross vehicle weight permitted is
31 reduced by 2,000 pounds for each foot the distance is less
32 than 36 feet between the extreme axles, excluding the
33 steering axle, measured to the nearest foot; and

34 **B.** The minimum distance between the steering axle and the
35 first axle of the tandem-axle group is at least 10 feet as
36 measured to the nearest foot;

37 **C.** The maximum weight on the:

38 (1) Tandem axle does not exceed 41,000 pounds; and

(2) Tri-axle does not exceed 50,000 pounds.

D. ~~All brakes, axles and suspensions are certified for weight capacity by a final stage manufacturer. The certification must be presented before the permit is issued. The certification must be affixed to or carried in the vehicle and presented on request to a state police officer, and~~

E. ~~A general commodity permit is obtained. The permit must be carried in the vehicle at all times. The fee for an annual permit is \$252, a 3-month permit is \$75, and a permit for a period of 4 months or more is \$21 per month. A permit may be transferred to another vehicle for an additional fee of \$2.~~

~~The permit may be obtained from a branch office of the Secretary of State, Bureau of Motor Vehicles, or from an agent appointed by the Secretary of State. A municipal agent may charge an additional \$1 and may retain that sum as compensation.~~

~~Revenue from the permit fee must be expended for the enforcement of truck weight regulations.~~

Nothing contained in this subsection applies to vehicles using the Interstate Highway System as defined in the Federal Aid Highway Act of 1956.

For vehicles operating under this subsection gross vehicle weight violations are determined on the basis of 90,000 pounds.

For all vehicles manufactured, modified or retrofitted with liftable or variable load suspension axles after October 30, 1991, liftable or variable load suspension axles are permitted only under the following conditions: only one liftable or variable load axle may be present on the truck tractor and only one liftable or variable load axle may be present on the semitrailer; liftable or variable load axles must be located on the vehicle so that they are legally part of the tandem axle group or tri-axle group as appropriate; and the axle weight rating of liftable or variable load axles must conform to the expected loading of the suspension and must be 20,000 pounds or more.

Sec. 8. 29-A M RSA §2357, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Six-axle combination. Notwithstanding subsection 2, a 6-axle combination vehicle, consisting of a 3-axle truck tractor

2 operating in combination with a tri-axle semitrailer may not
3 exceed 100,000 pounds. The distance between the extreme axles of
4 a vehicle under this subsection, excluding the steering axle,
5 must be at least 32 feet and the vehicle must be registered for
6 at least 90,000 pounds.

7 ~~If a truck tractor is registered in a jurisdiction where the~~
8 ~~maximum allowable registered weight is less than 90,000 pounds,~~
9 ~~the vehicle must have a permit authorizing operation in this~~
10 ~~State. The annual fee for the permit is \$105. The permit may be~~
11 ~~issued for a period of 3 months or more on a monthly prated~~
12 ~~basis, but may not exceed the expiration date of the annual~~
13 ~~registration.~~

14 **Sec. 9. 29-A MRSA §2360, sub-§3,** as enacted by PL 1993, c.
15 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

16 **3. Schedule of fines.** The fine must be based on the
17 amount of gross vehicle weight or axle weight in excess of the
18 limits prescribed in sections 2352 to 2355, 2357 or 2365, as
19 appropriate.

20 This schedule is cumulative:

Percent over allowed basic weight	Fine for each percent
1-10%	\$10 for each percent
11-20%	\$100 + \$15 for each percent over 10%
21-30%	\$250 + \$20 for each percent over 20%
31-40%	\$450 + \$25 for each percent over 30%
41-50%	\$700 + \$30 for each percent over 40%
more than 50%	\$1,000 + \$10 for each percent over 50%

24 **Sec. 10. 29-A MRSA §2365, sub-§1,** as enacted by PL 1993, c.
25 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2 **1. Registration.** The trailer unit is registered for a
3 minimum of 28,000 pounds gross weight and the combined registered
4 weight of the truck and trailer unit is at least ~~85,000~~ 94,000
5 pounds gross weight; or the truck is registered for at least
6 94,000 pounds;

7 **Sec. 11. 29-A MRSA §2365, sub-§2,** as enacted by PL 1993, c.
8 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

9 **Sec. 12. 29-A MRSA §2365, sub-§8,** as enacted by PL 1993, c.
10 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

11 **Sec. 13. 29-A MRSA §2382, sub-§2,** as enacted by PL 1993, c.
12 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:
13

14 **2. Permit fee.** The Secretary of State, with the advice of
15 the Commissioner of Transportation, may set the fee for ~~these~~
16 ~~single trip~~ permits, at not less than \$3, nor more than \$15,
17 based on weight, height, length and width. The Secretary of
18 State may, by rule, implement fees that have been set by the
19 Commissioner of Transportation for multiple trip, long-term
20 overweight movement permits. Rules established pursuant to this
21 section are routine technical rules pursuant to Title 5, chapter
22 375, subchapter II-A.
23

24 **Sec. 14. Effective date.** Those sections of this Act that amend
25 the Maine Revised Statutes, Title 10, section 1191, subsection 2,
26 Title 29-A, sections 504 and 2352, section 2353, subsection 1,
27 paragraph D and sections 2354, 2357 and 2365 take effect April 1,
28 2001.
29

30 SUMMARY

31 This bill repeals the requirement for obtaining a permit to
32 operate at 100,000 pounds, in favor of a 100,000 pound
33 registration. This provision becomes effective April 1, 2001,
34 the scheduled date for entry of several Canadian provinces into
35 the International Registration Program.
36

37 The bill permits the Secretary of State to establish, with
38 the cooperation of the Commissioner of Transportation, a method
39 of issuing long-term overweight permits for nondivisible loads.
40

41 The bill clarifies the application of weight fines.
42
43
44
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2 The bill also allows the 4-axle truck, 2-axle trailer
vehicle to register for its allowable gross vehicle weight limit
and repeals special certifications previously required for this
4 vehicle.