

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 725

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H. P. 571

House of Representatives, February 19, 1975

Referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Fraser of Mexico.

Cosponsor: Mr. Rollins of Dixfield.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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AN ACT to Change Weights and Related Provisions for Commercial  
Vehicles.

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

Sec. 1. 29 MRSA § 246, as last amended by PL 1973, c. 714, § 2, is further amended by inserting after the first paragraph the following:

A registration fee of \$15 shall be paid for each thousand pounds or portion thereof of gross weight a vehicle is registered for in excess of 73,280 pounds.

Sec. 2. 29 MRSA § 246, 5th ¶, as last amended by PL 1973, c. 614, § 4, is repealed as follows:

~~Trucks, or farm motor trucks, for the registration of which a fee of \$100 or more has been paid, may be operated on the highways during the months of December, January and February with any overload, providing it is not in excess of the requirements of section 1632~~

Sec. 3. 29 MRSA § 1611, first sentence is amended to read:

Whoever as owner, driver, operator or mover of any engine, team, vehicle or contrivance mentioned in sections 902, 1702, 1703, 1753 and 1754 violates any provision of said sections or the regulations made or permits granted under authority thereof shall be liable to a fine of not less than \$10 nor more than \$500, for each offense, except that in the case of vehicles exceeding weight limits on bridges posted by the Department of Transportation or on bridges posted by others for weight limits approved by the Commissioner of Transportation, a fine of \$40 for each full 1,000 pounds of such excess shall be paid, provided that said fine shall not exceed \$1,000.

Sec. 4. 29 MRSA § 1652, as last amended by PL 1971, c. 622, § 92, is repealed and the following enacted in place thereof:

§ 1652. Weight of commercial vehicles limited

1. Gross weight limits.

A. No vehicle or combination of vehicles shall be operated, or caused to be operated, on or over any way or bridge when the gross weight, actual weight of vehicle and load, exceeds 90,000 pounds. No vehicles having 2 axles shall be so operated, or caused to be operated, when the gross weight exceeds 34,000 pounds; no vehicle or combination of vehicles having 3 axles shall be so operated, or caused to be operated, when the gross weight exceeds 54,000 pounds; no vehicle or combination of vehicles having 4 axles shall be so operated, or caused to be operated, when the gross weight exceeds 69,000 pounds; no vehicle or combination of vehicles having 5 axles shall be so operated, or caused to be operated, when the gross weight exceeds 80,000 pounds; and no vehicle or combination of vehicles having 6 axles or more shall be so operated, or caused to be operated, when the gross weight exceeds 90,000 pounds. Vehicles may be operated, or caused to be operated, on the Interstate Highway System, as defined in the Federal Highway Act of 1956, with a maximum gross weight permitted by this subsection, provided such gross weights do not exceed the following formula:

$$W = 500 \left( \frac{LN}{N-1} + 12N + 36 \right)$$

W = gross weight      L = overall distance between extreme axles

N = number of axles

and in no case shall such gross weight limits exceed 80,000 pounds.

B. The maximum gross weight permitted by this section for combination vehicles having 4 axles shall be reduced by 1,000 pounds for each foot the distance is less than 18 feet between the centers of the extreme axles, excluding the steering axle, measured to the nearest foot; the maximum gross weight permitted for combination vehicles having 5 axles shall be reduced by 2,000 pounds for each foot such distance is less than 24 feet between the centers of the extreme axles, excluding the steering axle, measured to the nearest foot; and the maximum gross weight permitted for combination vehicles having 6 or more axles shall be reduced by 2,000 pounds for each foot such distance is less than 30 feet between the centers of extreme axles, excluding the steering axle, measured to the nearest foot. This paragraph shall not apply to combination vehicles having 6 or more axles with a distance of not less than 29 feet between extreme axles, excluding the steering axle, measured to the nearest foot until November 1, 1979. Nothing contained in this paragraph shall permit, validate or in any way apply to the use of the Interstate Highway System as defined by the Federal Aid Highway Act of 1956 by vehicles with overall gross weights in excess of the applicable maximum gross weights permitted by section 1652, subsection 1, paragraph A.

C. Notwithstanding any other provisions of this Title, as amended, or as may be subsequently amended, beginning with the 1976 model year, no

motor vehicle having a gross vehicle weight in excess of 10,000 pounds shall be operated, or caused to be operated, with a gross weight that exceeds the gross weights certified by the manufacturer. Only the manufacturer of a vehicle chassis that meets federal standards as they apply to their vehicles or their franchised dealer shall be authorized to certify the gross vehicle weight of a vehicle. Proof of such certified gross vehicle weight shall be permanently affixed to the vehicle or carried in or about the vehicle and displayed on demand of any police officer and such evidence of a certified gross vehicle weight shall contain the vehicle identification number to which it applies, if such is not permanently attached to the vehicle.

D. The following vehicles are permitted on the Interstate Highway System:

(1) All 3-axle trucks with brakes on the wheels of all axles, hauling forest products or raw ore from mine or quarry to place of processing, may be operated with a gross weight of 48,000 pounds with a distance between extreme axles of not less than 18 feet.

(2) All 3-axle trucks with brakes on the wheels of all axles, hauling construction materials, may be operated with a gross weight of 48,000 pounds with a distance between extreme axles of not less than 16 feet.

2. Axle weight limits.

A. One axle, or 2 axles less than 4 feet apart, shall be considered as a single axle unit; 2 or more axles at least 4 feet and not more than 8 feet apart shall be considered as a tandem axle unit; 3 axles measuring more than 8 feet between the first and third axles and less than 12 feet shall be considered as a tri-axle unit; and if a single axle unit is closer than 10 feet, or in the case of a steering axle 9 feet, to the nearest axle of a tri-axle unit, the gross weight on the 4 axles shall not exceed that allowed for a tri-axle unit.

B. No vehicle shall be operated, or caused to be operated, with a gross weight exceeding 22,000 pounds on a single axle unit, 38,000 pounds on a tandem axle unit or 48,000 pounds on a tri-axle unit, specifically excepting the Interstate Highway System as defined in the Federal Highway Act of 1956, where the tandem axle unit limit shall be 34,000 pounds; and provided that:

(1) Nothing contained in section 1655 shall permit an axle or tandem axle weight on the Interstate Highway System as defined in the Federal Aid Highway Act of 1956 in excess of the limits established for such system in this section;

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

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

(4) The gross weight of a vehicle shall not be increased by the addition of a trailing axle, so called, unless such axle supports at least 50% of the added weight permitted by the addition of such trailing axle.

C. Notwithstanding any other provision of this Title, no vehicle shall be operated or caused to be operated when the load imparted to the road surface is greater than 600 pounds per inch width tire, manufacturer's rating.

3. Prima facie evidence.

The operation of the vehicle shall be prima facie evidence that said operation was caused by the person, firm or corporation holding the permit or certificate for said vehicle from the Public Utilities Commission.

4. Brake requirements.

A. Every truck, tractor, truck tractor, trailer and semitrailer shall be equipped with adequate brakes acting on all wheels of all axles, except that:

(1) Any truck, tractor or truck tractor having 3 or more axles need not have brakes on the front wheels except when any such vehicle is equipped with 2 or more steerable axles the wheels of one such axle need not be equipped with brakes;

(2) Any trailer or semitrailer not exceeding a gross weight of 3,000 pounds;

(3) Any vehicle towed by use of a wrecker; and

(4) Any vehicle meeting braking requirements of the motor carrier safety regulations of the U. S. Department of Transportation shall be considered adequate.

Sec. 5. 29 MRSA § 1654, first 4 ¶¶, as amended, are repealed and the following enacted in place thereof:

Any person who violates any weight provision for any axle or group of axles or gross weight, if convicted, shall be guilty of a misdemeanor on account of each such violation and for each violation of which convicted shall be punished by a fine. When both gross and axle weights are exceeded, the fine shall be imposed on whichever excess is the greater.

The court shall apply the following schedule in determining the fine to be imposed; said fine to be based upon the amount of gross weight or axle weight in excess of the limits prescribed in section 1652. The fines shall apply when such excess is less than 2,000 pounds only when such excess is intentional.

Percent over basic weight  
allowed in section 1652

Fine schedule

|   |      |
|---|------|
| 1 | \$10 |
| 2 | \$20 |
| 3 | \$30 |
| 4 | \$40 |
| 5 | \$50 |
| 6 | \$60 |
| 7 | \$70 |
| 8 | \$80 |
| 9 | \$90 |

| Percent over basic weight<br>allowed in section 1652 | Fine schedule |
|--|---------------|
| 10   | \$100         |
| 11   | \$120         |
| 12   | \$140         |
| 13   | \$160         |
| 14   | \$180         |
| 15   | \$200         |
| 16   | \$220         |
| 17   | \$240         |
| 18   | \$260         |
| 19   | \$280         |
| 20   | \$300         |
| 21   | \$320         |
| 22   | \$340         |
| 23   | \$360         |
| 24   | \$380         |
| 25   | \$400         |
| 26   | \$420         |
| 27   | \$440         |
| 28   | \$460         |
| 29   | \$480         |
| 30   | \$500         |
| 31   | \$525         |
| 32   | \$550         |
| 33   | \$575         |
| 34   | \$600         |
| 35   | \$625         |
| 36   | \$650         |
| 37   | \$675         |
| 38   | \$700         |
| 39   | \$725         |
| 40   | \$750         |
| 41   | \$800         |
| 42   | \$850         |
| 43   | \$900         |
| 44   | \$950         |
| 45 or<br>greater                                     | \$1000        |

In addition to the penalties enumerated in this section, there shall be, for vehicles using the Interstate Highway System as defined in the Federal Aid Highway Act of 1956, a fine of \$20 and cost of court when the maximum weight permitted on an axle, tandem axle or the gross weight is in excess of those limits established, for said system, in section 1652 or the tri-axle limit established in section 1652 or section 1655, whichever is applicable.

**Sec. 6.** 29 MRSA § 1655, as last amended by PL 1971, c. 544, § 99, is repealed and the following enacted in place thereof:

### § 1655. Weight tolerance for certain vehicles

The operation on the highways of any vehicle loaded entirely with firewood, sawed lumber, dimension lumber, pulpwood, wood chips, logs, soils, unconsolidated rock materials, bolts, farm produce, road salt, manufacturer's concrete products, building materials which absorb moisture during delivery originating and terminating within the State, or dump trucks, tractor dump trucks or transit-mix concrete trucks carrying highway construction materials; or any vehicle loaded with a majority of products requiring refrigeration, whether by ice or mechanical equipment, and on such vehicles when inspected by the Maine State Police, the number of the seal shall be recorded and the number of the new seal shall be recorded by the Maine State Police. The operation on the highways of any vehicle loaded with raw ore from mine or quarry to place of processing shall not be deemed to be in violation if the gross weight of such vehicle does not exceed 110% of the maximum gross weight for which such vehicle is then registered, nor 110% of the maximum gross weight permitted for such vehicle by section 1652, and provided that the maximum axle loads for these vehicles do not exceed 24,200 pounds for a single axle unit, 46,000 pounds for a tandem axle unit and 54,000 pounds for a tri-axle unit, except that 64,000 pounds shall be permitted on the tri-axle unit of a 4-axle vehicle hauling forest products until November 1, 1979.

Notwithstanding the provisions of this section, no vehicle or combination of vehicles, the gross weight of which exceeds 73,280 pounds, shall be operated or caused to be operated on the Interstate Highway System, as defined in the Federal Aid Highway Act of 1956, if the gross weight of such vehicle exceeds the gross weight for which it is legally registered.

The provisions to this section, as they relate to weight tolerances, shall not apply to vehicles manufactured prior to the 1976 model year when the model year of such a vehicle is 10 or more years prior to the year for which registered.

Sec. 7. 29 MRSA § 1656, first ¶ is repealed and the following enacted in place thereof:

No person shall operate, or cause to be operated, any vehicle with a gross weight that is more than 10% above that gross weight specified in the registration certificate for such vehicles having a gross weight of not over 15,000 pounds and 5% for vehicles with a gross weight specified in the registration certificate of over 15,000 pounds; provided that no vehicle or combination of vehicles shall be operated on the highway with a gross weight that exceeds those limits established by this Title.

Sec. 8. Allocation. There is allocated from the General Highway Fund the sum of \$10,000 to cover the cost of establishing safe weight limits on bridges throughout the State of Maine.

### FISCAL NOTE

It is estimated that the direct additional cost to the General Highway Fund would amount to \$10,000. Annual revenue of \$60,000 is anticipated from this proposal.

## STATEMENT OF FACT

This bill proposes to increase the weight limits for motor trucks and other commercial vehicles, representing an effort to recognize the increased load carrying capacities and safety features of modern trucks and at the same time obtaining more equitable load distributions. The weight limits included in this proposal may require the posting of some bridge structures that are not presently identified as limiting structures.

Also, the fine structure for overloads has been changed from a maximum of \$200 to a maximum of \$1,000. In addition, this bill proposes fines of \$40 per 1,000 pounds, not to exceed \$1,000 for all overloads on posted bridges.