

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 269

H.P. 184

House of Representatives, February 1, 1991

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative NUTTING of Leeds.

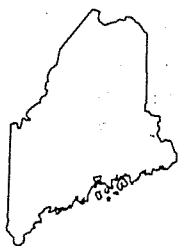
Cosponsored by Representative STROUT of Corinth, Representative HUSSEY of Milo and Senator EMERSON of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Allow Haulers of Unprocessed Milk to Purchase a 10%
Overweight Permit.**

(EMERGENCY)



2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 Whereas, the volume of milk hauled by milk haulers varies on
6 a daily basis; and

8 Whereas, this variance causes sporadic violations of the
truck weight limit laws; and

10 Whereas, enforcement of current law is resulting in the milk
12 haulers being penalized; and

14 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
16 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
18 safety; now, therefore,

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

22 **29 MRSA §1655, first ¶**, as amended by PL 1989, c. 866, Pt. B,
§12 and affected by §26, is further amended to read:

24 The operation on the highways of any vehicle loaded entirely
26 with bark, sawdust, firewood, sawed lumber, dimension lumber,
pulpwood, wood chips, logs, soils, unconsolidated rock materials
28 including limestone, bolts, farm produce, road salt,
manufacturer's concrete products, solid waste, building materials
30 and incinerator ash that absorb moisture during delivery
originating and terminating within the State; or dump trucks,
32 tractor dump trucks or transit-mix concrete trucks carrying
highway construction materials; or any vehicle loaded entirely
34 with unprocessed milk; or any vehicle loaded with a majority of
products requiring refrigeration, whether by ice or mechanical
36 equipment, and on those vehicles when inspected by the State
Police, the number of the seal must be recorded and the number
38 of the new seal must be recorded by the State Police, the
operation on the highways of any vehicle loaded with raw ore from
40 mine or quarry to place of processing may not be determined to be
in violation if the gross weight of that vehicle does not exceed
42 110% of the maximum gross weight permitted for that vehicle by
section 1652, and provided that the maximum axle loads for these
44 vehicles do not exceed 24,200 pounds for a single axle unit,
46 46,000 pounds for a tandem axle unit and 54,000 pounds for a
tri-axle unit, except that 64,000 pounds must be permitted on the
tri-axle unit of a 4-axle motor vehicle hauling forest products
48 provided that a special commodity permit is obtained. When any of
the tolerances in this section are exceeded, the difference
50 between the actual weights and the respective limits established
in section 1652 must be used as the basis for determining the
52 percentage of overload on which the penalty in section 1654 must
be assessed.

2 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

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STATEMENT OF FACT

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Because a milk hauler accepts all of the milk at each farm on the hauler's route, volumes vary on a daily basis. This bill includes unprocessed milk in the list of commodities for which haulers may obtain a special commodity permit. These permits allow haulers to exceed weight limits by 10% without being in violation.

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