

2018 Regular Session

HOUSE BILL NO. 319

BY REPRESENTATIVES DAVIS AND THIBAUT

MTR VEHICLE/TRUCKS: Creates annual permits for ready-mix concrete trucks

1 AN ACT

2 To amend and reenact R.S. 32:388(B)(1)(b)(iv) and to enact R.S. 32:387.20, relative to
3 trucks hauling concrete or construction aggregates; to authorize the issuance of
4 special permits for vehicles transporting ready-mixed concrete under certain
5 circumstances; to provide that such authorization to exceed the maximum gross
6 vehicle weight shall not apply in certain circumstances; to provide for weight limits
7 under the special permit for ready-mixed concrete trucks; to establish a fee for the
8 special permit for ready-mixed concrete trucks; to provide for the design and
9 placement of the special permit; to provide for exceptions; to provide for deposit of
10 fees; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. 32:388(B)(1)(b)(iv) is hereby amended and reenacted and R.S. 32:387.20
13 is hereby enacted to read as follows:

14 §387.20. Special permit; ready-mixed concrete trucks

15 A. Notwithstanding any provision of law to the contrary, the secretary shall
16 issue annual special permits authorizing the operation of ready-mixed concrete
17 trucks on state-maintained highways and frontage roads adjacent to a federal
18 interstate highway. The permit shall not authorize the operation of ready-mixed
19 concrete trucks on interstate highways.

1 B.(1) The permit shall authorize the operation of a ready-mixed concrete
2 truck with a gross vehicle weight not to exceed sixty-nine thousand pounds if a rear
3 tandem-axle mixer truck, a gross vehicle weight not to exceed eighty-three thousand
4 pounds if a rear tri-axle mixer truck, and a gross vehicle weight not to exceed eighty-
5 four thousand pounds if a rear quad-axle mixer truck.

6 (2) The permit shall be specific to the vehicle that is listed in the permit
7 application.

8 (3) The fee for the permit shall be collected annually per vehicle in the
9 following amounts:

10 (a) Eight hundred dollars for a rear tandem-axle ready-mixed concrete truck.

11 (b) Four hundred dollars for a rear tri-axle ready-mixed concrete truck.

12 (c) Four hundred dollars for a rear quad-axle ready-mixed concrete truck.

13 C. A permit issued pursuant to this Section shall be valid for one year and
14 shall be carried in the vehicle for which it is issued.

15 D. When the department issues a permit pursuant to this Section, it shall
16 issue a sticker to be placed in the front windshield of the vehicle above the inspection
17 certificate issued to the vehicle. The department shall design the form of the sticker
18 to aid in the enforcement of weight limits for vehicles. The sticker shall indicate the
19 expiration date of the permit and be removed from the vehicle when the permit for
20 the operation of the vehicle expires, the lease of the vehicle expires, or the vehicle
21 is sold.

22 E. If the permitted gross vehicle weight is not exceeded, there shall be no
23 finer imposed for over axle weight.

24 F. As used in this Section, "ready-mixed concrete truck" shall mean a vehicle
25 designed exclusively to transport or manufacture ready-mixed concrete.

26 G. All fees collected pursuant to the provisions of this Section shall be
27 deposited into the Transportation Trust Fund.

1 §388. Penalties; payments

2 * * *

3 B.(1)

4 * * *

5 (b)

6 * * *

7 (iv) Effective from August 1, 2012, through July 31, 2018, no truck hauling
8 ready-mixed concrete shall be assessed a penalty for exceeding its maximum
9 permissible gross weight, as determined by law, provided the total excess weight is
10 ten percent or less of such truck's maximum permissible gross weight, such truck
11 contains a certificate evidencing its most recent mixer chip-out of build-up occurred
12 within the previous ninety days, such truck does not exceed the posted load while
13 crossing a posted bridge, such truck is not operating on the interstate system, and no
14 tire on such truck exceeds its tire weight rating. If such truck's total excess weight
15 is greater than ten percent of its maximum permissible gross weight, as determined
16 by law, such truck shall be assessed a penalty calculated on the total amount by
17 which the truck's weight exceeds its maximum permissible gross weight, as
18 determined by law. For the purposes of this Item, a "ready-mixed concrete truck"
19 is defined as a vehicle designed exclusively to transport or manufacture ready-mixed
20 concrete and includes a concrete pump truck engaged in hauling ready-mixed
21 concrete. This Item shall not apply to any ready-mixed concrete truck as defined in
22 R.S. 32:387.20 that has been issued a permit pursuant to R.S. 32:387.20.

23 * * *

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 319 Reengrossed

2018 Regular Session

Davis

Abstract: Creates an annual permit for ready-mixed concrete trucks and provides for fees and matters relating to such permits.

Proposed law requires the secretary to issue annual special permits authorizing the operation of ready-mixed concrete trucks on state-maintained highways and frontage roads adjacent to federal interstate highways.

Proposed law provides that the permit created by proposed law would authorize the operation of a ready-mixed concrete truck with a gross vehicle weight not to exceed 69,000 pounds if a rear tandem-axle mixer truck, a gross vehicle weight not to exceed 83,000 pounds if a rear tri-axle mixer truck, and a gross vehicle weight not to exceed 84,000 pounds if a rear quad-axle mixer truck.

Proposed law requires the permit created by proposed law be specific to the vehicle that is listed in the permit application.

Proposed law requires a fee for the permit to be collected annually per vehicle in the following amounts: \$800 for a rear tandem-axle ready-mixed concrete truck, \$400 for a rear tri-axle ready-mixed concrete truck, and \$400 for a rear quad-axle ready-mixed concrete truck.

Proposed law specifies that a permit issued pursuant to proposed law is valid for one year and requires the permit be carried in the vehicle for which it is issued.

Proposed law requires the Dept. of Transportation and Development to issue a sticker for placement in the front windshield of the vehicle above the inspection certificate issued to the vehicle. Specifies that the sticker must indicate the expiration date of the permit and be removed from the vehicle when the permit for the operation of the vehicle expires, the lease of the vehicle expires, or the vehicle is sold.

Proposed law provides that if the permitted gross vehicle weight is not exceeded then there would be no fines imposed for over axle weight.

Proposed law clarifies that "ready-mixed concrete truck" means a vehicle designed exclusively to transport or manufacture ready-mixed concrete.

Present law authorizes trucks hauling ready-mixed concrete to exceed the maximum permissible gross weight, without a penalty, provided the total excess weight is 10% or less of the truck's maximum permissible gross weight, the truck contains a certificate evidencing its most recent mixer chip-out of build-up occurred within the previous 90 days, the truck does not exceed the posted load while crossing a posted bridge, the truck is not operating on the interstate system, and no tire on the truck exceeds its tire weight rating. Present law is effective from Aug. 1, 2012, through July 31, 2018.

Proposed law retains present law and provides that the time period provided in present law would not apply to ready-mixed concrete trucks as defined in proposed law that have been issued a permit pursuant to proposed law.

Proposed law requires that all fees collected pursuant to the provisions of proposed law be deposited into the Transportation Trust Fund.

(Amends R.S. 32:388(B)(1)(b)(iv); Adds R.S. 32:387.20)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Require that all fees collected pursuant to the provisions of proposed law be deposited into the Transportation Trust Fund.