

2018 Regular Session

HOUSE BILL NO. 319

BY REPRESENTATIVES DAVIS AND THIBAUT

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.

20 B.(1) The permit shall authorize the operation of a ready-mixed concrete  
21 truck with a gross vehicle weight not to exceed sixty-nine thousand pounds if a rear  
22 tandem-axle mixer truck, a gross vehicle weight not to exceed eighty-three thousand

1           pounds if a rear tri-axle mixer truck, and a gross vehicle weight not to exceed eighty-  
2           four thousand pounds if a rear quad-axle mixer truck.

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

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

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

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

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

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

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

19          E. If the permitted gross vehicle weight is not exceeded, there shall be no  
20          finest imposed for over axle weight.

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

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

25          §388. Penalties; payments

26                                 \*       \*       \*

27                 B.(1)

28                                 \*       \*       \*

29                 (b)

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_