

WEIGHTS/MEASURES. Authorizes ready-mixed concrete trucks to exceed maximum allowable gross vehicle weight under certain conditions until 2016. (8/1/14)

AN ACT

To amend and reenact R.S. 32:388(B)(1)(b)(iv), relative to trucks hauling concrete or construction aggregates; extends termination date for two years for ready-mixed concrete trucks to exceed licensed gross vehicle weight under certain conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

§388. Penalties; payments

	*	*	*
B.(1)(a)	*	*	*
(b)(i)	*	*	*

(iv) Effective from August 1, 2012, through July 31, ~~2014~~ **2016**, no truck hauling ready-mixed concrete shall be assessed a penalty for exceeding its maximum permissible gross weight, as determined by law, provided the total excess weight is ten percent or less of such truck's maximum permissible gross weight, such truck contains a certificate evidencing its most recent mixer chip-out of build-up occurred

1 within the previous ninety days, such truck does not exceed the posted load while  
 2 crossing a posted bridge, such truck is not operating on the interstate system, and no  
 3 tire on such truck exceeds its tire weight rating. If such truck's total excess weight  
 4 is greater than ten percent of its maximum permissible gross weight, as determined  
 5 by law, such truck shall be assessed a penalty calculated on the total amount by  
 6 which the truck's weight exceeds its maximum permissible gross weight, as  
 7 determined by law. For the purposes of this Item, a "ready-mixed concrete truck"  
 8 is defined as a vehicle designed exclusively to transport or manufacture ready-mixed  
 9 concrete and includes a concrete pump truck engaged in hauling ready-mixed  
 10 concrete.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Sharon F. Lyles.

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#### DIGEST

Morrish (SB 192)

Present law prohibits assessment of a penalty on any truck hauling ready-mixed concrete which exceeds its maximum allowable gross weight, as determined by law, provided the total excess weight is ten percent or less of the truck's maximum allowable gross weight, the truck contains a certificate evidencing its most recent mixer chip-out of a 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 provides that if the truck's total excess weight is greater than ten percent of the truck's maximum allowable gross weight, as determined by law, the truck shall be assessed a penalty calculated on the total amount by which the truck's weight exceeds its maximum permissible gross weight, as determined by law.

Present law applies to a ready-mixed concrete truck which is defined as a vehicle designed exclusively to transport or manufacture ready-mixed concrete and includes a vehicle designed exclusively to transport and manufacture ready-mixed concrete or a concrete pump truck, engaged in hauling ready-mixed concrete.

Present law terminates in two years and is effective from August 1, 2012, through July 31, 2014.

Proposed law extends termination date for two years from July 31, 2014, to July 31, 2016.

Effective August 1, 2014.

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