

2019 Regular Session

HOUSE BILL NO. 164

BY REPRESENTATIVE FRANKLIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MTR VEHICLE/TRUCK REGS: Provides relative to dump trucks

1 AN ACT

2 To amend and reenact R.S. 32:388(B)(4)(b) and to enact R.S. 32:388(B)(1)(b)(v), relative
3 to trucks hauling construction aggregates; to provide that such authorization to
4 exceed the maximum gross vehicle weight limit shall not apply in certain
5 circumstances; to provide for exceptions; to provide for definitions; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:388(B)(4)(b) is hereby amended and reenacted and R.S.
9 32:388(B)(1)(b)(v) is hereby enacted to read as follows:

10 §388. Penalties; payments

11 * * *

12 B.(1)

13 * * *

14 (b)

15 * * *

16 (v) No dump truck hauling concrete or construction aggregates shall be
17 assessed a penalty for exceeding its maximum permissible axle weight, as
18 determined by law, provided the total excess gross weight is ten percent or less of the
19 truck's maximum permissible gross weight, the truck does not exceed the posted load
20 while crossing a posted bridge, the truck is not operating on the interstate system,

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 164 Reengrossed

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Abstract: Creates a weight variance for "dump trucks".

Present law defines "construction aggregates" as sand, gravel, crushed stone, reef shell, clam shell, sand-clam shell mixture, sand-reef shell mixture, sand clay gravel, clam-reef shell mixture, crushed concrete, expanded clay, calcium sulfate hemihydrate, and asphalt.

Proposed law modifies the present law definition for "construction aggregates" to include bulk soil, bulk rock, sand rock, and asphalt millings.

Proposed law authorizes dump trucks hauling concrete or construction aggregates to exceed the maximum permissible axle weight, without a penalty, provided the truck does not exceed its maximum permissible gross weight by more than 10%, 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.

Proposed law further provides that if the truck's total excess weight is greater than 10% of its maximum permissible gross weight it must be assessed a penalty based on the total amount by which the truck's weight exceeds its maximum permissible gross weight.

Proposed law defines "dump truck" as a vehicle designed exclusively to transport construction aggregates.

(Amends R.S. 32:388(B)(4)(b); Adds R.S. 32:388(B)(1)(b)(v))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Remove the special permit for "dump trucks".
3. Provide for a weight variance which authorizes trucks hauling concrete or construction aggregates to exceed the maximum allowable axle weights, without penalty, provided the dump truck does not exceed the maximum permissible gross weight, as provided for in present law, by more than 10% as provided, and 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.
4. Modify the definition of "construction aggregate" to include bulk soil, bulk rock, sand rock, and asphalt millings.