

# ACT No. 301

2019 Regular Session

HOUSE BILL NO. 217

BY REPRESENTATIVE LEGER

1 AN ACT

2 To amend and reenact R.S. 32:387(C)(3)(d), (H)(2)(a), (b), and (c)(i) and (iv), and (J)(2), to  
3 enact R.S. 32:387(H)(2)(d), and to repeal R.S. 32:387(J)(3), relative to special permit  
4 fees; to provide with respect to the issuance of special permit fees; to increase the  
5 amount of the permit fees; to provide for the dedication of a certain portion of the  
6 fees; to provide for the application requirements for special permits; to provide for  
7 an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 32:387(C)(3)(d), (H)(2)(a), (b), and (c)(i) and (iv), and (J)(2) are  
10 hereby amended and reenacted and R.S. 32:387(H)(2)(d) is hereby enacted to read as  
11 follows:

12 §387. Special permits

13 \* \* \*

14 C.

15 \* \* \*

16 (3)

17 \* \* \*

18 (d)(i) The secretary shall collect a one-time fee of ten dollars for  
19 each harvest year for the issuance of the special harvest season permits.

20 (ii) An applicant for a timber harvest season permit shall have the option to  
21 pay a one-time fee of one hundred dollars to the secretary for each harvest year for  
22 the issuance of such permit. Notwithstanding any provision of law to the contrary,  
23 any vehicle or combination of vehicles owned or operated by a timber harvest season  
24 permittee who paid one hundred dollars for the permit shall:

25 (aa) Be equipped with weight scales for purposes of weight regulation.

1 (bb) Not be assessed a penalty for exceeding its maximum permissible axle  
 2 weight, as determined by law, provided the total excess gross weight is ten percent  
 3 or less of the vehicle's maximum permissible gross weight.

4 (cc) Not exceed the posted maximum speed limit on the public highways of  
 5 this state.

6 \* \* \*

7 H. Special permit fees.

8 \* \* \*

9 (2) Fees for an overweight permit shall be as set forth in the following  
 10 schedules:

11 (a) This schedule is for three types of vehicles:

12 (i) Vehicles and combinations of vehicles which do not exceed the legal  
 13 gross weight, but which exceed the legal axle weight on one to three single or  
 14 individual axles or on tandem, tridum, or quadrum axles, including the steering axles.

15 (ii) Vehicles or combinations of vehicles which have two or three single or  
 16 individual axles total and which exceed both their legal gross weight and legal axle  
 17 weight.

18 (iii) Off-road equipment with two to four single or individual axles, or  
 19 tandem, or tridum axles.

20 PERMIT FEE DOLLARS

<u>EXCESS WEIGHT</u>	<u>DISTANCE IN MILES</u>					
	<u>POUNDS</u>	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>	<u>OVER 200</u>
0-10,000	<del>\$ 20.00</del> <u>30.00</u>	<del>\$ 30.00</del> <u>45.00</u>	<del>\$ 35.00</del> <u>52.50</u>	<del>\$ 45.00</del> <u>67.50</u>	<del>\$ 55.00</del> <u>82.50</u>	
10,001-20,000	<del>35.00</del> <u>52.50</u>	<del>65.00</del> <u>97.50</u>	<del>90.00</del> <u>135.00</u>	<del>115.00</del> <u>172.50</u>	<del>140.00</del> <u>210.00</u>	
20,001-30,000	<del>55.00</del> <u>82.50</u>	<del>100.00</del> <u>150.00</u>	<del>140.00</del> <u>210.00</u>	<del>185.00</del> <u>277.50</u>	<del>230.00</del> <u>345.00</u>	
30,001-40,000	<del>70.00</del> <u>105.00</u>	<del>135.00</del> <u>202.50</u>	<del>195.00</del> <u>292.50</u>	<del>255.00</del> <u>382.50</u>	<del>315.00</del> <u>472.50</u>	
40,001-50,000	<del>90.00</del> <u>135.00</u>	<del>170.00</del> <u>255.00</u>	<del>245.00</del> <u>367.50</u>	<del>325.00</del> <u>487.50</u>	<del>405.00</del> <u>607.50</u>	
50,001-60,000	<del>105.00</del> <u>157.50</u>	<del>205.00</del> <u>307.50</u>	<del>300.00</del> <u>450.00</u>	<del>395.00</del> <u>592.50</u>	<del>490.00</del> <u>735.00</u>	
Over 60,000--	<del>\$10.00</del> <u>\$15.00</u> permit fee plus	<del>\$0.07</del> <u>\$0.10</u> per ton-mile will be charged				

30 (b) This schedule is for combinations of vehicles with four single or  
 31 individual axles including the steering axle.

1 FOUR AXLES, INCLUDING STEERING AXLE:

2 PERMIT FEE DOLLARS

3	<u>GROSS WEIGHT</u>		<u>DISTANCE IN MILES</u>			
	4	<u>POUNDS</u>	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>
5	66,001-80,000	\$ <del>20.00</del> <u>30.00</u>	\$ <del>35.00</del> <u>52.50</u>	\$ <del>45.00</del> <u>67.50</u>	\$ <del>60.00</del> <u>90.00</u>	\$ <del>70.00</del> <u>105.00</u>
6	80,001-90,000	<del>45.00</del> <u>67.50</u>	<del>75.00</del> <u>112.50</u>	<del>110.00</del> <u>165.00</u>	<del>145.00</del> <u>217.50</u>	<del>175.00</del> <u>262.50</u>

7 (c)(i) This schedule is for combinations of vehicles with five or more single  
 8 or individual axles, or tandem, or tridum axles, including the steering axle, where the  
 9 gross weight exceeds eighty thousand pounds.

10 FIVE OR MORE AXLES INCLUDING STEERING AXLE

11 WHERE GROSS WEIGHT EXCEEDS 80,000 POUNDS

12 PERMIT FEE DOLLARS

13	<u>GROSS WEIGHT</u>		<u>DISTANCE IN MILES</u>			
	14	<u>POUNDS</u>	<u>0-50</u>	<u>51-100</u>	<u>101-150</u>	<u>151-200</u>
15	80,001-100,000	\$ <del>30.00</del> <u>45.00</u>	\$ <del>45.00</del> <u>67.50</u>	\$ <del>65.00</del> <u>97.50</u>	\$ <del>80.00</del> <u>120.00</u>	\$ <del>100.00</del> <u>150.00</u>
16	100,001-108,000	<del>50.00</del> <u>75.00</u>	<del>95.00</del> <u>142.50</u>	<del>135.00</del> <u>202.50</u>	<del>180.00</del> <u>270.00</u>	<del>220.00</del> <u>330.00</u>
17	108,001-120,000	<del>70.00</del> <u>105.00</u>	<del>130.00</del> <u>195.00</u>	<del>190.00</del> <u>285.00</u>	<del>250.00</del> <u>375.00</u>	<del>310.00</del> <u>465.00</u>
18	120,001-132,000	<del>90.00</del> <u>135.00</u>	<del>170.00</del> <u>255.00</u>	<del>250.00</del> <u>375.00</u>	<del>330.00</del> <u>495.00</u>	<del>415.00</del> <u>622.50</u>
19	132,001-152,000	<del>120.00</del> <u>180.00</u>	<del>225.00</del> <u>337.50</u>	<del>335.00</del> <u>502.50</u>	<del>445.00</del> <u>667.50</u>	<del>555.00</del> <u>832.50</u>
20	152,001-172,000	<del>155.00</del> <u>232.50</u>	<del>295.00</del> <u>442.50</u>	<del>440.00</del> <u>660.00</u>	<del>585.00</del> <u>877.50</u>	<del>730.00</del> <u>1095.00</u>
21	172,001-192,000	<del>190.00</del> <u>285.00</u>	<del>365.00</del> <u>547.50</u>	<del>545.00</del> <u>817.50</u>	<del>725.00</del> <u>1087.50</u>	<del>905.00</del> <u>1357.50</u>
22	192,001-212,000	<del>225.00</del> <u>337.50</u>	<del>435.00</del> <u>652.50</u>	<del>650.00</del> <u>975.00</u>	<del>865.00</del> <u>1297.50</u>	<del>1080.00</del> <u>1620.00</u>
23	212,001-232,000	<del>260.00</del> <u>390.00</u>	<del>505.00</del> <u>757.50</u>	<del>755.00</del> <u>1132.50</u>	<del>1005.00</del> <u>1507.50</u>	<del>1250.00</del> <u>1875.00</u>
24	232,001-254,000	<del>295.00</del> <u>442.50</u>	<del>575.00</del> <u>862.50</u>	<del>860.00</del> <u>1290.00</u>	<del>1145.00</del> <u>1717.50</u>	<del>1420.00</del> <u>2130.00</u>

25 \* \* \*

26 (iv) OVER 254,000 -- ~~\$10.00~~ \$15.00 permit fee, plus ~~\$0.50~~ \$0.75 per ton-  
 27 mile of weight in excess of 80,000 pounds, plus a fee for structural evaluation based  
 28 on the following schedule:

29 (aa) ~~\$125.00~~ \$187.50 -- for evaluation of treated timber, concrete slab, and  
 30 precast concrete slab bridge.

31 (bb) ~~\$850.00~~ \$1,275.00 -- for evaluation of truss, continuous span, and  
 32 movable bridges and for all Mississippi River structures.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (cc) ~~\$500.00~~ \$750.00 -- for all other structures.

2 (d) After compliance with the requirements of Article VII, Section 9(B) of  
3 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,  
4 any revenues collected by the secretary for issuance of permits pursuant to this  
5 Paragraph in excess of twenty million dollars in a fiscal year shall be paid into the  
6 state treasury for deposit into the Construction Subfund of the Transportation Trust  
7 Fund pursuant to the requirements of Article VII, Section 27(B)(2) of the  
8 Constitution of Louisiana.

9 \* \* \*

10 J. Notwithstanding other provisions of this Subpart or other provisions of  
11 law to the contrary, vehicles hauling prepackaged products in international trade  
12 originating from or destined to an intermodal facility, which are containerized in  
13 such a manner as to make subdivision thereof impractical, shall be authorized special  
14 container permits. For the purposes of this Subsection, the contents of a sealed  
15 container being used in international trade in conjunction with a maritime shipment  
16 shall be considered indivisible. The special container permits shall be subject to the  
17 following provisions:

18 \* \* \*

19 (2)(a) Upon application of the owner or operator of any vehicle transporting  
20 sealed intermodal containers ~~within a fifty-mile radius of a statutorily defined port~~  
21 ~~or harbor district,~~ the secretary shall issue a Class II Ocean Container Permit for the  
22 transportation of such containers with the gross vehicle weight limitation not to  
23 exceed ninety-five thousand pounds and the axle weight not to exceed ~~twenty~~  
24 twenty-two thousand pounds per axle ~~provided the rear axle set is in tridem.~~ The  
25 applicant shall indicate on the application the vehicle identification number of the  
26 vehicle for which the permit shall be issued. The ~~annual~~ biannual fee for the permit  
27 shall be ~~five hundred~~ three hundred seventy-five dollars per vehicle. The secretary  
28 may establish routes for any owner or operator who receives a permit. The secretary  
29 may revoke the permit of any owner or operator that fails to adhere to the route  
30 designated by the secretary. If the vehicle for which the permit is issued is no longer

1 usable by the owner or operator, the permit may be transferred to the replacement  
2 vehicle. However, such transfer shall be authorized only one time during the year  
3 six-month period for which the permit is in effect.

4 (b) ~~The provisions of this Paragraph limiting the transportation of sealed~~  
5 ~~intermodal containers within a fifty-mile radius of a statutorily defined port or harbor~~  
6 ~~district shall not apply to vehicles transporting such containers within a fifty-mile~~  
7 ~~radius of the Interstate Ten Twin Span Bridge, until such time as the Interstate Ten~~  
8 ~~Twin Span Bridge is opened to owners or operators of any vehicle transporting~~  
9 ~~sealed intermodal containers.~~ After compliance with the requirements of Article VII,  
10 Section 9(B) of the Constitution of Louisiana relative to the Bond Security and  
11 Redemption Fund, two hundred fifty dollars of the fee collected by the secretary for  
12 the issuance of permits pursuant to this Paragraph shall be paid into the state treasury  
13 for deposit into the Construction Subfund of the Transportation Trust Fund pursuant  
14 to the requirements of Article VII, Section 27(B)(2) of the Constitution of Louisiana.

15 \* \* \*

16 Section 2. R.S. 32:387(J)(3) is hereby repealed in its entirety.

17 Section 3. This Act shall become effective on January 1, 2020.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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