

House Bill 189 (COMMITTEE SUBSTITUTE)

By: Representatives Meeks of the 178th, Burchett of the 176th, Corbett of the 174th, Frye of the 122nd, Dickey of the 145th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated,
2 relating to dimensions and weight of vehicles and loads, so as to provide for an allowable
3 variance for weight limitations upon a vehicle or load for vehicles hauling certain products
4 within certain areas; to remove a prohibition on the use of lift axle for computations of
5 weight; to provide for penalties for excess weight; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to
10 dimensions and weight of vehicles and loads, is amended in Code Section 32-6-26, relating
11 to weight of vehicle and load, by revising subsection (g) as follows:

12 "(g)(1) The weight limitations provided for in this Code section, except the limitation in
13 subsections (f) and (h) of this Code section, may be exceeded on any public road within
14 this state which is not an interstate highway, or when making a pickup or delivery on any
15 public road of a county road system, without a permit only when the load on any single
16 axle does not exceed 23,000 pounds, the load on any tandem axle does not exceed 46,000

H. B. 189 (SUB)

17 pounds, and the maximum total gross weight of the vehicle and load does not exceed
18 80,000 pounds when:

19 (A) Hauling forest products from the forest where cut to the first point of marketing or
20 processing;

21 (B) Hauling live poultry or cotton from a farm to a processing plant;

22 (C) Hauling feed from a feed mill to a farm;

23 (D) Hauling granite, either block or sawed, or any other naturally occurring raw ore or
24 mineral for further processing, from the quarry or stockpile area to a processing plant
25 located in the same or an adjoining county and construction aggregates hauled to any
26 point, unless otherwise prohibited;

27 (E) Hauling solid waste or recovered materials from points of generation to a solid
28 waste handling facility or other processing facility;

29 (F) Hauling concrete that is in a freshly mixed and unhardened state for delivery to a
30 customer; or

31 (G) Hauling poultry waste from the point of origin to a farm.

32 ~~No lift axle may be used in computing the maximum total gross weight authorized for
33 any vehicle or load under this paragraph.~~

34 ~~(2) A vehicle which is hauling the products listed in subparagraphs (A) through (F) of
35 paragraph (1) of this subsection or which is hauling any other agricultural or farm product
36 from a farm to the first point of marketing or processing shall be permitted a 5 percent
37 variance from the weight limitations in paragraph (1) of this subsection within a 100 mile
38 radius of the farm or point of origin. Any person who violates the load limitations
39 provided for in this paragraph by exceeding the 5 percent variance per single axle,
40 tandem axle, or maximum total gross weight shall be fined on the basis of the weight
41 limitations of paragraph (1) of this subsection, including the variance allowed by this
42 paragraph.~~

43 ~~(3)~~(2) A vehicle which is hauling the products listed in ~~subparagraph~~ subparagraphs (A)
 44 through (G) of paragraph (1) of this subsection or which is hauling any other agricultural
 45 or farm product from a farm to the first point of marketing or processing shall be
 46 permitted a 5 ~~10~~ percent variance from the weight limitations in paragraph (1) of this
 47 subsection within a 250 mile radius of the farm or point of origin, provided that the
 48 tractor and trailer are certified to meet or exceed the weight allowable by such variance.
 49 Any person who violates the load limitations provided for in this paragraph by exceeding
 50 the 5 ~~10~~ percent variance per single axle, tandem axle, or maximum total gross weight
 51 shall be fined on the basis of the weight limitations of paragraph (1) of this subsection
 52 and not on the basis of the variance allowed by this paragraph.
 53 ~~(4)~~(3) Any vehicle carrying a load as authorized in this subsection at night shall be
 54 equipped with lights clearly visible for a distance of not less than 300 feet from the front
 55 and rear of the vehicle."

56 SECTION 2.

57 Said article is further amended in Code Section 32-6-27, relating to enforcement of load
 58 limitations, by revising paragraph (1) of subsection (a) as follows:

59 "(1)(A) When the weight of the vehicle is less than 93,000 pounds, 5¢ Five cents per
 60 pound for all excess weight over the allowed weight limitations, including any
 61 applicable variances;
 62 (B) When the weight of the vehicle is greater than 93,000 pounds, 10¢ per pound for
 63 all excess weight over the allowed weight limitations, not including any applicable
 64 variances; and
 65 (C) When the weight of the vehicle is greater than 98,000 pounds, 15¢ per pound for
 66 all excess weight over the allowed weight limitations, not including any applicable
 67 variances;"

68

SECTION 3.

69 All laws and parts of laws in conflict with this Act are repealed.