

SECOND REGULAR SESSION

# HOUSE BILL NO. 2539

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RUTH.

5524H.011

DANA RADEMAN MILLER, Chief Clerk

## AN ACT

To repeal sections 304.172 and 304.180, RSMo, and to enact in lieu thereof two new sections relating to emergency vehicles.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 304.172 and 304.180, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 304.172 and 304.180, to read as follows:

304.172. The provisions of sections 304.170 to 304.240 relating to height, width, ~~weight,~~ **and** length ~~and load~~ restrictions for motor vehicles shall not apply to any motor vehicle and its attached apparatus which is designed for use and used by a fire department, fire protection district or volunteer fire protection association or when being operated by a fire apparatus manufacturer or sales organization for the purpose of sale, demonstration, exhibit, or delivery to a fire department, fire protection district or volunteer fire protection association.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11           2. An "axle load" is defined as the total load transmitted to the road by all wheels whose  
 12 centers are included between two parallel transverse vertical planes forty inches apart, extending  
 13 across the full width of the vehicle.

14           3. Subject to the limit upon the weight imposed upon a highway of this state through any  
 15 one axle or on any tandem axle, the total gross weight with load imposed by any group of two  
 16 or more consecutive axles of any vehicle or combination of vehicles shall not exceed the  
 17 maximum load in pounds as set forth in the following table:

18

19 Distance in feet between the extremes of any group of two or more consecutive axles, measured  
 20 to the nearest foot, except where indicated otherwise

21	Maximum load in pounds					
22 feet	2 axles	3 axles	4 axles	5 axles	6 axles	
23 4	34,000					
24 5	34,000					
25 6	34,000					
26 7	34,000					
27 8	34,000	34,000				
28 More than 8	38,000	42,000				
29 9	39,000	42,500				
30 10	40,000	43,500				
31 11	40,000	44,000				
32 12	40,000	45,000	50,000			
33 13	40,000	45,500	50,500			
34 14	40,000	46,500	51,500			
35 15	40,000	47,000	52,000			
36 16	40,000	48,000	52,500	58,000		
37 17	40,000	48,500	53,500	58,500		
38 18	40,000	49,500	54,000	59,000		
39 19	40,000	50,000	54,500	60,000		
40 20	40,000	51,000	55,500	60,500	66,000	
41 21	40,000	51,500	56,000	61,000	66,500	
42 22	40,000	52,500	56,500	61,500	67,000	
43 23	40,000	53,000	57,500	62,500	68,000	
44 24	40,000	54,000	58,000	63,000	68,500	
45 25	40,000	54,500	58,500	63,500	69,000	
46 26	40,000	55,500	59,500	64,000	69,500	

47	27	40,000	56,000	60,000	65,000	70,000
48	28	40,000	57,000	60,500	65,500	71,000
49	29	40,000	57,500	61,500	66,000	71,500
50	30	40,000	58,500	62,000	66,500	72,000
51	31	40,000	59,000	62,500	67,500	72,500
52	32	40,000	60,000	63,500	68,000	73,000
53	33	40,000	60,000	64,000	68,500	74,000
54	34	40,000	60,000	64,500	69,000	74,500
55	35	40,000	60,000	65,500	70,000	75,000
56	36		60,000	66,000	70,500	75,500
57	37		60,000	66,500	71,000	76,000
58	38		60,000	67,500	72,000	77,000
59	39		60,000	68,000	72,500	77,500
60	40		60,000	68,500	73,000	78,000
61	41		60,000	69,500	73,500	78,500
62	42		60,000	70,000	74,000	79,000
63	43		60,000	70,500	75,000	80,000
64	44		60,000	71,500	75,500	80,000
65	45		60,000	72,000	76,000	80,000
66	46		60,000	72,500	76,500	80,000
67	47		60,000	73,500	77,500	80,000
68	48		60,000	74,000	78,000	80,000
69	49		60,000	74,500	78,500	80,000
70	50		60,000	75,500	79,000	80,000
71	51		60,000	76,000	80,000	80,000
72	52		60,000	76,500	80,000	80,000
73	53		60,000	77,500	80,000	80,000
74	54		60,000	78,000	80,000	80,000
75	55		60,000	78,500	80,000	80,000
76	56		60,000	79,500	80,000	80,000
77	57		60,000	80,000	80,000	80,000

78

79 Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load  
 80 of thirty-four thousand pounds each if the overall distance between the first and last axles of such  
 81 consecutive sets of tandem axles is thirty-six feet or more.

82           4. Whenever the state highways and transportation commission finds that any state  
83 highway bridge in the state is in such a condition that use of such bridge by vehicles of the  
84 weights specified in subsection 3 of this section will endanger the bridge, or the users of the  
85 bridge, the commission may establish maximum weight limits and speed limits for vehicles using  
86 such bridge. The governing body of any city or county may grant authority by act or ordinance  
87 to the commission to enact the limitations established in this section on those roadways within  
88 the purview of such city or county. Notice of the weight limits and speed limits established by  
89 the commission shall be given by posting signs at a conspicuous place at each end of any such  
90 bridge.

91           5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle  
92 loads or gross loads in excess of those permitted under the provisions of P.L. 97-424 codified  
93 in Title 23 of the United States Code (23 U.S.C. Section 101, et al.), as amended.

94           6. Notwithstanding the weight limitations contained in this section, any vehicle or  
95 combination of vehicles operating on highways other than the interstate highway system may  
96 exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two  
97 thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except  
98 as provided in subsections 9, 10, 12, and 13 of this section.

99           7. Notwithstanding any provision of this section to the contrary, the commission shall  
100 issue a single-use special permit, or upon request of the owner of the truck or equipment shall  
101 issue an annual permit, for the transporting of any crane or concrete pump truck or well-drillers'  
102 equipment. The commission shall set fees for the issuance of permits and parameters for the  
103 transport of cranes pursuant to this subsection. Notwithstanding the provisions of section  
104 301.133, cranes, concrete pump trucks, or well-drillers' equipment may be operated on  
105 state-maintained roads and highways at any time on any day.

106           8. Notwithstanding the provision of this section to the contrary, the maximum gross  
107 vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an  
108 idle reduction technology may be increased by a quantity necessary to compensate for the  
109 additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as  
110 amended. In no case shall the additional weight increase allowed by this subsection be greater  
111 than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the  
112 vehicle operator shall provide proof that the idle reduction technology is fully functional at all  
113 times and that the gross weight increase is not used for any purpose other than for the use of idle  
114 reduction technology.

115           9. Notwithstanding any provision of this section or any other law to the contrary, the  
116 total gross weight of any vehicle or combination of vehicles hauling milk, from a farm to a  
117 processing facility or livestock may be as much as, but shall not exceed, eighty-five thousand

118 five hundred pounds while operating on highways other than the interstate highway system. The  
119 provisions of this subsection shall not apply to vehicles operated and operating on the Dwight  
120 D. Eisenhower System of Interstate and Defense Highways.

121 10. Notwithstanding any provision of this section or any other law to the contrary, any  
122 vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest may  
123 be as much as, but not exceeding, ten percent over the maximum weight limitation allowable  
124 under subsection 3 of this section while operating on highways other than the interstate highway  
125 system. The provisions of this subsection shall not apply to vehicles operated and operating on  
126 the Dwight D. Eisenhower System of Interstate and Defense Highways.

127 11. Notwithstanding any provision of this section or any other law to the contrary, the  
128 commission shall issue emergency utility response permits for the transporting of utility wires  
129 or cables, poles, and equipment needed for repair work immediately following a disaster where  
130 utility service has been disrupted. Under exigent circumstances, verbal approval of such  
131 operation may be made either by the department of transportation motor carrier compliance  
132 supervisor or other designated motor carrier services representative. Utility vehicles and  
133 equipment used to assist utility companies granted special permits under this subsection may be  
134 operated and transported on state-maintained roads and highways at any time on any day. The  
135 commission shall promulgate all necessary rules and regulations for the administration of this  
136 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
137 under the authority delegated in this section shall become effective only if it complies with and  
138 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section  
139 and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
140 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule  
141 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule  
142 proposed or adopted after August 28, 2014, shall be invalid and void.

143 12. Notwithstanding any provision of this section to the contrary, emergency vehicles  
144 designed to be used under emergency conditions to transport personnel and equipment and to  
145 **support the suppression of fires and** mitigate hazardous situations may have a maximum gross  
146 vehicle weight of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a  
147 single steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two  
148 thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear-drive steer  
149 axle; **except that, such emergency vehicles shall only operate on the Dwight D. Eisenhower**  
150 **National System of Interstate and Defense Highways.**

151 13. Notwithstanding any provision of this section to the contrary, a vehicle operated by  
152 an engine fueled primarily by natural gas may operate upon the public highways of this state in  
153 excess of the vehicle weight limits set forth in this section by an amount that is equal to the

154 difference between the weight of the vehicle attributable to the natural gas tank and fueling  
155 system carried by that vehicle and the weight of a comparable diesel tank and fueling system.  
156 In no event shall the maximum gross vehicle weight of the vehicle operating with a natural gas  
157 engine exceed eighty-two thousand pounds.

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