

## HOUSE SUBSTITUTE TO SENATE BILL 54

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to regulation of maintenance and use of public roads generally, so as to provide for changes to the requirements for permits for extra weight and dimensions for loads on vehicles; to allow multitrip permits; to add a definition of "on-premise" or "on-property" signs for advertising purposes; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to regulation of maintenance and use of public roads generally, is amended by revising subsection (g) of Code Section 32-6-26, relating to maximum weights for vehicles and loads, as follows:

"(g)(1) The weight limitations provided for in this Code section, except the limitation in subsections (f) and (h) of this Code section, may be exceeded on any public road within this state which is not an interstate highway, or when making a pickup or delivery on any public road of a county road system, without a permit only when the load on any single axle does not exceed 23,000 pounds, the load on any tandem axle does not exceed 46,000 pounds, and the maximum total gross weight of the vehicle and load does not exceed 80,000 pounds when:

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

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

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

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

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

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

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

(H) Hauling tree bark from the point of origin to the point of sale; or

(I) Hauling hot mixed asphalt and construction debris.

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

(2) A vehicle which is hauling the products listed in subparagraph (A) ~~or (B)~~ through (I) of paragraph (1) of this subsection or which is hauling any other agricultural or farm product from a farm to the first point of marketing or processing shall be permitted a 5 percent variance from the weight limitations in paragraph (1) of this subsection within a ~~100~~ 200 mile radius of the farm or point of origin. Any person who violates the load limitations provided for in this paragraph by exceeding the 5 percent variance per single axle, tandem axle, or maximum total gross weight shall be fined on the basis of the weight limitations of paragraph (1) of this subsection, including the variance allowed by this paragraph.

~~(3) A vehicle which is hauling the products listed in subparagraph (C), (D), or (F) of paragraph (1) of this subsection shall be permitted a 5 percent variance from the weight limitations in paragraph (1) of this subsection within a 100 mile radius of the farm or point of origin. Any person who violates the load limitations provided for in this paragraph by exceeding the 5 percent variance per single axle, tandem axle, or maximum total gross weight shall be fined on the basis of the weight limitations of paragraph (1) of this subsection and not on the basis of the variance allowed by this paragraph.~~

~~(4) Any vehicle carrying a load as authorized in this subsection at night shall be equipped with lights clearly visible for a distance of not less than 300 feet from the front and rear of the vehicle."~~

## SECTION 2.

Said chapter is further amended by revising subsection (e) of Code Section 32-6-27, relating to the enforcement of load limitations, as follows:

"(e) Any owner or operator of a vehicle which is operated on the public roads of this state in violation of the weight limitations provided in this article shall be required, in addition to paying the moneys provided in subsection (a) of this Code section, to unload all gross weight in excess of 6,000 pounds over the legal weight limit ~~before being allowed to move the vehicle at the closest reasonable location.~~"

**SECTION 3.**

Said chapter is further amended by revising paragraph (4) of subsection (a) and adding a new paragraph to subsection (b) of Code Section 32-6-28, relating to permits for extra weight and dimensions for loads on vehicles, as follows:

"(4) The application for any such permit shall ~~specifically~~ describe the type of permit applied for, as said types of permits are described in subsection (c) of this Code section. In addition, the application for a single-trip permit shall describe the points of departure and destination."

"(4) **Multitrip.** Pursuant to this Code section, the commissioner may issue a multitrip permit to any vehicle or load allowed by federal law. A multitrip permit authorizes the permitted load to return to its original destination on the same permit, if done so within ten days, with the same vehicle configuration, and following the same route, unless otherwise specified by the department."

**SECTION 4.**

Said chapter is further amended in said Code section by adding a new paragraph to subsection (c), to read as follows:

"(5) **Multitrip.** Charges for the issuance of multitrip permits shall be \$100.00 for any load not greater than 16 feet wide, not greater than 16 feet high, and not weighing more than 150,000 pounds or any load greater than 100 feet long which does not exceed the maximum width, height, and weight limits specified by this paragraph. Only company name and United States DOT number shall be used for the multitrip permit."

**SECTION 5.**

Said chapter is further amended by adding a new paragraph to Code Section 32-6-71, relating to definitions, as follows:

"(13.1) 'On-premise sign' or 'on-property sign' means an advertising device which solely advertises the sale or lease of the real property upon which it is placed or an advertising device identifying the activities located on or products or services available on the premises or property or an advertising device owned by a local government, school, or authority for the primary purpose of advertising public information, including sponsorships.

(A) Examples of signs that can be used for the purpose of identifying the activity located on the premises or property or its products or services include:

(i) Any sign which consists solely of the name of the establishment; and

(ii) Any sign which identifies the establishment's principal or accessory products or services offered on the premises or property. For example, an accessory product would be a brand of tires offered for sale at a service station.

(B) Examples of signs that shall be considered outdoor advertising and not on-premise or on-property signs include:

(i) Any sign which brings in rental income to the owner of the premises or property or the sign owner; and

(ii) Any sign in which the product or service advertised is only incidental to the principal activity of the establishment."

#### **SECTION 6.**

Said chapter is further amended by revising paragraph (3) of Code Section 32-6-72, relating to outdoor advertising signs that can be erected within 660 feet of a highway, as follows:

~~"(3) Signs advertising activities~~ On-premise and on-property signs conducted or maintained within 100 feet of the nearest part of the activity as the dimensions of said activity are determined by department regulations, which ~~regulations~~ need not take into consideration the property lines of said activity;"

#### **SECTION 7.**

Said chapter is further amended by revising paragraph (3) of Code Section 32-6-73, relating to outdoor advertising signs that can be erected beyond 660 feet of a highway, as follows:

~~"(3) Signs advertising activities~~ On-premise and on-property signs conducted or maintained within 100 feet from the nearest part of the activity as the dimensions of said activity are determined by department regulations, which ~~regulations~~ need not take into consideration the property lines of said activity; and"

#### **SECTION 8.**

This Act shall become effective on July 1, 2011.

#### **SECTION 9.**

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