

The House Committee on Transportation offers the following substitute to HB 189:

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; to repeal certain exceptions which
4 allow for excess weight for vehicles and loads; to provide for penalties for excess weight; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

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

H. B. 189 (SUB)

17 exceed 80,000 pounds ~~when;~~ provided, however, that a 12.5 percent variance of such
18 weight limitations shall be permitted when the tractor and trailer of the vehicle is certified
19 to meet or exceed the weight allowable by such variance.

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

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

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

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

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

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

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

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

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

44 ~~(3) A vehicle which is hauling the products listed in subparagraph (G) of paragraph (1)~~
 45 ~~of this subsection shall be permitted a 5 percent variance from the weight limitations in~~
 46 ~~paragraph (1) of this subsection within a 250-mile radius of the farm or point of origin.~~
 47 ~~Any person who violates the load limitations provided for in this paragraph by exceeding~~
 48 ~~the 5 percent variance per single axle, tandem axle, or maximum total gross weight shall~~
 49 ~~be fined on the basis of the weight limitations of paragraph (1) of this subsection and not~~
 50 ~~on the basis of the variance allowed by this paragraph.~~

51 ~~(4)~~(2) Any vehicle carrying a load as authorized in this subsection at night shall be
 52 equipped with lights clearly visible for a distance of not less than 300 feet from the front
 53 and rear of the vehicle."

54 SECTION 2.

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

57 "(1)(A) When the weight of the vehicle is less than 95,000 pounds, 5¢ Five cents per
 58 pound for all excess weight over the allowed weight limitations, not including any
 59 applicable variances;

60 (B) When the weight of the vehicle is greater than 95,000 pounds, 10¢ per pound for
 61 all excess weight over the allowed weight limitations, not including any applicable
 62 variances; and

63 (C) When the weight of the vehicle is greater than 100,000 pounds, 15¢ per pound for
 64 all excess weight over the allowed weight limitations, not including any applicable
 65 variances;"

66 SECTION 3.

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