

FIRST REGULAR SESSION

# HOUSE BILL NO. 85

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES KELLEY (127) (Sponsor), DAVIS, BAHR, REIBOLDT,  
SPENCER, REMOLE, LANT AND BLACK (Co-sponsors).

0570L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to emergency utility response permits.

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

Section A. Section 304.180, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 304.180, to read as follows:

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.

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

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two

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.

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  
 20 between the extremes  
 21 of any group of two or  
 22 more consecutive axles,  
 23 measured to the nearest  
 24 foot, except where  
 25 indicated otherwise

Maximum load in pounds

26

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

52	27	40,000	56,000	60,000	65,000	70,000
53	28	40,000	57,000	60,500	65,500	71,000
54	29	40,000	57,500	61,500	66,000	71,500
55	30	40,000	58,500	62,000	66,500	72,000
56	31	40,000	59,000	62,500	67,500	72,500
57	32	40,000	60,000	63,500	68,000	73,000
58	33	40,000	60,000	64,000	68,500	74,000
59	34	40,000	60,000	64,500	69,000	74,500
60	35	40,000	60,000	65,500	70,000	75,000
61	36		60,000	66,000	70,500	75,500
62	37		60,000	66,500	71,000	76,000
63	38		60,000	67,500	72,000	77,000
64	39		60,000	68,000	72,500	77,500
65	40		60,000	68,500	73,000	78,000
66	41		60,000	69,500	73,500	78,500
67	42		60,000	70,000	74,000	79,000
68	43		60,000	70,500	75,000	80,000
69	44		60,000	71,500	75,500	80,000
70	45		60,000	72,000	76,000	80,000
71	46		60,000	72,500	76,500	80,000
72	47		60,000	73,500	77,500	80,000
73	48		60,000	74,000	78,000	80,000
74	49		60,000	74,500	78,500	80,000
75	50		60,000	75,500	79,000	80,000
76	51		60,000	76,000	80,000	80,000
77	52		60,000	76,500	80,000	80,000
78	53		60,000	77,500	80,000	80,000
79	54		60,000	78,000	80,000	80,000
80	55		60,000	78,500	80,000	80,000
81	56		60,000	79,500	80,000	80,000
82	57		60,000	80,000	80,000	80,000

83

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

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

96           5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle  
97 loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23  
98 of the United States Code.

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

104           7. Notwithstanding any provision of this section to the contrary, the department of  
105 transportation shall issue a single-use special permit, or upon request of the owner of the truck  
106 or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or  
107 well-drillers' equipment. The department of transportation shall set fees for the issuance of  
108 permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete  
109 pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways  
110 at any time on any day.

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

120           9. Notwithstanding subsection 3 of this section or any other provision of law to the  
121 contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may  
122 be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating

123 on U.S. Highway 36 from St. Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa  
124 state line to U.S. Highway 36, and on U.S. Highway 63 from the Iowa state line to U.S. Highway  
125 36, and on U.S. Highway 63 from U.S. Highway 36 to Missouri Route 17. The provisions of this  
126 subsection shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate  
127 and Defense Highways.

128       10. Notwithstanding any provision of this section or any other law to the contrary, the  
129 total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a  
130 processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred  
131 pounds while operating on highways other than the interstate highway system. The provisions  
132 of this subsection shall not apply to vehicles operated and operating on the Dwight D.  
133 Eisenhower System of Interstate and Defense Highways.

134       **11. Notwithstanding any provision of this section or any other law to the contrary,**  
135 **the department of transportation shall issue emergency utility response permits for the**  
136 **transporting of utility wires or cables, poles, and equipment needed for repair work**  
137 **immediately following a disaster where utility service has been disrupted. Under exigent**  
138 **circumstances, verbal approval of such operation may be made either by the motor carrier**  
139 **compliance supervisor or other designated motor carrier services representative. Utility**  
140 **vehicles and equipment used to assist utility companies granted special permits under this**  
141 **subsection may be operated and transported on state-maintained roads and highways at**  
142 **any time on any day. The department of transportation shall promulgate all necessary**  
143 **rules and regulations for the administration of this section. Any rule or portion of a rule,**  
144 **as that term is defined in section 536.010, that is created under the authority delegated in**  
145 **this section shall become effective only if it complies with and is subject to all of the**  
146 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536**  
147 **are nonseverable and if any of the powers vested with the general assembly pursuant to**  
148 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**  
149 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**  
150 **proposed or adopted after August 28, 2013, shall be invalid and void.**

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