

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 153

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES AND WEIGHT REGULATIONS; AMENDING SECTION 49-1001, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ALLOWABLE WEIGHTS FOR REFUSE/SANITATION TRUCKS AND TO REVISE PROVISIONS RELATING TO AN ANNUAL OPERATING PERMIT.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-1001, Idaho Code, be, and the same is hereby amended to read as follows:

49-1001. ALLOWABLE GROSS LOADS. The gross load imposed on the highway by any vehicle or combination of vehicles shall not exceed the limits in this section. The maximum single axle gross weight shall be twenty thousand (20,000) pounds, the maximum single wheel gross weight shall be ten thousand (10,000) pounds and the maximum gross vehicle or combination weight shall be one hundred five thousand five hundred (105,500) pounds, provided that maximum gross vehicle or combination weight on United States federal interstate and defense highways of this state shall not exceed eighty thousand (80,000) pounds, except as permitted under the provisions of section 49-1004, Idaho Code.

(1) The total gross weight imposed on the highway by any group of consecutive axles shall be determined by the following formula:

$$W=500((LN/N-1)+12N+36)$$

Where W is the maximum weight in pounds (to the nearest 500 pounds) carried on any group of two (2) or more consecutive axles. L is the distance in feet between the extremes of any group of two (2) or more consecutive axles, and N is the number of axles under consideration.

The formula is modified as illustrated in the following table:

1	Distance in feet		Maximum load in pounds carried on any group of 2 or										
2	between the		more consecutive axles										
3	extremes of any												
4	group of 2 or more												
5	consecutive												
6	axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
7	4	34,000											
8	5	34,000											
9	6	34,000											
10	7	34,000											
11	8	34,000											
12	8+	38,000	42,000										
13	9	39,000	42,500										
14	10	40,000	43,500										
15	11		44,000										
16	12		45,000	50,000									
17	13		45,500	50,500									
18	14		46,500	51,500									
19	15		47,000	52,000									
20	16		48,000	52,500	58,000								
21	17		48,500	53,500	58,500								
22	18		49,500	54,000	59,000								
23	19		50,000	54,500	60,000								
24	20		51,000	55,500	60,500	66,000							
25	21		51,500	56,000	61,000	66,500							
26	22		52,500	56,500	61,500	67,000							
27	23		53,000	57,500	62,500	68,000							
28	24		54,000	58,000	63,000	68,500	74,000						
29	25		54,500	58,500	63,500	69,000	74,500						

WHEN NO ALLOWABLE WEIGHT IS LISTED FOR ANY AXLE SPACING, APPLY THE ALLOWABLE WEIGHT AS LISTED IN THE FIRST COLUMN TO THE LEFT

1	Distance in feet		Maximum load in pounds carried on any group of 2 or										
2	between the		more consecutive axles										
3	extremes of any												
4	group of 2 or more												
5	consecutive												
6	axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
7	26		55,500	59,500	64,000	69,500	75,000						
8	27		56,000	60,000	65,000	70,000	75,500						
9	28		57,000	60,500	65,500	71,000	76,500	82,000					
10	29		57,500	61,500	66,000	71,500	77,000	82,500					
11	30		58,500	62,000	66,500	72,000	77,500	83,000					
12	31		59,000	62,500	67,500	72,500	78,000	83,500					
13	32		60,000	63,500	68,000	73,000	78,500	84,500	90,000				
14	33			64,000	68,500	74,000	79,000	85,000	90,500				
15	34			64,500	69,000	74,500	80,000	85,500	91,000				
16	35			65,500	70,000	75,000	80,500	86,000	91,500				
17	36			66,000	70,500	75,500	81,000	86,500	92,000	98,000			
18	37			66,500	71,000	76,000	81,500	87,000	93,000	98,500			
19	38			67,500	71,500	77,000	82,000	87,500	93,500	99,000			
20	39			68,000	72,500	77,500	82,500	88,500	94,000	99,500			
21	40			68,500	73,000	78,000	83,500	89,000	94,500	100,000	106,000		
22	41			69,500	73,500	78,500	84,000	89,500	95,000	100,500	106,500		
23	42			70,000	74,000	79,000	84,500	90,000	95,500	101,000	107,000		
24	43			70,500	75,000	80,000	85,000	90,500	96,000	102,000	107,500		
25	44			71,500	75,500	80,500	85,500	91,000	96,500	102,500	108,000	114,000	
26	45			72,000	76,000	81,000	86,000	91,500	97,500	103,000	108,500	114,500	
27	46			72,500	76,500	81,500	87,000	92,500	98,000	103,500	109,000	115,000	
28	47			73,500	77,500	82,000	87,500	93,000	98,500	104,000	110,000	115,500	
29	48			74,000	78,000	83,000	88,000	93,500	99,000	104,500	110,500	116,000	122,000

1	Distance in feet		Maximum load in pounds carried on any group of 2 or										
2	between the		more consecutive axles										
3	extremes of any												
4	group of 2 or more												
5	consecutive												
6	axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
7	49			74,500	78,500	83,500	88,500	94,000	99,500	105,000	111,000	116,500	122,500
8	50			75,500	79,000	84,000	89,000	94,500	100,000	105,500	111,500	117,000	123,000
9	51			76,000	80,000	84,500	89,500	95,000	100,500	106,000	112,000	118,000	123,500
10	52			76,500	80,500	85,000	90,500	95,500	101,000	107,000	112,500	118,500	124,000
11	53			77,500	81,000	86,000	91,000	96,500	102,000	107,500	113,000	119,000	124,500
12	54			78,000	81,500	86,500	91,500	97,000	102,500	108,000	113,500	119,500	125,000
13	55			78,500	82,500	87,000	92,000	97,500	103,000	108,500	114,000	120,000	125,500
14	56			79,500	83,000	87,500	92,500	98,000	103,500	109,000	115,000	120,500	126,000
15	57			80,000	83,500	88,000	93,000	98,500	104,000	109,500	115,500	121,000	127,000
16	58				84,000	89,000	94,000	99,000	104,500	110,000	116,000	121,500	127,500
17	59				85,000	89,500	94,500	99,500	105,000	110,500	116,500	122,000	128,000
18	60				85,500	90,000	95,000	100,500	105,500	111,000	117,000	122,500	128,500
19	61				86,000	90,500	95,500	101,000	106,000	112,000	117,500	123,000	129,000
20	62				87,000	91,000	96,000	101,500	107,000	112,500	118,000	124,000	
21	63				87,500	92,000	96,500	102,000	107,500	113,000	118,500	124,500	
22	64				88,000	92,500	97,500	102,500	108,000	113,500	119,000	125,000	
23	65				88,500	93,000	98,000	103,000	108,500	114,000	119,500	125,500	
24	66				89,500	93,500	98,500	103,500	109,000	114,500	120,000	126,000	
25	67				90,000	94,000	99,000	104,500	109,500	115,000	121,000	126,500	
26	68				90,500	95,000	99,500	105,000	110,000	115,500	121,500	127,000	
27	69				91,000	95,500	100,000	105,500	111,000	116,000	122,000	127,500	
28	70				92,000	96,000	101,000	106,000	111,500	117,000	122,500	128,000	
29	71				92,500	96,500	101,500	106,500	112,000	117,500	123,000	128,500	

1	Distance in feet		Maximum load in pounds carried on any group of 2 or										
2	between the		more consecutive axles										
3	extremes of any												
4	group of 2 or more												
5	consecutive												
6	axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
7	72				93,000	97,000	102,000	107,000	112,500	118,000	123,500	129,000	
8	73				93,500	98,000	102,500	107,500	113,000	118,500	124,000		
9	74				94,500	98,500	103,000	108,000	113,500	119,000	124,500		
10	75				95,000	99,000	103,500	109,000	114,000	119,500	125,000		
11	76				95,500	99,500	104,500	109,500	114,500	120,000	126,000		
12	77				96,000	100,000	105,000	110,000	115,000	120,500	126,500		
13	78				97,000	101,000	105,500	110,500	116,000	121,000	127,000		
14	79				97,500	101,500	106,000	111,000	116,500	122,000	127,500		
15	80				98,000	102,000	106,500	111,500	117,000	122,500	128,000		
16	81				98,500	102,500	107,000	112,000	117,500	123,000	128,500		
17	82				99,000	103,000	108,000	113,000	118,000	123,500	129,000		
18	83				100,000	104,000	108,500	113,500	118,500	124,000			
19	84					104,500	109,000	114,000	119,000	124,500			
20	85					105,000	109,500	114,500	120,000	125,000			
21	86					105,500	110,000	115,000	120,500	125,500			
22	87					106,000	111,000	115,500	121,000	126,000			
23	88					107,000	111,500	116,000	121,500	127,000			
24	89					107,500	112,000	117,000	122,000	127,500			
25	90					108,000	112,500	117,500	122,500	128,000			
26	91					108,500	113,000	118,000	123,000	128,500			
27	92					109,000	113,500	118,500	123,500	129,000			
28	93					110,000	114,000	119,000	124,000				
29	94					110,500	115,000	119,500	125,000				

	Maximum load in pounds carried on any group of 2 or more consecutive axles											
Distance in feet between the extremes of any group of 2 or more consecutive axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
95					111,000	115,500	120,000	125,500				
96					111,500	116,000	121,000	126,000				
97					112,000	116,500	121,500	126,500				
98					113,000	117,000	122,000	127,000				
99					113,500	118,000	122,500	127,500				
100					114,000	118,500	123,000	128,000				
101					114,500	119,000	123,500	129,000				

(a) A public highway agency may limit the application of the weights authorized in this section as to certain highways within its jurisdiction which it determines have limited structural capacity of pavements, bridges, or other appurtenances. In designating such highways, it may specify a minimum wheelbase for combinations to be operated thereon. It may also designate specific highways or portions on which operation of a combination of vehicles with seven (7) through thirteen (13) axles will be subject to specified lesser allowable gross weights.

(b) Notwithstanding the figures shown in the table in this subsection (1), two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more.

(c) Vehicles may operate with reducible loads at gross weights greater than one hundred five thousand five hundred (105,500) pounds but not exceeding one hundred twenty-nine thousand (129,000) pounds on noninterstate highways in accordance with the provisions of section 49-1004, Idaho Code, provided such vehicles are in compliance with the weight formula specified in this subsection (1) of this section, have registered and have paid the registration fees as specified in section 49-434, Idaho Code, and are in compliance with the length restrictions set forth in section 49-1010(7), Idaho Code.

(2) The weight limitations set forth in the table in subsection (1) of this section shall not apply to any vehicle, or combination of vehicles when a greater allowed weight in pounds would be permitted such vehicles under the table provided in this subsection, except that with regard to transportation on the United States federal interstate and defense highways of this state, the following table of allowable weights shall apply only to vehicles engaged in the transportation of logs, pulp wood, stull, rough lumber, poles or piling; or to any such vehicle engaged in the transportation of ores, concentrates, sand and gravel and aggregates thereof, in bulk; or to any such vehicle engaged in the transportation of agricultural commodities, including livestock:

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
3 through 12	37,800	37,800
13	56,470	56,470
14	57,940	57,940
15	59,400	59,400
16	60,610	60,610
17	61,820	61,820
18	63,140	63,140
19	64,350	64,350
20	65,450	65,450
21	66,000	66,330
22	66,000	67,250
23	66,000	67,880
24	66,000	68,510

	Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
		Vehicles with Three or Four axles	Vehicles with Five or more axles
1			
2			
3			
4			
5	25	66,000	69,150
6	26	66,000	69,770
7	27	66,000	70,400
8	28	66,000	70,950
9	29	66,000	71,500
10	30	66,000	72,050
11	31		72,600
12	32		73,150
13	33		73,700
14	34		74,250
15	35		74,800
16	36		75,350
17	37		75,900
18	38		76,450
19	39		77,000
20	40		77,550
21	41		78,100
22	42		78,650
23	43 and over		79,000

24 The weight allowances provided in this subsection do not apply if the total gross weight of a  
25 vehicle or combination of vehicles is intended to exceed seventy-nine thousand (79,000) pounds  
26 as declared by the operator. When the provisions of this subsection are applicable to a vehicle  
27 or combination of vehicles, it shall be a violation of the provisions of this subsection if that  
28 vehicle or combination of vehicles exceeds the weights specified in this table.

29 (3) In determining the gross weight of a vehicle or the gross weight of any two (2)  
30 or more consecutive axles under subsection (1) or (2) or (9) of this section, the total gross  
31 weight of the vehicle or combination of vehicles or the gross weight of any two (2) or more  
32 consecutive axles shall be the sum of the axle weights.

33 For the purposes of this chapter the gross weight of a vehicle or the gross weight of any  
34 two (2) or more consecutive axles may be determined by accumulatively adding the separate  
35 weights of individual axles and tandem axles or groups of axles to determine gross weight.  
36 The results of any weighing at a temporary or permanent port of entry and the records relating  
37 to the calibration and accuracy of any scale at a temporary or permanent port of entry shall be  
38 admissible in any proceeding in this state. In order to prove a violation of the provisions of  
39 this section the state must show that:

40 (a) The sum of the axle weights exceeds what is allowable under the provisions of  
41 subsection (1) or (2) or (9) of this section;

42 (b) The scale involved in the weighing was at the time of weighing calibrated in  
43 conformity with and met the accuracy requirements of the standards for the enforcement

1 of traffic and highway laws as set forth in the latest edition of handbook 44 of the  
2 national institute of standards and technology;

3 (c) Weights of individual axles or axles within a commonly suspended group of axles  
4 supported by a mechanical system designed to distribute equal wheel loads to individual  
5 axles in the group were utilized only to determine gross weights of that group of axles,  
6 and that any further evaluation of gross weights of combinations of axles considered only  
7 the accumulated gross weight of each such commonly suspended group of axles.

8 (4) In applying the weight limitations imposed in this section, a vehicle or combination  
9 of vehicles must comply exclusively with the weight limitations in either subsection (1) or (2)  
10 or (9) of this section.

11 (5) In applying the weight limitations imposed in this section, the distance between axles  
12 shall be measured to the nearest even foot. When a fraction is exactly one-half (1/2) foot the  
13 next larger whole number shall be used.

14 (6) The limitations imposed in this section are in addition and supplemental to all other  
15 laws imposing limitations upon the size and weight of vehicles. Further, single axles within  
16 groups of axles are subject to the provisions and limitations of this chapter. Single axles within  
17 groups of axles may be weighed and evaluated separately.

18 (7) Notwithstanding the other provisions of this chapter, no vehicle, motor vehicle, trailer  
19 and/or semitrailer, or combination thereof, may be operated on the public highways of the state  
20 under loads which would result in the withholding of funds by operation of controlling federal  
21 law as provided in the Federal Aid Highway Act of 1956, as amended.

22 (8) Except as provided herein, no vehicle or combination of vehicles may proceed past  
23 the place of weighing at temporary or permanent ports of entry or checking stations when:  
24 the weight of a single axle exceeds the maximum limitations set forth herein by two thousand  
25 (2,000) pounds or more; the weight of a combination of axles, or gross vehicle weight exceeds  
26 the maximum allowable weight as set forth herein by seven percent (7%) or more. Vehicles  
27 or combinations of vehicles which exceed the weight limitations set forth herein shall be  
28 required to be brought into compliance with applicable weight limitations contained within this  
29 subsection at the place of weighing prior to continuing, except those vehicles or combinations  
30 of vehicles which are transporting loads which, in the determination of the board or other  
31 proper authorities in charge of or having jurisdiction over a highway, are deemed unsafe or  
32 impractical to bring into compliance at the place of weighing, and except those vehicles which  
33 do not exceed fifteen percent (15%) over maximum axle and axle group weights set forth in  
34 this section. Vehicles or combinations of vehicles transporting loads in this latter category shall  
35 obtain a travel authorization to the nearest place of safe unloading, load adjustment or other  
36 means of legalization.

37 (a) Neither the state of Idaho or its employees, nor any authority and its employees in  
38 charge of or having jurisdiction over a highway, shall be held liable for personal injury or  
39 property damage resulting from the requirements of section 49-1001(8), Idaho Code.

40 (b) The fee for a travel authorization as set forth above shall be fifty dollars (\$50.00)  
41 and shall be on a form prescribed by the board or other proper authorities, and shall not  
42 be construed as contributing to a reduction in the penalties prescribed in section 49-1013,  
43 Idaho Code.

44 (c) The board or other proper authorities in charge of or having jurisdiction over a  
45 highway shall adopt and enforce administrative rules as may be necessary to carry out  
46 the provisions of this section.

(9) For vehicles on all highways except the United States federal interstate and defense highways of this state, the following table shall apply:

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
3 through 12	37,800	37,800
13	56,470	56,470
14	57,940	57,940
15	59,400	59,400
16	60,610	60,610
17	61,820	61,820
18	63,140	63,140
19	64,350	64,350
20	65,450	65,450
21	66,000	66,330
22	66,000	67,250
23	66,000	67,880
24	66,000	68,510
25	66,000	69,150
26	66,000	69,770
27	66,000	70,400
28	66,000	70,950
29	66,000	71,500
30	66,000	72,050
31		72,600
32		73,150
33		73,700
34		74,250
35		74,800
36		75,350
37		75,900
38		76,450
39		77,000
40		77,550
41		78,100
42		78,650
43 and over		80,000

The weight allowances provided in this subsection do not apply if the total gross weight of a vehicle or combination of vehicles is intended to exceed eighty thousand (80,000) pounds as declared by the operator. When the provisions of this subsection are applicable to a vehicle

1 or combination of vehicles, it shall be a violation of the provisions of this subsection if that  
2 vehicle or combination of vehicles exceeds the weights specified in this table.

3 (10) When owned by or under contract to or under authority of a city, county, or state  
4 agency, refuse/sanitation trucks transporting refuse may be operated on public highways  
5 in accordance with the weights allowed in subsection (9) of this section, except that such  
6 trucks equipped with single rear axles are allowed twenty-four thousand (24,000) pounds on  
7 that single rear axle and such trucks equipped with tandem rear axles are allowed forty-two  
8 thousand (42,000) pounds on the tandem axles when specifically authorized by the public  
9 highway agency governing the highways over which the refuse/sanitation truck is operating and  
10 provided the following conditions are met:

11 (a) The weight allowances provided for in this subsection shall not apply to the United  
12 States federal interstate and defense highways of the state; and

13 (b) The owner or operator has ~~paid~~ secured an annual operating ~~fee for a permit, not to~~  
14 ~~exceed fifty dollars (\$50.00) per refuse/sanitation truck to each~~ from the public agency  
15 governing the public highways over which the refuse/sanitation truck operates. The  
16 permit shall be carried in the refuse/sanitation truck. ~~The permit fee may be waived by~~  
17 ~~a public agency for refuse/sanitation trucks operated over public highways under that~~  
18 ~~agency's jurisdiction.~~

19 (11) Variable load suspension axles shall meet the following criteria in order to be  
20 included in the computation of gross vehicle or axle weight limits for vehicles under the  
21 provisions of this section:

22 (a) The deployment control switch for such axles may be located inside of the driver's  
23 compartment but the pressure regulator valve for the operation of pressure on the  
24 pavement shall be located outside of and inaccessible to the driver's compartment.

25 (b) The manufacturer's gross axle weight rating of each such axle must not be less than  
26 the actual loading of the axle.

27 (c) All variable load suspension axles shall be designed to be self-steering; provided  
28 however, variable load suspension axles that are within sixty (60) inches of a drive axle  
29 or are within sixty (60) inches of a trailer axle, need not be self-steering.

30 (d) The manufacturer's gross tire weight rating of each tire must not be less than the  
31 actual loading of the tire.

32 (e) Variable load suspension axles must be fully deployed or fully raised. For applicable  
33 definitions, see sections 49-117 and 49-123, Idaho Code.

34 (12) Any person who operates a motor vehicle with a variable load suspension axle in  
35 violation of the provisions of this section shall be subject to the penalties provided in section  
36 49-1013, Idaho Code.