§2357. Weight tolerance for certain vehicles

1. Vehicles included. The following vehicles qualify for the weight tolerances of this section:

A. A vehicle loaded entirely with building materials that absorb moisture during delivery, bark, sawdust, firewood, sawed lumber, dimension lumber, pulpwood, wood chips, logs, soil, unconsolidated rock material including limestone, bolts, farm produce, road salt, manufacturer's concrete products, solid waste or incinerator ash; [PL 2011, c. 556, §21 (AMD).]

B. Dump trucks or transit-mix concrete trucks, carrying highway construction materials; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. A vehicle loaded with a majority of products requiring refrigeration, whether by ice or mechanical equipment; or [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. A vehicle loaded with raw ore from the mine or quarry to a place of processing. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 2011, c. 556, §21 (AMD).]

2. Tolerance. A vehicle qualifying under this section is not in violation if its gross vehicle weight does not exceed 110% of the maximum gross vehicle weight established in section 2353, subsection 1 and the maximum axle loads do not exceed:

A. For a single-axle unit, 24,200 pounds; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. For a tandem-axle unit, 46,000 pounds; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. For a tri-axle unit, 54,000 pounds; [PL 2007, c. 652, §1 (AMD).]

D. On the tri-axle unit of a 4-axle single-unit vehicle hauling forest products, 64,000 pounds; and [PL 2007, c. 652, §2 (AMD).]

E. On the tri-axle unit of a 4-axle single-unit vehicle registered as a farm truck under section 505 and hauling potatoes, 64,000 pounds. [PL 2013, c. 195, §1 (AMD).]

[PL 2013, c. 195, §1 (AMD).]

3. Axle limits. Notwithstanding subsection 2, the tandem-axle unit limit for a vehicle with a combination of 5 or more axles may not exceed 44,000 pounds.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Six-axle combination. Notwithstanding subsection 2, a 6-axle combination vehicle consisting of a 3-axle truck tractor operating in combination with a tri-axle semitrailer may not exceed 100,000 pounds. The distance between the extreme axles of a vehicle under this subsection, excluding the steering axle, must be at least 32 feet and the vehicle must be registered for at least 90,000 pounds. The maximum gross vehicle weight permitted is reduced by 2,000 pounds for each foot the distance is less than 32 feet between the extreme axles, excluding the steering axle, measured to the nearest foot.

[PL 2003, c. 166, §12 (AMD).]

5. Application. The tolerances provided under this section only apply when a vehicle:

A. Is actually transporting the listed commodities; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Is registered for at least the maximum legal weight for its configuration allowed under section 2353. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Seals. If a seal is required on a vehicle, the State Police shall record the numbers of the old seal and the new seal.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

7. Penalty calculation; fine base and fine schedule. When a weight tolerance established in this section is exceeded, the difference between the actual weight and the fine base for the tolerance must be used as the basis for determining the percentage of overload in the appropriate fine schedule and the tolerance must be disregarded. For a 6-axle combination vehicle described in subsection 4 that is registered for 100,000 pounds, the fine base for the gross vehicle weight is 100,000 pounds and the fine schedule in section 2354 applies. For a 6-axle combination vehicle described in subsection 4 that is registered for less than 100,000 pounds, the fine base for gross vehicle weight is 90,000 pounds and the fine schedule in section 2360 applies. For all other vehicles operating under the gross vehicle weight tolerances in subsection 2, except as provided in subsection 9, and for all vehicles operating under the axle unit weight tolerances in subsection 2, the fine base is the appropriate limit in section 2353 and the fine schedule in section 2360 applies.
[PL 2005, c. 426, §1 (AMD); PL 2007, c. 453, §2 (AFF).]

8. Interstate Highway System. This section does not apply to a vehicle operated on the Interstate Highway System.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

9. Penalty calculation; tandem axle fine base for 6-axle special commodity vehicles registered for 100,000 pounds gross weight. For a 6-axle tractor-semitrailer vehicle registered for 100,000 pounds gross weight hauling special commodities with a tandem axle weight for which a Violation Summons and Complaint may be issued, the tandem axle weight fine provided by section 2360 must be based on the difference between the tandem axle weight and 41,000 pounds.
[PL 2005, c. 426, §2 (NEW); PL 2007, c. 453, §2 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 580, §8 (AMD). PL 1999, c. 580, §14 (AFF). PL 2001, c. 513, §1 (AMD). PL 2003, c. 166, §12 (AMD). PL 2005, c. 426, §§1,2 (AMD). PL 2005, c. 426, §6 (AFF). PL 2007, c. 453, §2 (AFF). PL 2007, c. 652, §§1-3 (AMD). PL 2011, c. 556, §21 (AMD). PL 2013, c. 195, §1 (AMD).

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