

1 AN ACT relating to overweight vehicles.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 189 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) The department may promulgate administrative regulations pursuant to KRS*  
6 *Chapter 13A governing the issuance of annual certificates for the operation of*  
7 *motor vehicles exclusively engaged in transporting feed for livestock or poultry to*  
8 *a farm or other facility housing livestock or poultry.*

9 *(2) A motor carrier exclusively engaged in transporting feed for livestock or poultry*  
10 *in divisible or nondivisible loads may apply for an annual certificate pursuant to*  
11 *subsection (1) of this section. A certificate issued under this section shall be:*

12 *(a) Specific to a single truck;*

13 *(b) Valid twenty-four (24) hours a day; and*

14 *(c) Kept in the vehicle during all times of operation.*

15 *(3) The cost of an annual certificate issued under this section shall be one hundred*  
16 *fifty dollars (\$150), paid to the cabinet.*

17 *(4) Administrative regulations promulgated by the department under this section*  
18 *may require motor carriers to meet specific Federal Motor Carrier Safety*  
19 *Administration (FMCSA) safety ratings and FMCSA safety measurement system*  
20 *scores before issuance of a certificate under this section.*

21 ➔Section 2. KRS 189.222 is amended to read as follows:

22 (1) Except as provided in subsection (2) of this section, the secretary of the  
23 Transportation Cabinet in respect to highways which are a part of the state-  
24 maintained system, by official order, may increase on designated highways or  
25 portions thereof, the maximum height, length, and gross weight prescribed in KRS  
26 189.221, if in the opinion of the secretary, the increased height, length, and weight  
27 designated by him are justified by the strength, safety, and durability of the

1 designated highways, and the highways do not appear susceptible to unreasonable  
2 and unusual damage by reason of the increases and the secretary may establish  
3 reasonable classification of state maintained roads and fix a different maximum for  
4 each classification. Any increase in the height, length, or width of any motor truck  
5 or tractor semitrailer combinations or any other vehicle combinations including any  
6 part of the body or load or designation of highways to be used by the vehicles, shall  
7 not, in any way, exceed the federal law or regulations thereunder or jeopardize the  
8 allotment or qualification for federal aid funds of the Commonwealth of Kentucky  
9 or exceed the following dimensions and weights:

- 10 (a) 1. Height, for vehicles transporting motor vehicles, fourteen (14) feet; and  
11 2. Height, for all other vehicles, thirteen and one-half (13-1/2) feet;
- 12 (b) Length, semitrailers, fifty-three (53) feet; trailers, twenty-eight (28) feet;  
13 motor trucks, forty-five (45) feet, not to exceed two (2) trailers per truck  
14 tractor;
- 15 (c) Weight, twenty thousand (20,000) pounds per single axle, with axles less than  
16 forty-two (42) inches apart to be considered as a single axle; thirty-four  
17 thousand (34,000) pounds on two (2) axles in tandem arrangement which are  
18 spaced forty-two (42) inches or more apart and less than ninety-six (96) inches  
19 apart; forty-eight thousand (48,000) pounds on three (3) axles which are  
20 spaced forty-two (42) inches or more apart and less than one hundred twenty  
21 (120) inches apart. No single axle in any arrangement shall exceed twenty  
22 thousand (20,000) pounds or seven hundred (700) pounds per inch of the  
23 aggregate width of all the tires on a single axle, whichever is less. The total  
24 gross weight of the vehicle and load shall not exceed eighty thousand (80,000)  
25 pounds;
- 26 (d) Except on the interstate highway system, a tolerance of not more than five  
27 percent (5%) per axle load shall be permitted before a carrier is deemed to

1           have violated paragraph (c) of this subsection. The gross weight shall not  
2           exceed eighty thousand (80,000) pounds;

3           (e) Except as provided for in paragraph (f) of this subsection, truck tractor,  
4           semitrailer and trailer combinations, and other vehicle combinations may be  
5           operated only on the interstate system and on those parts of the federal aid  
6           highway system and the state-maintained system which have been designated  
7           by the secretary of the Transportation Cabinet by official order as safely  
8           allowing same;

9           (f) A vehicle or combination of vehicles that is one hundred two (102) inches  
10          wide or less and has a gross weight of not more than eighty thousand (80,000)  
11          pounds may be driven on any state highway, for a distance of up to fifteen  
12          (15) miles from an interstate or parkway exit.

13       (2) In addition to the provisions of KRS 189.2226, vehicles with a gross weight of up to  
14       eighty thousand (80,000) pounds may travel on any state highway in the  
15       Commonwealth without obtaining a special permit, if the weight does not exceed  
16       any limits mandated by federal law or regulation, any posted bridge weight limit, or  
17       the weight limits for the size and type of vehicle established under paragraph (c) of  
18       subsection (1) of this section, and if the vehicle is transporting any of the following:

19       (a) Meats or agricultural crop products originating from a farm to first market;

20       (b) Livestock or poultry from their point of origin to first market. As used in this  
21       paragraph and in paragraph (d) of this subsection, "livestock" means cattle,  
22       sheep, swine, goats, horses, alpacas, llamas, buffaloes, or any other animals of  
23       the bovine, ovine, porcine, caprine, equine, or camelid species;

24       (c) Primary forest products, including, but not limited to, sawdust, wood chips,  
25       bark, slabs, or logs originating from their points of origin to first market; or

26       (d) Supplies, materials, or equipment necessary to carry out a farming operation  
27       engaged in the production of agricultural crop products, meats, livestock, or

1 poultry.

2 (3) **The following** vehicles registered under KRS 186.050 ~~that are engaged exclusively~~  
3 ~~in the transportation of items listed in subsection (2)(a), (b), and (c) of this section~~  
4 ~~may exceed the gross weight provisions set forth in subsection (1)(c) of this section~~  
5 ~~by a weight tolerance of ten percent (10%), except on the interstate highway system;~~

6 **(a) Vehicles that are engaged exclusively in the transportation of items listed in**  
7 **subsection (2)(a), (b), and (c) of this section; and**

8 **(b) Vehicles that are engaged exclusively in the transportation of feed for**  
9 **livestock or poultry.**

10 (4) Vehicles exclusively engaged in the transportation of motor vehicles,  
11 unmanufactured tobacco, or unmanufactured tobacco products may, on those  
12 highways which are a part of the state-maintained system and which have been  
13 designated by the secretary of the Transportation Cabinet by official order as safely  
14 allowing same, attain the maximum lengths as provided by subsection (1)(b) of this  
15 section, excluding the usual and ordinary bumper overhang of the transported  
16 vehicles.

17 (5) Vehicles engaged exclusively in the transportation of farm or primary forestry  
18 products and registered under KRS 186.050(4) or 186.050(9) and vehicles engaged  
19 exclusively in the transportation of ready-mixed concrete shall be excluded from the  
20 axle weight provisions, except on interstate highways, and subject only to total  
21 gross weight provisions.

22 (6) Vehicles registered pursuant to KRS 186.050(3)(b) and engaged in the  
23 transportation of primary forest products, including, but not limited to, vehicles  
24 transporting sawdust, wood chips, bark, slabs, or logs, may exceed the axle, or gross  
25 weight provisions as set forth in accordance with subsection (1)(c) of this section by  
26 a weight tolerance of ten percent (10%), except on the interstate highway system.

27 (7) Vehicles designed for and engaged exclusively in the collection and hauling of

1 refuse and registered under KRS 186.050(3)(b) shall be excluded from the axle  
2 weight provisions, except when in operation on the federal interstate system, and  
3 subject only to total gross weight provisions.

4 (8) The secretary of the Transportation Cabinet may by order increase the weight and  
5 height limits prescribed by this chapter for motor vehicles while being operated  
6 exclusively on roads or highways being constructed, reconstructed, or repaired  
7 under contract with the Transportation Cabinet by the contractor or subcontractor,  
8 agent, or employee thereof.

9 (9) Except as otherwise provided in this chapter, the secretary of the Transportation  
10 Cabinet shall not authorize the operation of any vehicle or combination of vehicles,  
11 upon any part of the federal aid highway system or state parkway system, which  
12 exceeds the following dimensions and weights:

13 (a) Width, one hundred two (102) inches, including any part of the body or load;

14 (b) Weight, twenty thousand (20,000) pounds per single axle, with axles less than  
15 forty-two (42) inches apart to be considered as a single axle; thirty-four  
16 thousand (34,000) pounds on two (2) axles in tandem arrangement which are  
17 spaced forty-two (42) inches or more apart and less than ninety-six (96) inches  
18 apart; forty-eight thousand (48,000) pounds on three (3) axles which are  
19 spaced forty-two (42) inches or more apart and less than one hundred twenty  
20 (120) inches apart. The total gross weight of the vehicle and load shall not  
21 exceed eighty thousand (80,000) pounds. If any federal law or laws or  
22 regulations thereunder are hereafter enacted authorizing weights and  
23 dimensions in excess of those set out in paragraphs (a) and (b) of this  
24 subsection, the secretary of the Transportation Cabinet may by official order  
25 increase the maximum weights and dimensions but the increased weights and  
26 dimensions shall not exceed those set out in this section.

27 (10) Except on the interstate highway system, vehicles engaged exclusively in the

1 transportation of crushed stone, fill dirt and rock, soil, bulk sand, coal, phosphate  
2 muck, asphalt, concrete, solid waste, tankage or animal residues, livestock, feed for  
3 livestock or poultry, and agricultural products shall be permitted a tolerance of ten  
4 percent (10%) of the axle weight provisions before a carrier is deemed to have  
5 violated paragraph (1)(c) of this section.

6 (11) The Transportation Cabinet may promulgate administrative regulations pursuant to  
7 KRS Chapter 13A, relating to the implementation of 23 C.F.R. Part 658 as it relates  
8 to state-maintained or locally maintained roads. The enforcement of the provisions  
9 of KRS 189.221 and this section on locally maintained roads shall not be the  
10 responsibility of the law enforcement officers of the Transportation Cabinet, unless  
11 the head of the corresponding local government unit has requested, in writing,  
12 enforcement assistance from the Transportation Cabinet.