

1 AN ACT relating to overweight vehicles.

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

3 ➔Section 1. KRS 189.222 is amended to read as follows:

4 (1) Except as provided in subsection (2) of this section, the secretary of the  
5 Transportation Cabinet in respect to highways which are a part of the state-  
6 maintained system, by official order, may increase on designated highways or  
7 portions thereof, the maximum height, length, and gross weight prescribed in KRS  
8 189.221, if in the opinion of the secretary, the increased height, length, and weight  
9 designated by him are justified by the strength, safety, and durability of the  
10 designated highways, and the highways do not appear susceptible to unreasonable  
11 and unusual damage by reason of the increases and the secretary may establish  
12 reasonable classification of state maintained roads and fix a different maximum for  
13 each classification. Any increase in the height, length, or width of any motor truck or  
14 tractor semitrailer combinations or any other vehicle combinations including any part  
15 of the body or load or designation of highways to be used by the vehicles, shall not,  
16 in any way, exceed the federal law or regulations thereunder or jeopardize the  
17 allotment or qualification for federal aid funds of the Commonwealth of Kentucky or  
18 exceed the following dimensions and weights:

- 19 (a) 1. Height, for vehicles transporting motor vehicles, fourteen (14) feet; and  
20 2. Height, for all other vehicles, thirteen and one-half (13-1/2) feet;
- 21 (b) Length, semitrailers, fifty-three (53) feet; trailers, twenty-eight (28) feet; motor  
22 trucks, forty-five (45) feet, not to exceed two (2) trailers per truck tractor;
- 23 (c) Weight, twenty thousand (20,000) pounds per single axle, with axles less than  
24 forty-two (42) inches apart to be considered as a single axle; thirty-four  
25 thousand (34,000) pounds on two (2) axles in tandem arrangement which are  
26 spaced forty-two (42) inches or more apart and less than ninety-six (96) inches  
27 apart; forty-eight thousand (48,000) pounds on three (3) axles which are

1 spaced forty-two (42) inches or more apart and less than one hundred twenty  
2 (120) inches apart. No single axle in any arrangement shall exceed twenty  
3 thousand (20,000) pounds or seven hundred (700) pounds per inch of the  
4 aggregate width of all the tires on a single axle, whichever is less. The total  
5 gross weight of the vehicle and load shall not exceed eighty thousand (80,000)  
6 pounds;

7 (d) Except on the interstate highway system, a tolerance of not more than five  
8 percent (5%) per axle load shall be permitted before a carrier is deemed to  
9 have violated paragraph (c) of this subsection. The gross weight shall not  
10 exceed eighty thousand (80,000) pounds;

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

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

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

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

- 1 (b) Livestock or poultry from their point of origin to first market. As used in this  
 2 paragraph and in paragraph (d) of this subsection, "livestock" means cattle,  
 3 sheep, swine, goats, horses, alpacas, llamas, buffaloes, or any other animals of  
 4 the bovine, ovine, porcine, caprine, equine, or camelid species;
- 5 (c) Primary forest products, including, but not limited to, sawdust, wood chips,  
 6 bark, slabs, or logs originating from their points of origin to first market; or
- 7 (d) Supplies, materials, or equipment necessary to carry out a farming operation  
 8 engaged in the production of agricultural crop products, meats, livestock, or  
 9 poultry.
- 10 (3) **The following** vehicles registered under KRS 186.050 ~~that are engaged exclusively~~  
 11 ~~in the transportation of items listed in subsection (2)(a), (b), and (c) of this section~~  
 12 ~~may exceed the gross weight provisions set forth in subsection (1)(c) of this section~~  
 13 ~~by a weight tolerance of ten percent (10%), except on the interstate highway system;~~
- 14 **(a) Vehicles that are engaged exclusively in the transportation of items listed in**  
 15 **subsection (2)(a), (b), and (c) of this section; and**
- 16 **(b) Vehicles that are engaged exclusively in the transportation of feed for**  
 17 **livestock or poultry.**
- 18 (4) Vehicles exclusively engaged in the transportation of motor vehicles,  
 19 unmanufactured tobacco, or unmanufactured tobacco products may, on those  
 20 highways which are a part of the state-maintained system and which have been  
 21 designated by the secretary of the Transportation Cabinet by official order as safely  
 22 allowing same, attain the maximum lengths as provided by subsection (1)(b) of this  
 23 section, excluding the usual and ordinary bumper overhang of the transported  
 24 vehicles.
- 25 (5) Vehicles engaged exclusively in the transportation of farm or primary forestry  
 26 products and registered under KRS 186.050(4) or 186.050(9) and vehicles engaged  
 27 exclusively in the transportation of ready-mixed concrete shall be excluded from the

1 axle weight provisions, except on interstate highways, and subject only to total gross  
2 weight provisions.

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

8 (7) Vehicles designed for and engaged exclusively in the collection and hauling of refuse  
9 and registered under KRS 186.050(3)(b) shall be excluded from the axle weight  
10 provisions, except when in operation on the federal interstate system, and subject  
11 only to total gross weight provisions.

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

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

- 21 (a) Width, one hundred two (102) inches, including any part of the body or load;
- 22 (b) Weight, twenty thousand (20,000) pounds per single axle, with axles less than  
23 forty-two (42) inches apart to be considered as a single axle; thirty-four  
24 thousand (34,000) pounds on two (2) axles in tandem arrangement which are  
25 spaced forty-two (42) inches or more apart and less than ninety-six (96) inches  
26 apart; forty-eight thousand (48,000) pounds on three (3) axles which are  
27 spaced forty-two (42) inches or more apart and less than one hundred twenty

1 (120) inches apart. The total gross weight of the vehicle and load shall not  
2 exceed eighty thousand (80,000) pounds. If any federal law or laws or  
3 regulations thereunder are hereafter enacted authorizing weights and  
4 dimensions in excess of those set out in paragraphs (a) and (b) of this  
5 subsection, the secretary of the Transportation Cabinet may by official order  
6 increase the maximum weights and dimensions but the increased weights and  
7 dimensions shall not exceed those set out in this section.

8 (10) Except on the interstate highway system, vehicles engaged exclusively in the  
9 transportation of crushed stone, fill dirt and rock, soil, bulk sand, coal, phosphate  
10 muck, asphalt, concrete, solid waste, tankage or animal residues, livestock, feed for  
11 livestock or poultry, and agricultural products shall be permitted a tolerance of ten  
12 percent (10%) of the axle weight provisions before a carrier is deemed to have  
13 violated paragraph (1)(c) of this section.

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