

SENATE BILL NO. 338

INTRODUCED BY E. ARNTZEN, J. BRENDEN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT EXCLUDING CERTAIN VEHICLES FROM CERTAIN MAXIMUM

5 WEIGHT LIMITATIONS IF TRAVELING ON PORTIONS OF MONTANA HIGHWAY 16; EXTENDING

6 RULEMAKING AUTHORITY; AND AMENDING SECTION 61-10-107, MCA."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 61-10-107, MCA, is amended to read:

11 **"61-10-107. (Temporary) Maximum gross weight.** (1) (a) An axle may not carry a load in excess of

12 20,000 pounds, and no two consecutive axles more than 40 inches or less than 96 inches apart may carry a load

13 in excess of 34,000 pounds. An axle load is the total load transmitted to the road by all wheels whose centers

14 are included between two parallel transverse vertical planes 40 inches apart, extending across the full width of

15 the vehicle. For purposes of this section, axles 40 inches or less apart are considered to be a single axle. Except

16 as provided in subsection (1)(b), the maximum gross weight allowed on a vehicle, group of axles, or combination

17 of vehicles must be determined by the formula:

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

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19 in which W equals gross weight, L equals wheelbase in feet, and N equals number of axles, except that two

20 consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the overall distance between

21 the first and last axles of the consecutive sets of tandem axles is 36 feet or more. The maximum gross weight

22 allowed on a vehicle may not exceed the weight limits adopted by the department. The department shall adopt

23 rules for weight limits based upon the most recent version of 23 CFR, part 658, appendix c, for vehicles operating

24 in Montana.

25 (b) A vehicle traveling on U.S. highway 93 from the border between Canada and the United States to

26 10 miles south of the border or on Montana highway 16 from the border between Canada and the United States

27 to 20 miles south of the border is subject to the specific maximum allowable gross weight limit provided in rules

28 adopted by the department but is not subject to maximum gross weight limits determined by the formula in

29 subsection (1)(a).

30 (2) (a) Notwithstanding a vehicle's conformance with the requirements of subsection (1), except for the

1 steering axle, all axles weighing over 11,000 pounds must have at least four tires or have wide-base tires. The
 2 maximum load on an axle, other than a steering axle, equipped with wide-base tires is limited to 500 pounds for
 3 each inch of tire width.

4 (b) The provisions of subsection (2)(a) do not apply to passenger buses.

5 (c) For the purposes of this section, wide-base tires are tires that are 14 or more inches in nominal width.
 6 The maximum tire weight limit is computed for wide-base tires based on the number of inches shown on the tire
 7 marking, or if the tire marking is shown by metric size, the tire weight limit is computed by conversion of the metric
 8 size.

9 (3) This section does not apply to highways that are a part of the national system of interstate and
 10 defense highways (as referred to in 23 U.S.C. 127) when application of this section would prevent this state from
 11 receiving federal funds for highway purposes. (Terminates on occurrence of contingency--sec. 2, Ch. 342, L.
 12 2005.)

13 **61-10-107. (Effective on occurrence of contingency) Maximum gross weight.** (1) An axle may not
 14 carry a load in excess of 20,000 pounds, and no two consecutive axles more than 40 inches or less than 96
 15 inches apart may carry a load in excess of 34,000 pounds. An axle load is the total load transmitted to the road
 16 by all wheels whose centers are included between two parallel transverse vertical planes 40 inches apart,
 17 extending across the full width of the vehicle. For purposes of this section, axles 40 inches or less apart are
 18 considered to be a single axle. The maximum gross weight allowed on a vehicle, group of axles, or combination
 19 of vehicles must be determined by the formula:

$$20 \quad W = 500((LN/(N - 1)) + 12N + 36)$$

21 in which *W* equals gross weight, *L* equals wheelbase in feet, and *N* equals number of axles, except that two
 22 consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the overall distance between
 23 the first and last axles of the consecutive sets of tandem axles is 36 feet or more. The maximum gross weight
 24 allowed on a vehicle may not exceed the weight limits adopted by the department. The department shall adopt
 25 rules for weight limits based upon the most recent version of 23 CFR, part 658, appendix c, for vehicles operating
 26 in Montana.

27 (2) (a) Notwithstanding a vehicle's conformance with the requirements of subsection (1), except for the
 28 steering axle, all axles weighing over 11,000 pounds must have at least four tires or have wide-base tires. The
 29 maximum load on an axle, other than a steering axle, equipped with wide-base tires is limited to 500 pounds for
 30 each inch of tire width.

1 (b) The provisions of subsection (2)(a) do not apply to passenger buses.

2 (c) For the purposes of this section, wide-base tires are tires that are 14 or more inches in nominal width.
3 The maximum tire weight limit is computed for wide-base tires based on the number of inches shown on the tire
4 marking, or if the tire marking is shown by metric size, the tire weight limit is computed by conversion of the metric
5 size.

6 (3) This section does not apply to highways that are a part of the national system of interstate and
7 defense highways (as referred to in 23 U.S.C. 127) when application of this section would prevent this state from
8 receiving federal funds for highway purposes."

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