

1 **Senate Bill No. 32**

2 (By Senators K. Facemyer and D. Facemire)

3 \_\_\_\_\_  
4 [Introduced January 12, 2011; referred to the Committee on  
5 Transportation and Infrastructure; and then to the Committee on  
6 Finance.]  
7 \_\_\_\_\_

8  
9  
10  
11 A BILL to amend and reenact §17C-17-9 of the Code of West Virginia,  
12 1931, as amended, relating to increasing the maximum weight  
13 for six-axle tractor trailers.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §17C-17-9 of the Code of West Virginia, 1931, as amended,  
16 be amended and reenacted to read as follows:

17 **ARTICLE 17. SIZE, WEIGHT AND LOAD.**

18 **§17C-17-9. Gross weight of vehicles and loads for the national**  
19 **system of interstate and defense highways.**

20 (a) It ~~shall be~~ is unlawful for any owner, lessee or borrower  
21 of a vehicle or combination of vehicles to operate on any national  
22 system of interstate and defense highways ~~such~~ the vehicle or

1 combination of vehicles with a gross weight in excess of the gross  
 2 weight for which ~~such~~ the vehicle or combination of vehicles is  
 3 registered or in excess of any weight limitation set forth in this  
 4 chapter, whether ~~such~~ the limitation ~~be~~ is specifically stated in  
 5 this chapter or set by express authority granted in this chapter.

6 (b) Subject to the limit upon the weight imposed upon the  
 7 highway through any one axle as set forth in section eight of this  
 8 article, or the limit imposed upon the highway through any tandem-  
 9 axle as set forth in section eight-a of this article, the total  
 10 gross weight with load imposed upon the highway by any one group of  
 11 two or more consecutive axles of a vehicle or combination of  
 12 vehicles ~~shall~~ may not exceed the gross weight given for the  
 13 respective distance between the first and last axle of the total  
 14 group of axles measured longitudinally to the nearest foot as set  
 15 forth in the following table:

16	Distance in	Maximum load in pounds carried on any group of				
17	feet between	two or more consecutive axles				
18	the extremes					
19	of any groups					
20	of two or more					
21	consecutive					
22	axles	2 axles	3 axles	4 axles	5 axles	6 axles

1	4	34000				
2	5	34000				
3	6	34000				
4	7	34000				
5	8	34000	34000			
6	9	39000	42500			
7	10	40000	43500			
8	11		44000			
9	12		45000	50000		
10	13		45500	50500		
11	14		46500	51500		
12	15		47000	52000		
13	16		48000	52500	58000	
14	17		48500	53500	58500	
15	18		49500	54000	59000	
16	19		50000	54500	60000	
17	20		51000	55500	60500	66000
18	21		51500	56000	61000	66500
19	22		52500	56500	61500	67000
20	23		53000	57500	62500	68000
21	24		54000	58000	63000	68500
22	25		54500	58500	63500	69000

1	26	55500	59500	64000	69500
2	27	56000	60000	65000	70000
3	28	57000	60500	65500	71000
4	29	57500	61500	66000	71500
5	30	58500	62000	66500	72000
6	31	59000	62500	67500	72500
7	32	60000	63500	68000	73000
8	33		64000	68500	74000
9	34		64500	69000	74500
10	35		65500	70000	75000
11	36		66000	70500	75500
12	37		66500	71000	76000
13	38		67500	72000	77000
14	39		68000	72500	77500
15	40		68500	73000	78000
16	41		69500	73500	78500
17	42		70000	74000	79000
18	43		70500	75000	80000
19	44		71500	75500	80500
20	45		72000	76000	81000
21	46		72500	76500	81500
22	47		73500	77500	82000

1	48	74000	78000	83000
2	49	74500	78500	83500
3	50	75500	79000	84000
4	51	76000	80000	84500
5	52	76500	80500	85000
6	53	77500	81000	86000
7	54	78000	81500	86500
8	55	78500	82500	87000
9	56	79500	83000	87500
10	57	80000	83500	88000
11	58		84000	89000
12	59		85000	89500
13	60		85500	90000

14       *Provided, That ~~no~~ a vehicle or combination of vehicles ~~shall~~*  
15 *may not have a gross weight, including the load, in excess of*  
16 *sixty-five thousand pounds, except that the maximum gross weight of*  
17 *vehicles operating on the national system of interstate and defense*  
18 *highways and any highway providing reasonable access to and from*  
19 *terminals and facilities for food, fuel, repairs and rest within*  
20 *the state ~~shall~~ may not be in excess of eighty thousand pounds and*  
21 *except as otherwise provided in this article. Notwithstanding the*  
22 *limits prescribed in this subsection, two consecutive sets of*

1 tandem-axles may carry a gross load of thirty-four thousand pounds  
2 each providing the overall distance between the first and last  
3 axles of such consecutive sets of tandem-axles is thirty-six feet  
4 or more: *Provided, however,* That the limits prescribed in this  
5 subsection ~~shall~~ do not prohibit the operation of any vehicle or  
6 combination of vehicles of a type which could be lawfully operated  
7 in accordance with gross vehicle weights in effect on January 1,  
8 1975: *Provided further,* That no maximum weight in excess of or in  
9 conflict with any weight limitations prescribed by or pursuant to  
10 any act of Congress ~~shall~~ may be permitted on the national system  
11 of interstate and defense highways.

12 © Notwithstanding any other provision of this chapter to the  
13 contrary, a tractor-semitrailer combination with six axles and two  
14 additional brakes is limited to a maximum gross weight of ninety-  
15 seven thousand pounds with a tolerance of ten percent.

NOTE: The purpose of this bill is to increase the maximum weight amount for trucks equipped with six axles and two additional brakes to ninety-seven thousand pounds.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.