

OVER WEIGHT VEHICLE AMENDMENTS

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Thomas V. Hatch

This act modifies the Transportation Code by amending the exceptions to maximum vehicle size, weight, and load limitations for certain highways if authorized by a highway authority.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

72-7-401, as last amended by Chapter 21, Laws of Utah 1999

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **72-7-401** is amended to read:

72-7-401. Application of size, weight, and load limitations for vehicles -- Exceptions.

(1) (a) Except as provided in Subsection (2), the maximum size, weight, and load limitations on vehicles under this part apply to all highways throughout the state.

(b) Local authorities may not alter the limitations except as expressly provided under Sections 41-6-17 and 72-7-408.

(2) Except as specifically made applicable, the size, weight, and load limitations in this chapter do not apply to:

(a) fire-fighting apparatus;

(b) highway construction and maintenance equipment being operated at the site of maintenance or at a construction project as authorized by a highway authority;

(c) highway construction and maintenance equipment temporarily being operated between a material site and a highway maintenance site or a highway construction project if:

(i) § THE SECTION OF ANY HIGHWAY BEING USED IS NOT LOCATED WITHIN A COUNTY OF THE FIRST OR SECOND CLASS; AND

(ii) § authorized for a specific highway project by the highway authority having jurisdiction over each highway being used; § [and] §

§ [(ii)] (iii) § the distance between the material site and maintenance site or highway construction



27 project does not exceed ten miles;

27a **§ AND**

27b **(iv) THE OPERATOR CARRIES IN THE VEHICLE WRITTEN VERIFICATION OF THE**

27c **AUTHORIZATION FROM THE HIGHWAY AUTHORITY HAVING JURISDICTION OVER EACH HIGHWAY**

27d **BEING USED;** §

28 [~~(e)~~] (d) implements of husbandry incidentally moved on a highway while engaged in an
29 agricultural operation or incidentally moved for repair or servicing, subject to the provisions of
30 Section 72-7-407;

31 [~~(d)~~] (e) vehicles transporting logs or poles from forest to sawmill:

32 (i) when required to move upon a highway other than the national system of interstate and
33 defense highways;

34 (ii) if the gross vehicle weight does not exceed 80,000 pounds; and

35 (iii) the vehicle or combination of vehicles are in compliance with Subsections
36 72-7-404(1) and (2)(a); and

37 [~~(e)~~] (f) tow trucks or towing vehicles under emergency conditions when:

38 (i) it becomes necessary to move a vehicle, combination of vehicles, special mobile
39 equipment, or objects to the nearest safe area for parking or temporary storage;

40 (ii) no other alternative is available; and

41 (iii) the movement is for the safety of the traveling public.

42 (3) (a) Except when operating on the national system of interstate and defense highways,
43 a motor vehicle carrying livestock as defined in Section 4-1-8, or a motor vehicle carrying raw
44 grain if the grain is being transported by the farmer from his farm to market prior to bagging,
45 weighing, or processing, may exceed by up to 2,000 pounds the tandem axle weight limitations
46 specified under Section 72-7-404 without obtaining an overweight permit under Section 72-7-406.

47 (b) Subsection (3)(a) is an exception to Sections 72-7-404 and 72-7-406.

Legislative Review Note
as of 12-21-01 10:58 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel