

NOTICE OF INTENT

Department of Transportation and Development Office of Operations

Weights and Standards
(LAC 73:I.Chapters 1-30 and 73:III.Chapter 3)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:961 et seq., and through the authority granted in R.S. 32:380 through 388.1, R.S. 32:390, and R.S. 47:718, that the Department of Transportation and Development, Office of Operations, Weights and Standards Section, intends to amend Part I. Weights and Standards and Part III. Weights and Measures of the *Louisiana Administrative Code* Title 73 Weights, Measures and Standards.

23 C.F.R. § 657.5 requires the state to enforce vehicle size and weight laws. Pursuant to 23 C.F.R. § 657.19, if such laws are not enforced, the state risks losing ten percent of its federal transportation funding apportionment. This responsibility for enforcement at stationary scales was transferred to DOTD on July 1, 2022. This amended Rule will provide updated procedures for enforcement of vehicle size and weight laws, and provides for compliance with federal laws regarding vehicle size and weight laws.

Title 73

WEIGHTS, MEASURES AND STANDARDS

Part I. Weights and Standards

Chapter 1. Policy and Procedures for Weight Enforcement Field Personnel

§101. Field Procedures for Enforcing Weight and Size Limitations [Formerly §103]

A. Procedures for Enforcing the Weight Law

1. Shifting the Load. Loads may be required to be shifted by weight and standards stationary scale police officers after weighing and before proceeding. If the initial weighing shows that the maximum allowable axle weights are exceeded, drivers will be allowed to shift the loads carried by their vehicles after being weighed in order to qualify for a second weighing and a lesser fine amount, so long as no part of the load is removed.

2. All loads that are not indivisible, perishable, or dangerous will be ticketed as required and may be permitted to proceed without reducing the load.

3. All indivisible loads and all perishable products will be ticketed in accordance with La. R.S. 32:388, et seq., and permitted to proceed to a suitable place to reduce the load.

a. Perishable Products. Include the following, but may not be limited to these: All agricultural products; hot mix asphalt; concrete; all seafood; products requiring refrigeration or those transported in insulated vehicles; dairy products or poultry and associated products, meat, pork, livestock, live animals; and all other loads that would lose their value or be damaged to such a degree that they would not be suitable for their intended use in commerce if delayed in transit.

b. Indivisible Loads. Indivisible loads are those that are divisible but became indivisible once loaded due to the nature of loading or equipment required for unloading. Indivisible loads include the following, but are not limited to: All forest products; flammable, dangerous or toxic liquids, solids and gases such as gasoline, naphtha, kerosene, acids, liquefied petroleum gas, containerized cargo; pipe; prestressed or steel girders or large structural components or fabricated or unfabricated materials of indivisible nature that would require specialized equipment to unload or shift; or any load that would create a traffic hazard or danger to either the motoring public or the surrounding area if unloaded adjacent to the highway.

4. Checking Tandem, Tridem, Quadrum and Quint Axles. The following criteria shall be used to determine uniform distribution.

a. Tandem Axles. Each individual axle of a tandem axle shall be considered compliant if the load on both axles does not exceed 34,000 pounds and neither individual axle carries more than 20,000 pounds on the interstate. On non-interstate highways a tandem axle may not exceed 37,000 pounds, and neither individual axle may carry more than 21,500 pounds. On permit loads neither axle shall carry more than 60 percent nor less than 40 percent of the load shown on the approved permit.

b. Tridum Axles. Each individual axle of a tridum axle shall be considered acceptable if the load on all three axles does not exceed 42,000 pounds and none of the axles carried more than 16,000 pounds on interstate highways. On non-interstate highways a tridum axle may not exceed 45,000 pounds, and neither individual axle may carry more than 17,000 pounds. On permit loads no axle shall carry more than 40 percent or less than 25 percent of the load shown on the approved permit.

c. Quadrum Axles. Each individual axle of a quadrum axle shall be considered acceptable if the load on all four axles does not exceed 50,000 pounds and none of the axles carries more than 14,500 pounds on interstate highways. On non-interstate highways a quadrum axle may not exceed 53,000 pounds, and neither individual axle may carry more than 30 percent or less than 20 percent of the load shown on the approved permit.

d. Quint Axles. Each individual axle of a five axle group shall be considered acceptable if the load on all five axles does not exceed 58,000 pounds and none of the axles carries more than 11,000 pounds on interstate highways. On non-interstate highways a Five Axle Group may not exceed 61,000 pounds, and neither individual axle may carry more than 30 percent or less than 20 percent of the load shown on the approved permit.

e. When these regulations are violated, a violation ticket shall be issued and a penalty of \$100 assessed, unless there are other violations, in which case the violation resulting in the highest fine will be used. The fines shall not be cumulative.

5. Whenever an officer stops a vehicle that is not entering into or completing a turn and an variable load suspension axles axle equipped with an air bag or hydraulic system is in the raised position and the axle load is within legal limits for the number of axles including the variable

load suspension axles axle, the vehicle will be ticketed for improper distribution of the load and assessed a penalty of \$100. In the event the axle load exceeds the legal limitations for the configuration, including the variable load suspension axles axle, the vehicle will be ticketed for the excess weight over and above legal limits.

6. Posted Bridges. Violation reports shall be issued only after the offense is committed. Whomever owns or operates any vehicle or combination vehicles in violation of any rule, regulation, directive, or requirement of the secretary adopted under R.S. 32:386 or in violation of R.S. 32:386 shall be assessed a penalty on such weight which exceeds the maximum permissible gross weight as defined by R.S. 32:386. All overweight vehicles shall be directed to turn back when they are seen approaching a bridge posted with a regulatory weight limit.

7.a. All vehicles are required to stop at a DOTD stationary weight enforcement scale except the following:

- i. automobiles,
- ii. private passenger pickup trucks,
- iii. private passenger vans,
- iv. recreational vehicles,
- v. buses;
- vi. trucks which belong to law enforcement agencies and are not normally used for load-carrying purposes, fire trucks, and ambulances;
- vii. utility vehicles conveying to or from emergency services restoration due to a natural disaster
- viii. tow trucks, unless the tow truck has a gross vehicle weight rating in excess of twenty-six thousand pounds, or is hauling or carrying a vehicle not exempt from the provisions of this Section.

b. Each vehicle that is required to stop at a DOTD stationary weight enforcement scale location and that fails to stop shall be assessed the following penalty:

- i. Vehicles with a gross vehicle weight rating of less than twenty-six thousand pounds shall be fined one hundred dollars for failure to stop at the department stationary weight scales. This fine shall be in addition to any other fine which may be assessed for other violations.
- ii. Vehicles with a gross vehicle weight rating of twenty-six thousand pounds or more shall be fined five hundred dollars for failure to stop at the department stationary weight scales. This fine shall be in addition to any other fines which may be assessed for other violations.

c. Any vehicle which inadvertently bypasses the department stationary weight scales and returns to the scales voluntarily without the assistance of law enforcement shall not be assessed any penalty for bypassing the scales.

8. National Guard and Department of Defense Convoys. These may proceed without stopping at the stationary scales for weighing purposes, provided overweight and oversize permits are obtained in advance for all vehicles requiring permits and that the lead vehicle stops at the weighing station and advises the supervisor in charge of the permit vehicles in the convoy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 and 32:386.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:28

(February 1979), amended by the Office of Weights, Measures and Standards, LR 24:1517 (August 1998), amended by the Office of Operations, LR 50:

§103. Registration and Licensing Requirements for Vehicles Operating in Louisiana **[Formerly §105]**

A. Registration Requirements for Intrastate Haulers. A vehicle is operating intrastate when it is hauling any load which both originates and terminates in Louisiana. The vehicle must be either full plated for Louisiana or apportioned for Louisiana, or must have a 48-hour temporary permit. If the vehicle is owned and operated in Louisiana, it must be licensed and titled in Louisiana.

B. Reciprocity for Interstate Haulers. These vehicles, if lawfully owned and registered by a resident of one of the states with which Louisiana has a reciprocal agreement, are not required to have Louisiana plates to operate interstate in Louisiana (to pass through or to only originate or only terminate loads in Louisiana). These foreign plated trucks are allowed the Louisiana weight limits, provided the truck is registered for the maximum allowed gross weight for the single truck or combination vehicles. If the home state weight limits are greater than the Louisiana weight limits, then the vehicle will have to abide by the Louisiana weight limits.

C. Temporary 48-Hour Permits. A truck not licensed to operate in Louisiana may purchase a \$50 temporary 48-hour permit rather than a full plate or apportion with Louisiana. A temporary permit allows the vehicle to operate in Louisiana for a period of 48 continuous hours. Permit shall be purchased prior to entering Louisiana. Under no condition will a vehicle be allowed to operate within the state (intrastate) without either having Louisiana plates, or a temporary 48-hour permit, or being apportioned for Louisiana. Temporary 48-hour permits apply to these types of vehicles:

1. If a vehicle or combination vehicle from an FRP member jurisdiction and the motor vehicle has three (3) or more axles;

2. If any of the vehicles alone or in combination weighs more than 26,000 pounds or the power unit is registered for more than 26,000 pounds; and

3. If a power unit having two axles and a gross weight or registered weight in excess of 26,000 pounds or is registered for more than 26,000 pounds.

D. Full Reciprocity Plan. Any single motor vehicle having three or more axles, regardless of weight, or any vehicle or combination vehicle weighing 26,000 pounds or more may be licensed under the Federal Registration Plan, if the home state is a member. A vehicle from a member state may operate interstate or intrastate in Louisiana if the cab card shows that the vehicle is apportioned for Louisiana. If the vehicle is not apportioned for Louisiana, the driver must obtain a temporary 48-hour permit to operate either interstate or intrastate. At all times this card must accompany the vehicle for which it was issued. If this card is altered or defaced or used in any other vehicle except the one described thereon, it shall be considered null and void and the Louisiana registration license requirements shall apply. An apportioned license plate must also be displayed on the

front of the vehicle, and the cab card must show the weights and the states for which the vehicle is apportioned.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:29 (February 1979), amended by the Office of Operations, LR 50:

§105. Procedures for Enforcing Vehicle Registration and Licensing Laws
[Formerly §107]

A. Louisiana Vehicles Which Are Improperly Licensed or Unlawfully Registered. This includes vehicles operating with the wrong class of license, pursuant to La. R.S. 47:462; a vehicle whose serial number does not match the serial number on the registration certificate; or a vehicle which exceeds its licensed weight, but does not exceed the legal weight for that type of vehicle.

1. Vehicles with registration issued by the state of Louisiana are allowed a 10 percent tolerance on licensed weight. If the vehicle is not more than 10 percent over its licensed weight and does not exceed the legal maximum allowable weight for that type of vehicle, no violation has occurred.

2. For those vehicles which exceed the 10 percent tolerance on licensed weight, the officer shall cite R.S. 47:516, and the penalty assessed will be the greater of the violations stated in R.S. 47:516.

3. When the driver appears at the Vehicle Registration Bureau to purchase the proper plates, he will be charged an additional 25 percent of the cost of the new plates as a penalty.

4. If a vehicle in this situation also exceeds the legal weight limitations, the officer shall issue another violation ticket citing R.S. 32:386 and fine the vehicle for the weight in excess of the legal weight, according to the overweight penalty chart referenced in this document.

B. Louisiana Vehicles with an Expired License and Registration or No License and Registration

1. In these situations the officer shall write a "no fine" violation report citing R.S. 47:516, if the plate expired within the last 30 days. If the plate has been expired for over 30 days, the officer shall cite R.S. 47:516, and a fine of \$100 will be assessed.

2. If a vehicle in this situation also exceeds the legal weight limitations, the officer shall issue another violation ticket citing R.S. 32:386 and fine the vehicle for the weight in excess of the legal weight, according to the overweight penalty chart.

C. Out-of-State Vehicles with an Expired License and Registration or No License and Registration

1. Out-of-State Vehicles with apportion plates not licensed in Louisiana shall not operate in Louisiana, neither interstate nor intrastate, without purchasing a temporary 48-hour permit prior to entering Louisiana. This does not apply to out-of-state vehicles from states with reciprocity agreements with Louisiana, or that are members of the FRP.

2. If a temporary 48-hour permit is not purchased prior to entering Louisiana, the driver will be required to purchase a temporary 48-hour permit, and a penalty of \$200 will be assessed, in addition to the cost of the permit.

D. Out-of-State Vehicles Which Are Improperly Licensed

1. If a vehicle domiciled outside Louisiana has a current license but the actual weight of the vehicle exceeds the weight for which it is licensed, the officer shall issue a violation report citing R.S. 32:388, and a penalty of \$100 will be assessed. This applies even if the actual weight does not exceed the legal weight for that type vehicle

2. If the vehicle exceeds both the licensed weight and the Louisiana legal weight for that type of vehicle, a penalty of \$100 will be assessed, or a penalty in accordance with the overweight penalty chart contained in this document, whichever penalty is greater. If the officer assesses a penalty in accordance with the overweight penalty chart, the officer shall cite R.S. 32:386.

E. Vehicles Which Require Temporary 48-Hour Permits

1. If a vehicle is required to have a temporary permit and does not possess one, the officer shall issue a violation report citing R.S. 47:511.1, and may require the operator to purchase a temporary permit. A penalty of \$200 shall be assessed in addition to the cost of purchasing a temporary permit.

2. The cost of a temporary 48-hour permit is \$50. It shall be valid for 48 continuous hours.

3. If a vehicle is stopped and found to exceed the time limit of a temporary permit, a penalty of \$200 shall be assessed and the driver shall be required to purchase another permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:30 (February 1979), amended by the Office of Operations, LR 50:

§107. Procedures for Enforcing Fuel Tax Laws
[Formerly §109]

A. Authority of Weights and Standards Stationary Scale Police Force

1. Weights and Standards Stationary Scales Police Force shall assist the Department of Revenue and Taxation in enforcing fuel tax laws. The Department of Revenue and Taxation is the final authority on fuel tax laws.

2. Fuel Use. Weights and Standards Stationary Scale Police Force officers have the authority to enforce fuel tax laws only when the vehicle is not fully licensed in Louisiana and is domiciled outside Louisiana.

a. The state of domicile shall be determined by the name and address on the cab doors.

b. License plates from another state which are apportioned for Louisiana have not been fully licensed in Louisiana. Vehicles with these plates may be checked if the vehicle is domiciled outside Louisiana.

3. Bulk Transports. Weights and Standards Stationary Police Force officers have the authority to enforce fuel tax laws on all bulk transports of taxable fuels.

B. Motor Vehicles Using Gasoline for Fuel. Vehicles which are not fully licensed in Louisiana and are domiciled outside Louisiana shall be checked as they leave Louisiana to insure that the driver has purchased enough gasoline in Louisiana to cover the miles traveled in Louisiana.

C. Motor Vehicles Using Special Fuels

1. Special fuels are all fuels used by motor vehicles except gasoline. Special fuels include distillate fuels (e.g., diesel or kerosene) and liquefied petroleum gases (e.g., butane or propane).

2. Vehicles using special fuels are required to have a working speedometer, odometer, or hub meter. Compare the speedometer, odometer, or hub meter reading with the reading on the special fuels invoice to determine if the mileage indicator is working properly.

3. Vehicles using special fuels are also required to have the name and address of the company on both cab doors in letters at least 2 inches high. The name and address must be legible for 25 feet.

4. Vehicles which are not fully licensed in Louisiana and are domiciled outside Louisiana shall be checked as they leave Louisiana to insure that the driver has purchased enough fuel in Louisiana to cover the miles traveled in Louisiana.

a. At enforcement units which are not at points of exit from Louisiana, vehicles using special fuels shall not be checked for special fuels invoices or for working speedometers, odometers, or hub meters. Fuel tax assessment forms shall not be filled out. These vehicles shall be checked for the company's name and address on the cab doors.

b. If the company is on the list of Bonded Special Fuels Users, as maintained within the Louisiana Department of Revenue, vehicles shall not be checked for special fuels invoices or for working speedometers, odometers, or hub meters at any enforcement unit. Fuel tax assessment forms shall not be filled out. These vehicles may be checked for the company's name and address on the cab doors.

c. Vehicles which are exempt from licensing (such as farm equipment and off-road equipment) shall not be checked at any enforcement unit for special fuels invoices; working speedometers, odometers, or hub meters; or for the company's name and address on the cab doors. No fuel tax assessment form shall be filled out.

D. Bulk Gasoline Transports

1. The drivers of all bulk gasoline transports are required to have a currently dated invoice, bill of lading, or manifest showing the following information:

- a. the seller's and purchaser's names and addresses;
- b. the origin and destination of the gasoline;
- c. the authorized routes to be followed (this applies only to gasoline going to or coming from Texas);
- d. the quantity of gasoline.

2.a. Vehicles transporting bulk gasoline to or from Texas must have an authorization card issued by the Department of Revenue and Taxation. This card may not be transferred from one company to another.

b. The name on the card shall agree with the name on the vehicle. The vehicle must be on a route specified on the authorization card.

3. Bulk fuel transports shall be checked at all enforcement units by Weights and Standards Stationary Scale Police Force officers.

a. Vehicles operated by common or contract carriers licensed by the Interstate Commerce Commission or the Louisiana Public Service Commission shall not be checked.

They may be checked, however, for the fuel they use to operate.

b. Vehicles operated by companies on the list of Bonded Gasoline Jobbers or Bonded Gasoline Dealers, as maintained within the Louisiana Department of Revenue, shall be checked for the required information on the invoice, bill of lading, or manifest. If the gasoline is going to or coming from Texas, the vehicle shall be checked for the proper authorization card and proper route. These vehicles shall also be checked for the fuel they use to operate.

E. Bulk Special Fuels Transports. All vehicles transporting bulk special fuels shall be allowed to proceed. These vehicles shall, however, be checked for the fuel they use to operate.

F. Fuel Tax Violations

1. Users of Gasoline and Special Fuels

a. If an unbonded gasoline or special fuels user has a proper fuel invoice, but has not purchased enough fuel to cover all the miles traveled in Louisiana, then the officer shall assess the fuel tax, but no violation ticket shall be written.

b. If an unbonded gasoline or special fuels user has an improper fuel invoice or no fuel invoice, then the officer shall issue a violation ticket and assess a fine of \$25. Fuel tax shall be assessed in addition to the fine.

c. If a user of special fuels does not have a working speedometer, odometer, or hub meter, the officer shall issue a violation ticket and assess a fine of \$25.

d. If a user of special fuels does not have the name and address of the company on both cab doors, the officer shall issue a violation ticket and assess a fine of \$25. If the company's name and address is on only one door, no violation ticket or fine will be assessed. The driver will receive a warning of the violation. However, if corrections have not been made within five days, a violation ticket for \$25 shall be issued.

e. No ticket shall be issued on any new transient vehicles or any new vehicle with less than 2,000 miles on the mileage indicator.

f. Fuel tax violations are cumulative.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:31 (February 1979), amended by the Office of Operations, LR 50:

§109. Procedures for Citing Violators [Formerly §111]

A. Issuing Notice of Violations

1. When any carrier, transport vehicle, or driver is found to be in violation of any provision of this Chapter, the violating party shall receive a "Notice of Violation, Proposed Finding and Proposed Civil Penalty" (hereinafter referred to as a "notice of violation") within 30 days of the violation.

2. Notices of violation shall provide specific information regarding the violation that is being cited. This information shall include the highway, parish, and the side (North, South, East, West) on which the citation is being issued. This information shall also include the specific nature of the violation and the number of the statute that was violated.

Statute	Violation	Fine
32:380	Overwidth	\$100
32:381	Overheight	\$100
32:382	Overlength, Overhand, Twin Trailer Combination	\$100
32:383	Dropping, Shifting or Leaking Load	\$100
32:384	Trailer and Towed Vehicle Violations	\$100
32:385	Farm Vehicle and Equipment Violations	\$100
32:386	Over Legal Gross Vehicle Weight or Over Legal Axle Weight	(see chart)
32:386	Improper Distribution of Axle Weight	\$100
32:387	Over Permitted Weight	(see chart)
32:387	Violating Terms or Conditions of Permit Issuance—Other than Weight	\$100
32:387	Permit Not in Vehicle	\$ 25
32:388	Over Licensed Weight	\$100
32:388	Failure to Stop at Stationary Scale	\$100
47:511.1	No Temporary 48-Hour Permit	\$200
47:516	Improper, Expired or No License and Registration	(No fine by DOTD)
47:718	Nonpayment of Gasoline Tax	\$ 25
47:812A	Cargo Tank Connected to Carburetor	\$ 25
47:812B	Nonoperating Speedometer, Odometer, or Hub Meter	\$ 25
47:812C	Owner's Name and Address Not on Outside of Cab Doors	\$25
47:812D	Nonpayment of Special Fuels Tax (No Invoice)	\$ 25

3. Notices of violation shall clearly indicate if a monetary penalty is assessed, or if the notice of violation is only a warning. Notice of violation warning shall only apply to over axle weight violations. If a monetary penalty is assessed, the amount of such penalty shall be clearly indicated on the notice of violation. The fines for violations of Title 32 are not cumulative, but a violator may be assessed more than one fine for violations of Title 47 or for violating both Title 32 and Title 47.

4. If the vehicle was found to be overweight, the notice of violation shall clearly indicate the measured weights and the contents of the load/commodity type.

5. For a violation of R.S. 47:516 where a fine is not assessed, the driver shall be instructed to report to the nearest Vehicle Registration Bureau of the Department of Public Safety to secure the proper registration and license within five days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:33 (February 1979), amended by the Office of Operations, LR 50:

Chapter 3. Oversize and Overweight Permit Laws and Regulations

§301. General Information

A. General Regulations

1. An oversize or overweight permit must be obtained to operate a vehicle which exceeds the legal size or weight on the highway.

2. In general, oversize and overweight permits are issued only for indivisible vehicles and loads. Indivisible vehicles or loads are those which cannot be easily divided, broken down, or dismantled to conform to the legal limitations.

3. The following vehicles transporting divisible loads are eligible to obtain permits:

a. vehicles transporting pipe loaded across a vehicle, rather than lengthwise, are eligible for overwidth permits as long as the width of a vehicle and load does not exceed 8 feet, 8 inches;

b. vehicles transporting up to three bundles of prepacked or strapped oil field pipe are eligible for overwidth permits if the load does not exceed 10 feet in width;

c. vehicles transporting pulpwood or plywood bolts loaded across a vehicle, rather than lengthwise, are eligible for forest product permits;

d. vehicles transporting farm products in their natural state are eligible for harvest season permits;

e. waste vehicle transporting divisible loads are eligible for waste vehicle permits and steering axle permits;

f. when all parts which have been or can be easily divided or dismantled from a shipment weigh altogether 500 pounds or less, these parts may be moved along with indivisible part of the shipment as one load.

4. Exceptions to Oversize and/or Overweight Permit Requirements

a. When all parts which have been or can be easily divided or dismantled from a shipment with an aggregate weight of 500 pounds or less, these parts may be moved along with the indivisible part of the shipment as one load.

b. Vehicles transporting an oversize/overweight dozer will be allowed to remove its blade or sideboom and haul it on the same vehicle.

c. Vehicles transporting pipe loaded across a vehicle, rather than lengthwise, will be eligible for overwidth permits as long as the width of the vehicle and load does not exceed 8 feet 8 inches.

d. Vehicles transporting up to three bundles of prepackaged oil field pipe may not exceed 10 feet in width.

e. Vehicles transporting farm products in their natural state will be eligible for harvest season permits.

f. Vehicles transporting forest products in their natural state will be eligible for a natural forest product permit.

g. Vehicles transporting pulpwood or plywood bolts loaded across a vehicle, rather than lengthwise, will be eligible for forest product permits as long as the width does not exceed 9 feet.

h. Waste vehicle transporting divisible loads will be eligible for waste disposal truck permits.

i. Vehicles transporting oversize loads will only be allowed to create an over height dimension as long as there is at least one permitted dimension, and all the dimensions for the load are shown on the permit. Over width and over length dimensions may never be created.

j. Trucks transporting commodities from a port located on the Mississippi River via a bridge over the Mississippi River to a facility located in the same parish as the bridge, provided the bridge is not on the Interstate System.

5. Vehicles must be licensed for the statutory maximum allowable license weight in order to obtain an overweight permit.

6. All permits must be obtained before movement of an oversize or overweight vehicle or load begins, if intrastate, or before the vehicle enters Louisiana, if interstate.

7. The permit must be in the vehicle for which it was issued and must be available for inspect by proper authorities at all times.

B. Permit Authority. Permits are issued by the DOTD truck permit office. Officials at this office have final authority on which vehicles or loads will be granted permits. The truck permit office also has the final authority on the disposition of any vehicles or loads which have or require a permit.

1. - 5. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:35 (February 1979), amended by the Office of Operations, LR 50:

§303. Types of Permits [Formerly §305]

A. Oversize Permits. These permits are for vehicles and loads which exceed the legal limitations on width, height, length, or projecting loads. The fee is \$10 for a single trip if the trip lasts less than one day or \$10 per single day if the trip lasts more than one day.

B. Overweight Permits. These permits are for vehicles and loads which exceed the legal limitations on axle weight or gross vehicle weight. They may be valid for vehicles or loads which are both oversize and overweight if the dimensions are noted on the permit. These permits are valid for a single trip, and the fee shall be based on weight and the distance to be traveled. If a vehicle and load are both oversize and overweight, only the overweight fee is charged.

C. Monthly Oversize Permits. These permits are for vehicles and loads that exceed the legal limitations on width, height, length, or projecting loads. These permits are not for vehicles and loads that exceed the legal weight limitations. Vehicles and loads may not be more than 12 feet wide; more than 14 feet, 4 inches high; or more than 90 feet long. Monthly oversize permits may be valid for as long as 12 months and may be issued for Monday through Friday only, Monday through Saturday only, or for every day of the week (except holidays when requested). The fee is \$10 for each day that the permit is valid.

D. Forest Product Permits. These permits are for vehicles transporting plywood bolts or pulp-wood which exceeds the legal limitations on width. The permits allow a maximum width of 9 feet when the pulpwood or plywood bolts are transported across the vehicle, rather than lengthwise. They are valid for a year, but may be used only on non-interstate highways. The fee is \$10 a year. On interstate highways oversize permits must be purchased on a daily basis. Vehicles with forest product permits are permitted to travel during moderate weather, or on holidays, but they are prohibited from traveling at night.

E. Forest Management Equipment Permits. These permits are for forest management equipment which exceeds the legal limitations on width. These permits will allow a maximum width of 10 feet. General construction equipment

(bulldozers, draglines, graders, etc.) is excluded from this permit; included are rubber-tired and tracktype skidders, tree shears, feller bunchers, tree planting equipment, log loaders, shredders, yarders, tractors, chippers, portable chippers, drum choppers, pre-haulers, and fire plows. These permits are valid for a year, but only on noninterstate highways. Oversize permits must be obtained for travel on interstate highways. The fee is \$5 a year. Vehicles with forest management equipment permits are not prohibited from traveling on Sundays after 1 p.m., on holidays, or during moderate weather, but are prohibited from traveling at night. Forest management equipment permits may be issued on regular forms (P-forms), transmitted forms (telecopies), or control forms (C-forms).

F. Waste Vehicle Permits. These permits are for waste vehicles which have single axles on the rear and which exceed the legal limitations for axle weight on the rear axle. A waste vehicle permit will allow a maximum of 23,000 pounds on the rear axle. The overweight rear axle must be equipped with dual-mounted tires, and tires on the overweight axle must have a width of 10.00 or larger. These trucks must have been in actual use in Louisiana by January 1, 1977; trucks purchased after this date do not qualify and must meet the legal limitations. Waste vehicle permits are valid only on non-interstate highways. These vehicles must be of legal weight on interstate highways. These permits are valid for a year, and the fee is \$10 a year. Vehicles with waste vehicle permits are not prohibited from traveling at night, during moderate weather, or on holidays

G. Steering Axle Permits. These permits are for equipment which is primarily used off-road, which only occasionally uses the state-maintained highway system, and which exceeds the legal axle weight on the steering axle, due to its design. (Rig-up trucks may obtain a steering axle permit if their length does not exceed 45 feet and their width does not exceed 10 feet. No load may be carried by a rig-up truck with a steering axle permit, and another vehicle may not be towed by the truck). A vehicle with a steering axle permit must be equipped with tires of 10.00 width or larger. These permits are valid for a year, and only on non-interstate highways. Overweight permits for travel on interstate highways must be purchased on a single-trip basis. The fee is \$15 a year. If a waste vehicle requires both a waste vehicle permit and a steering axle permit, only the fee for the steering axle permit shall be charged. Vehicles with valid steering axle permits are not prohibited from traveling at night, during moderate weather or on holidays

H. Harvest Season Permits

1. These permits are for vehicles which haul farm products in their natural state and which exceed the legal limitations on gross vehicle weight or axle weight. (A 500-pound variance shall be added to the permitted axle weight as long as the permitted gross vehicle weight is not exceeded.)

2. On non-interstate highways the maximum weights are:

- a. gross vehicle weight—86,600 pounds;
- b. single axles—22,000 pounds (500 pounds variance = 21,200 pounds);

c. tandem axles—37,000 pounds (500 pounds variance = 35,700 pounds).

3. On interstate highways the maximum weights are:

a. gross vehicle weight—83,400 pounds;

b. single axles—20,000 pounds (500 pounds variance = 20,300 pounds);

c. tandem axles—35,200 pounds x 500 pounds variance = 35,700 pounds).

4. These permits are valid for a year, and the fee is \$10 a year. Vehicles with harvest season permits are not prohibited from traveling at night, during moderate rain or on holidays. These permits may be purchased online.

I. Oil Field Equipment Permits. These permits are for a combination vehicle which are designed to transport oil field equipment and which exceed the legal length and width limitations. These permits allow a combination vehicle to have a maximum length of 70 feet and a maximum width of 10 feet. Oil field equipment permits are valid on interstate highways at 70 feet long and 8 feet 6 inches wide, and on non-interstate highways, only when no load is being carried. Oversize or overweight permits must be obtained when the vehicle is carrying a load or when the vehicle is traveling on interstate highways. The fee is \$15 for a month. Vehicles with oil field equipment permits are permitted to travel on holidays, at night, or during moderate rain.

J. Vehicles Hauling Sugarcane. These permits are issued annually for vehicles hauling sugarcane at a gross weight not to exceed 100,000 pounds. The vehicle and trailer combination must meet all other Louisiana legal requirements and shall have a minimum of 18 wheels.

K. Special Permits for Transporting Hay

1. If there is a declaration of emergency or disaster in this state or another, for causes such as but not limited to severe and extended drought conditions, special permits may be issued by the secretary of DOTD for those vehicles transporting hay. The permit fee shall be \$10 and shall be valid for only as long as the emergency exists, not to exceed one year. In addition, the following restrictions shall apply.

a. The total length of the vehicle and trailer shall not exceed 65 feet on non-interstate routes and the load and trailer shall not exceed 59 feet 6 inches on Interstate routes. The total weight of the vehicle and trailer shall not exceed 80,000 pounds for a quint axle rig and 83,400 pounds for a 6 axle rig which also must include a tridum. Vehicles transporting hay bales loaded side by side across trailers shall not exceed 12 feet in width and 14 feet in height.

b. Travel is limited to daylight hours beginning at sunrise and ending at sunset and is limited by all no movement requirements on certain holidays.

c. Vehicles must travel with the required signs and flags properly placed and indicating that they carry oversized loads.

d. Vehicles must be equipped with mirrors that allow drivers to have a clear view of the highway to at least 200 feet to the rear of the vehicle.

e. Loads must be securely bound to the transporting vehicles.

f. Carriers, owners and drivers of any vehicle being operated are responsible for verifying in advance that the

actual dimensions and weights of the vehicles and loads are acceptable for all routes being traveled.

g. It is the responsibility of the carriers, owners and drivers to track the status of the declared emergencies. In the event the emergency expires prior to the one year period, the owner, carrier and driver shall be responsible for terminating use of the permit.

h. No vehicle shall exceed weight limits posted for bridges and similar structures, or relieve any vehicle or carrier, owner or driver of any vehicle from compliance with any restrictions other than those specified, or from any statute, rule, order or other legal requirement.

L. Containerized Cargo

1. Class I (\$50 per year). These permits are for ocean containers used in hauling prepackaged products for international trade originating from or destined to an intermodal facility. This permit allows for the transportation of ocean containers with a gross vehicle weight limitation not to exceed 80,000 pounds and axle group weight not to exceed 40,000 pounds per tandem axle.

2. Class II (\$375 Biannual). These permits are for ocean containers used in hauling prepackaged products for international trade from or destined to an intermodal facility.

3. Vehicles with containerized cargo permits are allowed movement on interstate and non-interstate highways. These vehicles may travel at night, during moderate rain, or on holidays.

M. Forest Management Equipment (\$10 per Year)

1. These permits are for forest management equipment which exceeds the legal limitations on width. It will allow a maximum width of 10 feet. General construction equipment (bulldozers, draglines, graders, etc.) are excluded from this permit.

a. Included are:

- i. rubber-tired and track-type skidders;
- ii. tree shears;
- iii. feller bunchers;
- iv. tree planting equipment;
- v. log loaders;
- vi. shredders;
- vii. yarders;
- viii. tractors;
- ix. chippers;
- x. portable chippers;
- xi. drum choppers;
- xii. prehaulers; and
- xiii. fire plows.

b. These permits are valid for one year, and only on non-interstate highways.

c. Oversize permits must be obtained for travel on interstate highways.

2. Vehicles with forest management equipment permits may travel on holidays, but are prohibited from traveling at night and during heavy rain.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:37 (February 1979), amended by the Office of Operations, LR 50:

§305. Maximum Permit Weights Allowed
[Formerly §711]

A. Road and structural design capacities dictate that, generally, the following weights will be the maximum weights for which overweight permits will be issued.

1. Off-Road Equipment
 - a. Each Single Axle—30,000 pounds.
 - b. Each Tandem Axle—60,000 pounds; however, any vehicle with a tandem axle weighing over 48,000 pounds must have removed all counterweights and other easily removable components.
 - c. Each Tridum Axle—66,000 pounds; however, any vehicle with a tridum axle weighing over 60,000 pounds must have removed all counterweights and other easily removable components.
2. All Other Vehicles
 - a. Each Single Axle—24,000 pounds if the gross vehicle weight is 120,000 pounds or less, but 20,000 pounds of the gross vehicle weight exceeds 120,000 pounds.
 - b. Each Tandem Axle—48,000 pounds if the gross vehicle weight is 120,000 pounds or less, but 45,000 pounds if the gross vehicle weight exceeds 120,000 pounds and the spread between axle groups is a minimum of 12 feet and the spread between tires in a group is a minimum of 4 feet.
 - c. Each Tridum Axle—60,000 pounds.
 - d. Each Tandem Trunion Axle Group (16 tires)—54,000 pounds.
3. Gross Vehicle Weight—232,000 pounds. Permit requests for gross vehicle weights exceeding 232,000 pounds require detailed information, and inquiries should be directed to the truck permit office well in advance of the movement. Since railroads and navigable waterways are adequate for the movement of loads in excess of 232,000 pounds, these facilities must be used instead of highways, except for the hauling necessary to move a load from its origin to the nearest railway or waterway and/or to move a load from the railway or waterway to its destination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§307. Permit Axle Weight Distribution
[Formerly §713]

A. If a tandem, tridum, or quadrum axle group is permitted for a weight which is less than or equal to the legal axle weight, then the axle must comply with the legal axle weight distribution. If the axle group is permitted for a weight which exceeds the legal axle weight, then the axle must comply with the following.

1. Tandem axles on vehicles with permits are properly distributed if neither of the individual axles carries more than 60 percent or less than 40 percent of the total tandem weight shown on the permit.
2. Tridum axles on vehicles with permits are properly distributed if none of the individual axles carries more than 40 percent or less than 25 percent of the total tridum weight shown on the permit.

3. Quadrum axles on vehicles with permits are properly distributed if none of the individual axles carries more than 30 percent or less than 20 percent of the total quadrum weight shown on the permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§309. Obtaining Permits
[Formerly §307]

A. There are five ways to obtain permits.

1. Walk-In Service. Permits may be purchased by appearing in person at the truck permit office in Baton Rouge. All information required on a permit form must be furnished at this time.
2. Mail
 - a. Applications for permits which are mailed must include all the information required on a permit form before the permit can be issued.
 - b. The application must be accompanied by an accepted form of payment.
 - c. The permit which is sent by return mail to the permittee must be carried at all times in the vehicle for which it was issued.
3. Wire Service
 - a. These companies will charge a permittee the Louisiana permit fee established by law and a service charge approved by the department.
 - b. All information required on a permit form must be provided by a phone call to the truck permit office or online before the permit will be issued.
4. Charge Accounts
 - a. A surety bond or an irrevocable letter of credit must be posted with the truck permit office to establish a permit charge account. The insurance agency must execute the bond in the minimum amount of \$1,000 or in increments of \$1,000 to an amount equal to or exceeding the customer's monthly billing.
 - b. It is required that the original of the bond, a power of attorney for the principal, and a power of attorney for the insurance company be furnished to the truck permit office.
 - c. Customers who fail to pay the full invoice amount on a charge account within 30 days of the billing date may have further charging privileges revoked, and the department may revoke their charge account bond.
 - d. A control number permit form can be activated by filling it out completely in ink and then by either placing a telephone call to the truck permit office or submitting it online. The form is not valid without the permit number which is supplied by the DOTD permit issuing official at the time of activation.
 - e. Facsimile copies of valid charge account permits will be acceptable provided the copies are legible. The department reserves the right to refuse and/or discontinue the acceptance of facsimile copies.
5. Prepaid Permits

a. Prepaid permit forms may be purchased for \$10 each at the truck permit office or by mail. These forms are for customers who do not have a charge account, but wish to purchase forms in advance of their use.

b. Prepaid permit forms can only be used for oversize permits and are valid for a single trip, if the trip lasts less than one day, and for a single day, if the trip lasts more than one day.

c. A prepaid permit form is activated by filling it out completely, and then by either placing a telephone call to the truck permit office or submitting it online. The form is not valid without the permit number which is supplied by the DOTD permit issuing official at the time of activation.

d. A blank oversize prepaid permit form shall be validated within 12 months from the date of purchase.

e. Facsimile copies of valid oversize prepaid permits will be acceptable provided the copies are legible. The department reserves the right to refuse and/or discontinue the acceptance of facsimile copies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§311. Permit Restrictions [Formerly §309]

A. Enforcing Permit Restrictions

1. The truck permit office may place additional restrictions on a permit.

2. The Weight and Standards Stationary Scale Police Force officer shall see that all restrictions shown on the permit have been followed before a vehicle is allowed to proceed, unless directed otherwise by the truck permit office.

3. If an officer suspects that a normal restriction has been omitted from the permit (for example, a load 100 feet long without an escort), the truck permit office shall be contacted for verification. No violation report shall be issued for restrictions which were overlooked by the permit office; however, the vehicle shall be delayed until necessary restrictions have been met.

B. Escorts

1. Private escorts are required for vehicles and loads:

- a. over 12 feet wide and up to 16 feet wide;
- b. over 90 feet long and up to 125 feet long.

2. State police escorts are normally required for vehicles and loads;

- a. over 16 feet in width;
- b. over 125 feet in length;
- c. on any vehicle or load deemed necessary by the department.

3. An escort vehicle may escort two overlength vehicles or loads, but only one overwidth vehicle or load.

4. An escort vehicle must be behind overlength vehicles and loads. On a multilane highway it must be behind an overwidth vehicle or load and on a two-lane highway it must be in front of an overwidth vehicle or load.

5. The assistant district administrator of operations must approve all movements over 18 feet wide, such as houses. This may be done by a letter which grants

permission for the movement or by sending a representative from the district office to escort the movement. Either the letter or the representative must be present before the movement can proceed.

C. Interstate Movement

1. Vehicles and loads with forest product permits, forest management equipment permits, oil field equipment permits, and steering axle permits are prohibited from moving on interstate highways.

2. Vehicles and loads over 16 feet wide require approval to move on interstate highways.

D. Night, Inclement Weather, and Holiday Movement

1. Most vehicles and loads requiring a permit will be prohibited from moving at night, in inclement weather, and on certain designated holidays by the truck permit office.

2. Vehicles requiring oversize permits shall not be allowed to cross the Mississippi River Bridges in Baton Rouge nor New Orleans from 6:30 to 9 a.m. and from 3:30 to 6 p.m. Except in cases of emergencies, these vehicles may not be parked within 75 feet of the highway if they are within 2 miles of the bridges. Vehicles with valid utility vehicle permits are exempt from these restrictions if they are being operated by a public utility.

3. The following vehicles and loads may travel on holidays or at night:

a. vehicles with valid waste vehicle permits, steering axles permits, harvest season permits, utility vehicle permits, and oil field equipment permits;

b. vehicles with valid oversize and overweight permits:

- i. if the load does not project beyond the boundaries of the vehicle;
- ii. if the width of the vehicle and load does not exceed 8 feet 6 inches;
- iii. if the height of the vehicle and load does not exceed 14 feet, 4 inches; and
- iv. if the weight of the vehicle and load does not exceed 120,000 pounds.

4. The following vehicles and loads may travel on holidays, shall not travel at night:

a. vehicles with valid forest product permits or forest management equipment permits;

b. vehicles with valid oversize permits which are transporting pipe loaded across the vehicle (rather than lengthwise) and which do not exceed 8 feet, 8 inches in width (including the pipe).

5. Severe Weather. Vehicles and loads requiring a permit are prohibited from traveling during weather which is physically severe, such as extremely heavy rain, heavy fog, icy road conditions, heavy snow, or any continuous condition which creates low visibility for drivers or hazardous driving conditions. However, vehicles with valid utility vehicle permits may travel in severe weather.

6. Moderate Weather. In general, the following vehicles and loads are permitted by the truck permit office from traveling during moderate weather:

a. vehicles with valid forest product permits, forest management equipment permits, utility vehicle permits, waste disposal permits, steering axle permits, harvest season permits, and oil field equipment permits;

b. vehicles with valid oversize and overweight permits:

- i. if the load does not project beyond the boundaries of the vehicle;
 - ii. if the width of the vehicle and load does not exceed 8 feet;
 - iii. if the height of the vehicle and load does not exceed 14 feet, 4 inches; and
 - iv. if the weight of the vehicle and load does not exceed 120,000 pounds;
- c. vehicles with valid oversize permits which are transporting pipe loaded across the vehicle (rather than lengthwise) and which do not exceed 8 feet, 8 inches in width (including pipe).

7. Mild Weather. Wet pavement, light drizzle, and wind are not considered inclement weather for the purposes of permit movement. Vehicles and loads requiring a permit may travel during these milder weather conditions unless the movement would create a traffic hazard; for example, movement of a load 14 feet wide during rain or movement of mobile homes in wind.

8. If a vehicle that has been prohibited from moving in moderate or severe weather is underway when such weather occurs, the vehicle is required to proceed to a safe place off the roadway and park until the weather clears. During inclement weather officers at stationary scales locations shall delay such vehicles until the weather clears. Officers on mobile units shall escort such vehicles to a safe place for parking until the weather clears. If the vehicle is observed traveling after being directed to stop, a violation report shall be issued.

E. Red Warning Flags

1. In general, flags are required on vehicles and loads which exceed the legal width. There must be flags at the following points.

- a. Four flags, two on the front edges and two on the rear edges, must be attached at the widest points on the part of the vehicle or load which exceeds the legal width.
- b. If a load projects only to one side of vehicle of legal width, one flag on the front edge of the load and one flag on the rear edge of the load will be sufficient.
- c. If a projecting load does not exceed 3 feet from front to back, one flag on each side will be sufficient.
- d. Flags must be attached on any other portion of the vehicle which is wider than the flagged front or rear edges.

2. Generally, red flags are also required on vehicles and loads which exceed the legal length or which have a rear end overhang of more than 4 feet. However, if the overhang clears the pavement by 6 feet or more, red flags are not required. There must be flags at the following points.

- a. If the overlength or projecting portion is 2 feet wide or less, one flag must be located at the extreme rear end of the load.
 - b. If the overlength or projection portion is wider than 2 feet, two flags at the extreme rear end of the load must be located to indicate maximum width.
3. All warning flags must be red and at least 18 inches square. Flags must be either be securely fastened by at least

one corner or securely mounted on a staff which keeps the flag upright.

F. Warning Signs

1. Vehicles and loads exceeding 10 feet in width must display two signs with the wording "OVERSIZE LOAD." One sign must be on the front of the vehicle. The other must be on the rear of the load; however, if the sign cannot be attached or clearly read in this position, then the sign must be on the rear of the vehicle itself.

2. Vehicles and loads exceeding 75 feet in length or the legal rear end overhang must display two signs with the wording "OVERSIZE LOAD." These signs must be on the sides of the overhanging part of the load; however, if the signs cannot be attached or clearly read in this position, then the signs must be on the sides of the vehicle. If the rear end overhang clears the pavement by 6 feet or more, no sign is required on the overhang.

3. Vehicles and loads exceeding the legal front end overhang must display one sign with the wording "OVERSIZE LOAD." This sign must be on the front of the vehicle. If the overhang clears the pavement by 6 feet or more, no sign is required.

4. All warning signs must be at least 7 feet long and 18 inches high. The background must be yellow and the lettering black. Letters must be at least 10 inches high with a 1 5/8 inch brush stroke.

G. Warning Lights

1. Lights are required at night and during inclement weather on vehicles and loads which exceed the legal width, in the following places.

- a. Two amber lights must be attached at the widest points on the front edges of the overwidth part of the vehicle or load, and these lights must be visible from both the front and the side.
- b. Two red lights must be attached at the widest points on the rear edges of the overwidth part of the vehicle or load and these lights must be visible from both the rear and the side.
- c. An amber light must be attached on any part of the vehicle or load which is wider than the front or rear edges, and this light must be visible from the front, side and rear.
- d. A single light on each side, visible from the front, side, and rear, may be used if the overwidth part of the vehicle or load does not exceed 3 feet from front to back. If the overwidth part is at or near the front of the vehicle, this light must be amber. If the overwidth part is at or near the rear of the vehicle, this light must be red.

2. Lights are required at night and during inclement weather on vehicles and loads which are overlength or have rear end overhangs of more than 4 feet, in the following places.

- a. Two red lights, one on each side, must be visible from the side and indicate the extreme rear of the vehicle or load.
- b. Two red lights, one on each side, and two red reflectors, one on each side, must be visible from the rear, must be located on the rear of the vehicle or load, and must indicate width of the overlength or projecting part. However,

if the overlength or projecting part is 2 feet wide or less, one red light and one red reflector are sufficient.

3. Two or more lights may be combined if the resulting light still conforms to the requirements and its effectiveness is not hurt by the combinations.

4. All lights must be of types approved by state and federal law.

H. Speed Limits. Permit movements are limited to 55 miles per hour unless otherwise noted on the permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:38 (February 1979), amended LR 18:508 (May 1992), amended by the Office of Weights Measures and Standards, LR 20:463 (April 1994), amended by the Office of Operations, LR 50:

§313. Statewide—Loads Exceeding 16 Feet 5 Inches in Height [Formerly §716]

A. All loads exceeding 16 feet 5 inches in height that are moving on state highways are required to notify the DOTD district office where the move originates. A district authorization number must be obtained from the district office, as well as all other subsequent district(s) that the load will travel through before application for an oversize/overweight permit is made along with notifying truck permits 48 hours in advance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§315. Loads Exceeding 18 Feet in Height

A. Loads that exceed 18 feet in height must contact the DOTD district office where the move originates for procedures to be followed before a permit will be issued by the truck permit office.

B. The following procedures must be followed before final approval is given and the truck permit office notified that the oversize/overweight permit can be issued.

1. Utility companies and DOTD will not charge trucking companies for any adjustments required to move lines that are below the height approved by the department at the time of their installation. Old utility lines may be set at a lower vertical clearance than currently required, and in these cases the requirement at the time the line was installed will govern. In instances where the load being moved exceeds the required vertical clearance, the trucker will be required to pay in advance for any adjustments or removal that is required.

2. If an estimate of cost is desired prior to movement, it will be necessary for DOTD and the utility companies to be given four working days notice, unless unusual conditions are involved, in order to have sufficient time to survey the route and prepare the estimate.

3. When proper notice is given, DOTD and the utility companies will not charge the trucker for checking the route and preparing a cost estimate. Only one free estimate will be given for each route approval requested.

4. Each cost estimate and final billing will be itemized. Escort fees will be shown as a separate charge on the itemized bill.

5. When moving loads over 18 feet in height, the trucker is to contact the district maintenance engineer requesting a district authorization number. The district maintenance engineer will maintain a list of contacts with each utility company having lines crossing the proposed route. The mover is to call each company, give them the district authorization number, and request clearance to move. When the utility company has completed its investigation of the route involved, it will call both the company requesting clearance and the district maintenance engineer and give their approval. When all the companies involved have given their approval, the district maintenance engineer will call the truck permit office giving the company name and authorization number signifying that all the proper approvals have been received. The truck permit office will issue the permit to use the state highways only after a call has been received from the district maintenance engineer or his representative.

6. At no time, unless unusual conditions are involved, such as the physical relocation of lines or emergencies, will the movement of any load be delayed more than seven days from the point of their first contact by the mover.

7. Utility companies will provide all district's maintenance engineer with the names of one authorized representative and one alternate who can approve routes for their companies.

8. The present procedure involving loads that exceed 18 feet in width will still apply even though the height is 18 feet or less.

9. Lack of cooperation on the part of any utility company will result in DOTD re-evaluating its position on applications for right-of-way permits with regard to that particular company and could ultimately result in their permits being denied.

10. If any trucker fails to follow the adopted procedures by falsifying dimensions to circumvent these procedures, the trucker will be fined if caught, and continual disregard of the policies will result in their being denied permits to move.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Operations, LR 50:

§317. Loads Exceeding 18 Feet in Width [Formerly §715]

A. It is recommended that the permission of parish and municipal authorities, utility companies, and private property owners be secured before requesting a permit from the state.

B. Proper protection at railroad crossings must be secured by giving notice to the nearest station agent of the railroad, with a reasonable time allowed for preparation before the movement begins.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and

Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§319. Checking Permits
[Formerly §311]

A. General Procedures

1. A permit must be carried with the vehicle for which it was issued at all times. Any vehicle requiring a permit which does not have a permit with it shall be fined. A permit may be carried in an escort vehicle as long as the escort vehicle is not separated from the vehicle requiring the permit.

a. Oversize permits are issued at \$10 per trip if the trip lasts less than one day and \$10 per day if the trip lasts more than one day. Vehicles observed making more than one trip per day with an oversize permit have an invalid permit for the second trip. Anytime the prepaid permit form is used, the permit is valid for only one day and one trip except mobile homes.

b. Monthly oversize permits are issued for Monday through Friday only, Monday through Saturday only, or for every day of the week. Holidays may be excluded. The monthly oversize permit may be used for more than one trip per day.

c. Overweight permits are issued for one trip. The number of days allowed for the trip will be indicated by the "Date Movement Begins" and "Date Movement Ends."

d. Waste vehicle permits, steering axle permits, forest product permits, and forest management equipment permits, which are issued for a year, must have a valid "Expiration Date."

e. Harvest season permits, which are issued for a year, must have a valid Expiration Date."

f. Oil field equipment permits are issued for a month and must have a valid "Expiration Date."

2. The number of axles noted on the permit shall be compared to the number and type (tandem, etc.) on the vehicle. The axle weights and the gross vehicle weight on the permit shall be matched against the weights shown on the scales. The scale weights must be equal to or lower than the weights on the permit.

a. Prepaid permit forms may not be used for overweight loads.

b. Permits on regular forms, transmitted forms, and control forms that are for overweight are also valid for oversize if the dimensions are shown on the permit. This does not apply to waste vehicle permits or harvest season permits, which have been limited to vehicles and loads which are only overweight.

c. If the gross vehicle weight is under the weight shown on the permit, vehicles with harvest season permits shall be allowed a 500-pound variance on each single axle or axle group (tandem, tridum, quadrum, quint).

d. No load may be carried by vehicles with oil field equipment permits or by rig-up trucks with steering axle permits.

3. All dimensions on the vehicle or load (width, height, length, front and rear overhang) must be equal to or less than the dimensions listed on the permit.

4. The movement shall also be compared to the "Restrictions" and "Remarks" sections of the permit:

- a. night movement;
- b. inclement weather movement;
- c. holiday movement;
- d. warning flags;
- e. warning lights;
- f. warning signs;
- g. speed;
- h. escorts; and
- i. any other limitations added to the permit by the truck permit office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:40 (February 1979), amended by the Office of Weights Measures and Standards, LR 20:463 (April 1994), amended by the Office of Operations, LR 50:

§321. Permit Violations
[Formerly §313]

A. General Procedures

1. If a vehicle or load requires a permit and is operating without a valid permit or violating conditions of a permit, the officer shall issue a violation report for the violation that results in the greatest fine.

2. Drivers shall be given the opportunity to shift loads to reduce or eliminate permit fines as long as no part of the load is removed from the vehicle.

3. The axle variance on non-interstate highways shall be allowed for vehicles with oversize permits. Vehicles with overweight permits which have exceeded their permitted axle weight shall not be allowed any additional axle variance. However, vehicles with harvest season permits shall be allowed a 500-pound variance on each single axle or axle group (tandem, tridum, quadrum, or quint) if the gross vehicle weight is under the weight shown on the permit.

4. Indivisible vehicles or indivisible loads exceeding the legal limitations without a permit or violating the restrictions of a permit will be issued a notice of violation.

5. If the initial weighing shows that the maximum allowable axle weights are exceeded, drivers will be allowed to shift the loads carried by their vehicles for a second weighing in order to reduce or eliminate penalties for excess axle weights, so long as no part of the load is removed.

6. In case of multiple violations of size, weight and permits, the penalty assessed will be for the violation which gives the greatest penalty. However, multiple weight violations are susceptible to additional penalties.

7. If upon expiration of a 90-day period any penalty assessed remains unpaid, the department may institute a civil suit in the parish in which the violation occurred or in the domicile of the owner or driver to collect any penalty assessed but unpaid.

B. Handling Permit Violations

1. No Permit, Oversize. If an indivisible vehicle or indivisible load exceeds the legal limitations or department regulations for width, height, length, or projecting loads and is operating without a valid permit when one is required the officer shall issue a violation report and assess a penalty of \$100. The vehicle or load shall remain at the scale until a valid permit is obtained and all conditions for the permit have been met.

2. No Permit, Overweight. If an indivisible vehicle or indivisible load exceeds the legal limitations or department regulations for axle weight or gross vehicle weight and is operating without a valid permit when one is required, a penalty shall be assessed from the overweight penalty chart referenced in this document. The fine must be based on either the number of pounds over legal gross weight or on the number of pounds over legal axle weight or on the number of pounds over legal axle weight on all overweight axles, whichever results in the greater fine. The vehicle or load shall remain at the scale until a valid permit is obtained and all conditions for the permit have been met.

3. With Permit, Oversize. If an indivisible vehicle or indivisible load exceeds the width, height, length, front end overhang, or rear end overhang allowed by a valid permit the officer shall issue a violation report and assess a fine of \$100. The vehicle or load shall remain at the scale until the driver increases the permit's size to the size being carried and meets any additional conditions imposed by the truck permit office.

4. With Permit, Over Axle Weight Only

a. If an indivisible vehicle or indivisible load exceed the axle weight, but not the gross vehicle weight, allowed by a valid permit; then no ticket shall be issued (except for harvest season permits, waste disposal truck permits, and steering axle permits), The officer shall contact the truck permit office.

i. If the truck permit office requires modification of the hauling equipment or additional dismantling of the vehicle or load, the vehicle or load shall remain at the scale until these conditions have been met.

ii. If the truck permit office requires that the vehicle or load be returned to an adjoining state or point of origin in Louisiana, the officer shall release the vehicle or load from impoundment.

b. If a vehicle or combination vehicle has a harvest season permit, waste vehicle permit, or steering axle permit, and exceeds the axle weight but not the gross vehicle weight allowed by a valid permit, then the officer shall issue a violation report and assess a penalty from the overweight penalty schedule contained in this document. The fine shall be based on all pounds in excess of the permit's axle weight.

i. The vehicles with steering axle permits shall remain at the scale until the permit's weight has been increased to the weight being carried.

5. With Permit, Over Gross and Axle Weights

a. If an indivisible vehicle or indivisible load exceeds both the axle weight and the gross vehicle weight allowed by a valid permit (except for harvest season permits, waste vehicle permits, and steering axle permits), the officer shall issue a violation report and assess a penalty on all pounds in excess of the permit's gross weight from the chart for assessing penalty for violation of weight limitations stated on an overweight permit. The vehicle or load shall remain at the scale until the driver increases the permit's weight to the weight being carried. The permit fee charged shall be only for the difference between the fee already paid and the correct permit fee.

i. If the truck permit office requires modification of the hauling equipment or additional dismantling of the

vehicle or load, the vehicle or load shall remain at the scale until these conditions have been met.

ii. If the truck permit office requires that the vehicle or load be returned to an adjoining state or point of origin in Louisiana, the officer shall then allow the vehicle or load to leave the scale.

b. If a vehicle or combination vehicle has a harvest season permit, waste vehicle permit, or steering axle permit and exceeds both the axle weight and the gross vehicle weight allowed by a valid permit, the officer shall issue a violation report for the greater of the penalties from the chart co on all pounds in excess of the permit's gross vehicle weight or a penalty from the overweight penalty schedule on all pounds in excess of the permit's axle weights, both of which charts are contained in this document.

i. The vehicles with steering axle permits shall remain at the scale until the permit's weight has been increased to the weight being carried.

6. Permit Restriction Violations

a. When restrictions have been written on a permit or when the truck permit office confirms that their master copy shows permit restrictions, then the officer shall issue a violation report and assess a fine of \$100. The vehicle shall remain at the scale until all permit restrictions have been met. This procedure applies to vehicles operating without an escort; traveling on interstate highways, at night, during inclement weather, or on designated holidays; or violating any other permit restrictions except operating without red flags, warning signs, or warning lights.

b. When the above restrictions are not written on a permit and were overlooked or omitted by the truck permit office, no violation report shall be issued. The vehicle shall, however, be delayed until any restrictions required by the truck permit office have been met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:41 (February 1979), amended by the Office of Weights Measures and Standards, LR 20:463 (April 1994), amended by the Office of Operations, LR 50:

§323. Payment of Violation Penalties

A. The following may be accepted as forms of payment of penalties: certified or cashier's checks or money orders made payable to Louisiana Department of Transportation and Development, or accepted credit card. Personal or company checks shall not be accepted, unless the violator has a posted bond. Payment of fines shall be made immediately.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Operations LR 50:

Chapter 5. Legal Limitations for Size and Weight

§503. Legal Limitations

A. - A.1.d. ...

2.a. Axle variances of 2,000 pounds for single axles and 3,000 pounds for tandem, tridum, quadrum and quint axles are allowed on non-interstate highways. Therefore, the maximum legal weights on non-interstate highways are:

i. single axles—22,000 pounds;

- ii. tandem axles—37,000 pounds;
- iii. tridum axles—45,000 pounds;
- iv. quadrum axles—53,000 pounds;
- v. quint axles—58,000 pounds.

2.b. - 3. ...

4. The sum of the legal axle weights on a vehicle or combination vehicle is its legal gross weight. But regardless of the number and type of axles, the maximum legal gross weight of any vehicle or combination vehicle (except a combination with a tridum or quadrum axle) is 80,000 pounds.

5. Regardless of the number and type of axles, the maximum legal gross weight of any combination vehicle which has a tridum or quadrum axle is 83,400 pounds interstate highways, 88,000 pounds non-interstate highways.

6. ...

B. Bridge Formula

1.a. The bridge formula set forth in 23 U.S.C. 127 and in R.S. 32:386 applies to all vehicles except:

- i. Type 6 (five axle configurations with one single axle and two sets of tandem axles) carrying one of the commodities listed in §503.B.2.b;
- ii. Type 8 (six axle configuration with one single axle, and one tridum axle) carrying one of the commodities listed in §503.B.2.b;
- iii. Type 10 (double-bottom) carrying one of the commodities listed in §503.B.2.b.

b. The above types of vehicles must be carrying the following commodities in their bulk or natural state:

- i. forest products;
- ii. sand;
- iii. gravel;
- iv. agriculture products; or
- v. lumber.

C. - C.4. ...

D. Height. The maximum legal height of a vehicle is 13 feet 6 inches on non-interstate highways and 14 feet on interstate.

E. - E.6. ...

7. Exception. The maximum legal length of the load carried by a combination vehicle transporting forest products in their natural or treated state is 65 feet plus 1 foot additional tolerance in length. However, these vehicles may operate only during daylight hours and must display a 1 foot square red flag on the rear of the load.

8. ...

F. Projecting Loads

1. Equipment that is permanently attached to and cannot be readily removed from a vehicle is not considered a load if the vehicle meets state safety standards and is licensed for use on state highways, and if any projection beyond the vehicle is at least 6 feet above the surface of the highways.

2. A vehicle or combination of vehicles with a projecting load cannot exceed the total length limitations for that vehicle or combination of vehicles. In addition:

a. - b. ...

3. Exception. The load on the rear vehicle of a combination vehicle transporting forest products in their natural state cannot project more than 20 feet beyond the

rear of the bed or the back of the rear tire of the vehicle, whichever is further from the cab, and the load must clear the pavement by at least 2 feet. When the rear projection is more than 15 feet, the vehicle may operate only during daylight hours and must display a red flag at least 1 foot square on the rear of the projection.

F.4. - J.1. ...

2. Any load of loose material as defined below being transported by a commercial hauler shall be covered in such a manner as to prevent the load from blowing, spilling, or dropping from the vehicle.

a. Loose material shall include the following: dirt, sand, gravel, or other material that is capable of blowing or spilling from a vehicle as a result of movement or exposure to air, wind currents, or weather, but shall not include agricultural products in their natural state or wood chips.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 7:410 (August 1981), amended LR 9:254 (April 1983), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§504. Department Regulations

A. Posted Bridges

1. Violation reports will be issued for vehicles crossing bridges posted with regulatory weight limit signs that are in excess of the posted limit.

2. Neither the state of Louisiana nor the Department of Transportation and Development shall incur any liability from any injury or property damage caused by the crossing of a posted bridge with a load in excess of posted advisory or regulatory weight limits.

B. Axle Weight Distribution. The law requires reasonable distribution of axle weight on tandem, tridum, quadrum, and quint axle groups. Those vehicles and loads with permits that exceed the legal axle weight must comply with the axle weight distribution as herein in §711. All other vehicles and loads must comply with the following.

1. - 3.b. ...

4. Quint Axles

a. On interstate highways a quint axle group is properly distributed if none of the individual axles carries more than 13,600 pounds.

b. On non-interstate highways a quint axle group is properly distributed if none of the individual axles carries more than 14,300 pounds.

C. Variable Load Suspension Axles. When "Variable Load Suspension" axles are used they must provide for reasonable distribution of axle weight as described in the previous §504.B.1-4. In addition, the regulator that controls the pressure for these axles must be outside the cab. The only control that may be in the cab is that necessary to activate mechanism. The suspension used by these axles may be either hydraulic, air or a combination thereof.

D. Treated Utility Poles. All vehicles or combination vehicles utilizing a balance type utility trailer or a fifth-wheel type utility trailer engaged in the transportation of treated utility poles do not need a special permit for the transportation of utility poles by a utility, its representative, or its contractor for use in the normal operation of its

facilities to provide service to the area it serves. No load consisting of such poles shall extend more than 35 feet past the rear of the vehicle and must maintain a minimum clearance of 1 1/2 feet above the ground. All escort requirements will apply for loads exceeding 90 feet in overall length.

E. Tunnels. Hazardous material, flammable material, combustible material, oversize and/or overweight permit loads are specifically prohibited from using any tunnel in the state.

1. - 3. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

Chapter 7. Damage Regulations

§701. Liability for Damages

[Formerly §703]

A. Every special permit is issued on the condition that the permittee accepts and uses it at his or her own risk, even though all instructions, directions, and requirements of the department have been followed

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§703. Property Damage Bond

[Formerly §705]

A. A liability bond or certificate of insurance which insures any damage to state property must be posted at the truck permit office before any permit is issued for vehicles and loads.

B. The minimum amount of the bond or certificate of insurance must be \$100,000 for one trip or \$250,000 for a year.

C. The original of the property damage bond, a power of attorney for the principal, and power of attorney for the insurance company shall be furnished to the truck permit office.

D. Separate bonds shall be posted for the property damage insurance, for insuring payment of charge accounts, and for insuring payment of fines.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§709. Check Weights

A. Single trip permit holders may request a check weight. Check weights require prior authorization from either the truck permit office, or by requesting a check weight on a permit application. Prior authorization for check weights must be confirmed before movement of the vehicle in Louisiana may begin.

B. Check weights will be allowed only if the following criteria is met:

1. it is the permittee's first time hauling a specific load;
2. the truck is under the gross vehicle weight rating;
3. the weight of the load is unknown to the driver; and
4. the permittee receives prior approval, as contemplated in this Section.

C. In order to obtain prior authorization for a check weight, those vehicles which are eligible for permits must have a valid overweight permit for at least the minimum permitted weight. If the vehicle is both oversize and overweight, the vehicle must have a valid oversize and overweight permit. The truck shall contain the correct number of axles that would allow for shifting of the load in order to become compliant.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

Chapter 9. Laws and Regulations Enforced with Other Agencies

§901. Vehicle Registration and Licensing

A. - A.11.c. ...

d. Companies must pay \$10 annual fee for escort permit and decal.

B. - C. ...

1. If a vehicle has plates apportioned for Louisiana, that vehicle will be allowed to operate both interstate and intrastate in Louisiana. If a Louisiana vehicle has Louisiana apportioned plates, that vehicle may travel to other states which are members of the IRP or which have reciprocity agreements with Louisiana and operate both interstate and intrastate in those states for which the vehicle is apportioned.

2. ...

3. The original cab card must accompany the vehicle for which it was issued at all times. If the card is defaced or used in any vehicle except the one described on it, it is considered void.

4. Vehicles with plates apportioned for Louisiana cannot exceed the licensed weight for Louisiana shown on the cab card.

5. Repealed.

D. Temporary 48-Hour Trip Permits (Out-of-State Vehicles Only)

1. Out-of-state vehicles, eligible for apportioned registration but not registered as such, will be required to purchase a 48-hour trip permit for a fee of \$25 before proceeding through Louisiana. The permit allows for interstate and intrastate movement.

2. Temporary 48-hour trip permits apply to two types of vehicles.

a. A vehicle which is properly registered in a state which belongs to the IRP (or has a bilateral proportional registration reciprocity agreement with Louisiana), but the vehicle is not apportioned for Louisiana. A temporary 48-

hour trip permit is required before the vehicle may operate either interstate or intrastate in Louisiana.

b. A vehicle which is properly registered in a state which does not belong to the FRP (or has a bilateral proportional registration reciprocity agreement with Louisiana), but which does have a reciprocal agreement with Louisiana. A temporary 48-hour trip permit is required before the vehicle may operate intrastate in Louisiana.

3. A temporary 48-hour trip permit allows a vehicle to operate in Louisiana for 48 continuous hours.

4. Temporary 48-hour trip permits must be purchased prior to entering Louisiana. A driver may only purchase a temporary 48-hour if the vehicle or load is not in violation of any other sections of this Title.

5. A temporary 48-hour trip permit must be in the cab of the vehicle for which it was issued from the time the vehicle enters Louisiana.

6. A temporary 48-hour trip permit will allow haulers to carry the Louisiana weight limits.

E. Interstate and Intrastate Operation

1. If a vehicle or combination of vehicles is from an IRP member state (or a state which has a bilateral proportional registration reciprocity agreement with Louisiana) and the motor vehicle has three or more axles or any of the vehicles alone or the combination weighs more than 26,000 pounds, then the motor vehicle must have Louisiana plates, plates which are apportioned for Louisiana, or a temporary 48-hour trip permit in order to operate either interstate or intrastate in Louisiana.

2. If a vehicle or combination of vehicles is from a non-IRP member state (or a state which does not have a bilateral proportional registration reciprocity agreement with Louisiana), but the state has a reciprocal agreement with Louisiana, then the motor vehicle must have a temporary 48-hour trip permit in order to operate intrastate in Louisiana. If the vehicle's home state has a reciprocal agreement with Louisiana, the vehicle or vehicle combination may operate interstate in Louisiana without purchasing a temporary 48-hour trip permit.

3. Any state's semi-trailer or trailer license plate is honored by Louisiana if the pulling unit is properly registered and licensed.

4. Farm, forest product, public or any other restricted plates are honored by Louisiana if the vehicles are properly registered and licensed in their home state and are not hauling for hire.

F. Fuel Tax. Fuel tax is collected by weights and standards police officers and by the Louisiana Department of Revenue and Taxation, Excise Tax Section, Box 201, Baton Rouge, LA 70821; (225) 925-7656.

G. Vehicles Using Gasoline

1. Gasoline tax is \$0.20 per gallon.

2. Interstate users domiciled outside Louisiana may pay the fuel tax by either of two methods.

a. If the user opts to purchase enough fuel in Louisiana to cover the miles traveled in Louisiana, then the driver must obtain fuel invoices when purchasing fuel in Louisiana. These invoices must be legitimate service station purchase invoices and must show the gallons of fuel purchased. The invoices must be kept so that they can be

shown to enforcement officers. If any additional tax is due, it will be collected by enforcement officers before a vehicle leaves Louisiana.

b. If the user opts to post a surety bond with the Department of Revenue and Taxation, then any additional fuel tax due can be paid on a monthly basis. If fuel has been purchased in Louisiana, drivers must have a fuel invoice in their possession when leaving Louisiana.

H. Vehicles Using Special Fuels

1. Special fuels are all fuels used for motor vehicles except gasoline. Special fuels include distillate fuels, such as diesel and kerosene, and also liquefied petroleum gases, such as butane and propane.

2. Special fuels tax is \$0.20 per gallon.

3. All users of taxable special fuels whose vehicles are licensed and domicile in Louisiana must meet the following requirements.

a. The vehicles must be licensed for special fuels with the Department of Revenue and Taxation.

b. Non-IFTA must have a current special fuels invoice in their possession at all times.

c. Vehicles must have a working odometer, speedometer, or hub meter.

d. Vehicles must have the company's name and address on both cab doors in letters at least 2 inches high or adequate identification. The name and address must be legible at a distance of 25 feet in daylight hours. ICC-regulated carriers are allowed company or trade name only.

4. An interstate user of special fuels may determine an average number of miles per gallon of fuel by dividing the total miles traveled by the number of gallons consumed in the entire operation of all their vehicles. The average number of miles per gallon shall not exceed 5 miles per gallon of fuel unless adequate proof is furnished.

5. If the user has no proof of the average number of miles per gallon, the secretary of the Department of Revenue and Taxation will determine the rate to be applied.

6. All interstate users of taxable special fuels whose vehicles are not domiciled in Louisiana must meet the following requirements:

a. Users must post a surety bond with the Department of Revenue and Taxation. Users may then file quarterly reports paying the special fuels tax based on the miles traveled in Louisiana.

b. Exception. Those interstate users who only occasionally travel through Louisiana may not be required to post a surety bond with the Department of Revenue and Taxation. These users must purchase enough fuel in Louisiana to cover the miles traveled in Louisiana, and the driver must have a currently dated special fuels invoice with appropriate information listed thereon before leaving Louisiana.

c. Vehicles must have a working odometer, speedometer, or hub meter.

d. Vehicles must have the company's name and address on both cab doors in letters at least 2 inches high or adequate identification. The name and address must be readable at a distance of 25 feet. ICC-regulated carriers are allowed company or trade name only.

7. A Louisiana special fuels invoice:

- a. must be serially numbered;
- b. must be printed or rubber-stamped with the name and address of the seller;
- c. must include name and address of the purchaser (user);
- d. must indicate date of delivery;
- e. must show license plate number of the motor vehicle;
- f. must show mileage on the odometer, speedometer, or hub meter;
- g. must show number of gallons and kind of special fuel purchased;
- h. may type, print or rubber stamp fuels invoice;
- i. must indicate price of fuel showing tax paid.

8. January 1, 1994, Louisiana became a member of the International Fuel Tax Agreement (IFTA). IFTA is a base-state agreement designed to simplify the administration of state fuel use tax for interstate motor carriers.

9. Carriers based in Louisiana that operate one or more qualified motor vehicles in at least one or more qualified motor vehicles in at least one other IFTA state must be licensed with the Department of Revenue and Taxation. Exceptions are as follows:

- a. option to purchase fuel covering the total miles traveled if travel is seldom in Louisiana; or
- b. if engaged in lease operations, one may be exempt from the licensing requirements of IFTA depending on the terms of the lease.

10. A carrier's base state is any state where the carrier meets the following requirements:

- a. where the carrier has qualified motor vehicles registered;
- b. where operational control and operational records are maintained;
- c. where motor vehicles that accrue mileage in their base state and another IFTA member state.

11. In Louisiana, there is a one-time application fee of \$35 and a decal fee of \$1 each. The agreement requires two decals for each qualified vehicle.

12. If applicable or additional information is needed, please contact the Louisiana Department of Revenue and Taxation, Excise Tax Section at (225) 925-7656.

I. Vehicles Transporting Gasoline in Bulk

1. To properly identify any gasoline being imported or exported on Louisiana highways, the driver must have a currently dated invoice, bill of lading, or manifest showing the following information:

- a. the seller's and purchaser's names and addresses;
- b. the origin and destination of the gasoline;
- c. the authorized routes to be followed when exporting or importing (border crossing only);
- d. the quantity of each type of gasoline;
- e. who will assume the Louisiana tax liability.

2. Anyone who transports any gasoline from or into Louisiana from or into a state which has a lower tax rate than Louisiana may use only routes authorized by the secretary of the Department of Revenue and Taxation. An authorization card will be issued by the Department of Revenue and Taxation for each vehicle. This card must be kept in the vehicle and is not transferable.

3. Exception. Common or contract carriers licensed by the Interstate Commerce Commission or the Louisiana Public Service Commission.

J. Vehicles Transporting Special Fuels in Bulk

1. Any vehicle transporting bulk special fuels into Louisiana must belong to a supplier who is bonded with the Department of Revenue and Taxation.

2. Exception. Common and contract carriers who are licensed to transport bulk special fuels by the Louisiana Public Service Commission.

3. A vehicle transporting bulk special fuels cannot have the cargo tank connected to the carburetor of the motor vehicle or to the fuel supply tank which feeds the carburetor of the motor vehicle.

K. Litter. No person, firm, or corporation shall intentionally dump, leave, or deposit any glass or metallic objects, trash, refuse, or garbage on any property without the permission of the owner of said property, or on any highway or roadside park, or on any lands adjacent thereto. Whoever violates the provisions in respect to private property, highways, or roadside parks, or any lands adjacent thereto, shall be punished in accordance with the Revised Statutes.

L. - M.5. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 20:318 (March 1994), amended LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

Chapter 11. Enforcement Procedures and Penalties

§1101. General Procedures

A. All vehicles, rated 1 ton or over, are required to stop at DOTD stationary scales, except the following:

1. - 6. ...

B. A penalty of \$100 will be assessed to vehicles that fail to stop at stationary scales, or disregard the mobile unit's efforts to stop a vehicle or combination of vehicles.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§1103. Legal Limitation Violations

A. Drivers will not be allowed to shift the loads carried by their vehicles after being weighed in order to qualify for a second weighing and a lesser fine amount. The loads may be required to be shifted by weight enforcement police after weighing and before proceeding.

B. Notice of Violation

1. The secretary of DOTD, or his designee, shall send the responsible party a "Notice of Violation, Proposed Finding and Proposed Civil Penalty" within 30 calendar days of the violation. However, the commissioner or secretary shall be granted an additional 60 calendar days to send the Notice of Violation only in the case of a data system failure due to either an act of God, or an intentional sabotage.

2. Each Notice of Violation shall state whether or not a monetary penalty is assessed, or if the Notice of Violation serves only as a warning.

3. When a monetary penalty is assessed, each Notice of Violation, shall be sent to the responsible party by certified mail. The responsible party shall have 45 calendar days from the date of the Notice of Violation to either pay the fine, or to request in writing an administrative hearing to review the Notice of Violation. If the amount of the fine has been negotiated between the secretary of DOTD, or his designee, and the responsible party, the responsible party shall be notified within 30 calendar days from the final negotiation date.

4. After the administrative hearing has occurred and findings have been made by the hearing officer, any appeal of the findings of the hearing officer shall be filed in a state district court with jurisdiction over the matter.

5. The responsible party shall pay all fees and fines by not later than 45 calendar days after the issuance of the Notice of Violation, or not later than 30 calendar days after receiving a notice of final judgment from the administrative law judge following the hearing on the matter.

6. Fines may be paid by certified check, money order, or credit card. Payment made by credit card will be deemed received by the secretary of DOTD when tendered and an approval code is received from the credit card company or processor.

7. If the responsible party fails to timely pay the assessed fine in the prescribed time, the secretary shall transmit the driver's license number to the Office of Motor Vehicles, upon receipt of which the Office of Motor Vehicle shall immediately notify the driver by first class mail that his driver's license shall be suspended for 30 calendar days after the date of the mailing of the notice until such time as all fines assessed by the Notice of Violation, or the final judgment of the administrative law judge, are paid in full, with an additional \$50 fee, payable to the Office of Motor Vehicles, in order to cover its administrative costs.

C. Twin Trailer Combinations, Trailer and Towed Vehicles, Farm Vehicles and Equipment, and Care of Vehicle Loads. If a vehicle, combination vehicle, or load violates Louisiana law or DOTD regulations for twin trailer combinations, trailers and towed vehicles, farm vehicles and equipment, or care of vehicle loads, a \$100 penalty will be assessed and the driver must correct the violation.

D. Oversize. If a vehicle and divisible load exceeds the legal limitations or DOTD regulations for width, height, length, or projecting loads, a \$100 penalty will be assessed and then the driver shall reduce the load to the legal size.

E. Overweight. The amount assessed for an overweight penalty will be for the violation with the greatest dollar value, whether based on gross vehicle weight, axle weight(s), or bridge formula. A \$10 penalty will be assessed for each lesser violation(s).

1. Gross Vehicle Weight or Axle Weight

a. If a vehicle and divisible load exceeds the legal limitations or DOTD regulations for axle weight or gross vehicle weight, these schedules will be used.

Overweight Pounds	Over Gross Weight	Over Axle Weight(s) Only
0 to 3,000	\$0.02 per pound	\$0.01 per pound
3,001 to 5,000	\$0.03 per pound	\$0.015 per pound
5,001 to 10,000	\$0.04 per pound	\$0.02 per pound
10,001 and over	\$100.00 plus \$0.05 per pound	\$100.00 plus \$0.05 per pound

b. If a vehicle exceeds the legal maximum gross weight but not the legal maximum axle weight, the over gross weight schedule is used to assess the penalty.

c. If a vehicle does not exceed the legal maximum gross weight, but exceeds the legal maximum axle weights for any axle or axle groups, the penalties are then computed separately for each axle or group, the sum amount of which is the penalty assessed.

d. If a vehicle exceeds both the legal maximum gross weight and the legal maximum axle weight, both penalties are computed from the over gross weight schedule, and the greater of the two is assessed as the penalty. When two or more single axle or axle groups are overweight, the sum of the penalties of the overweight axles is compared to the penalty on the gross weight, and the greater of the two will be assessed. A \$10 penalty will be assessed for the lesser violation.

2. Posted Bridges. If a vehicle or combination of vehicles is observed crossing a bridge which has regulatory weight limits and the vehicle or combination of vehicles exceeds the posted weight limit on the bridge, a \$100 penalty will be assessed.

3. Escort Vehicles

a. Operating as an escort vehicle when required by oversize/overweight permit unable to pass required inspection, a \$100 penalty will be assessed.

b. Transporting load without an escort when one is required, a \$100 penalty will be assessed.

4. Bridge Formula. If the owner or driver of a vehicle or combination vehicle is in violation of the bridge formula axle spacing requirements, a \$50 penalty will be assessed.

5. Stationary Poles. If a combination vehicle transporting forest products in their natural state is not equipped with stationary vertical retaining poles on the driver's side of the trailer portion, a \$100 penalty will be assessed.

6. Variable Load Suspension Axles

a. If vehicles equipped with VLS axles are observed to have the regulator for these axles installed in the cab, a \$100 penalty will be assessed.

b. If vehicles equipped with VLS axles are observed operated with axles in the up position when not entering or leaving a turn, the vehicle will be cited as the type represented by the number of axles on the group. The penalty will be calculated from the appropriate overweight chart.

F. Oversize. If an indivisible vehicle or indivisible load exceeds the legal limitations or DOTD regulations for width, height, length, or projecting loads and is operating without a permit or exceeding the size allowed by a valid permit; the penalty will be: \$100, plus the cost of an oversize permit, if a permit was not previously purchased. In addition, any restrictions imposed by DOTD must be met.

G. Overweight

1. No Permit for Weight

a. If a vehicle, vehicle combination, or vehicle/indivisible load combination exceeds the axle weight but not the gross vehicle weight allowed by its permit, then no penalty will be assessed (except for harvest season permits, natural forest product permits, waste vehicle permits, and steering axle permits). However, DOTD may require either additional dismantling of the load, modification of the hauling equipment, or return of the movement to the state of origin or to its point of origin in Louisiana.

b. If a vehicle or combination of vehicles has a harvest season permit or natural forest product permit and exceeds the axle weight but not the gross vehicle weight allowed by the permit, then a penalty will be assessed on all pounds in excess of the permit's axle weights according to the over axle weight only schedule. When two or more single axles or axle groups are overweight, the penalty will be figured for each over-weight single axle or axle group; then all the penalties will be added together. In addition, these vehicles may be required to proceed to the nearest suitable place to off-load to the permitted axle weights at the owner's expense.

c. If a vehicle has a waste vehicle permit or steering axle permit and exceeds the axle weight but not the gross vehicle weight allowed by the permit, a penalty will be assessed from the over axle weight only schedule. The penalty will be based on all pounds in excess of the permit's axle weight.

i. Vehicles with waste vehicle permits may be required to proceed to the nearest suitable place to off-load to the permitted axle weight at the owner's expense.

ii. Vehicles with steering axle permits must increase the permit's weight to the weight being carried.

2. Over Permitted Gross Weight Only

a. If a vehicle, vehicle combination, or vehicle/load combination exceeds the gross vehicle weight but not the axle weight allowed by a valid permit, a penalty will be assessed from the over gross weight schedule. The penalty will be based on all pounds in excess of the permit's gross vehicle weight.

b. Vehicles with overweight permits will be required to increase the permit's weight to the weight being carried, and the driver will be charged for the difference between the fee already paid and the correct permit fee. DOTD may also require additional dismantling of the load, modification of the hauling equipment, or return of the movement to the state of origin or its point of origin in Louisiana.

c. Vehicles with harvest season or natural forest product permits may be required to proceed to the nearest suitable place to off-load to the permitted gross vehicle weight at the owner's expense.

3. Over Permitted Gross and Axle Weights

a. If a vehicle, vehicle combination, or vehicle/load combination exceeds both the gross vehicle weight and the axle weight allowed by a valid permit, one penalty shall be figured using the pounds in excess of the permit's maximum allowable gross vehicle weight.

b. Vehicles with overweight permits will be required to increase the permit's weight to the weight being carried, and the driver will be charged for the difference between the fee already paid and the correct permit fee. DOTD may also require additional dismantling of the load, modification of the hauling equipment, or return of the movement to the state of origin or its point of origin in Louisiana.

c. Vehicles with harvest season or natural forest product permits may be required to proceed to the nearest suitable place to off-load to the permitted weights at the owner's expense.

H. International Trade Container Permits

1. Containerized Cargo Permit. If a vehicle combination exceeds the permitted maximum allowable weight on tandem axles the minimum, a \$100 penalty will be assessed for violating the terms of the permit. If the vehicle combination also exceeds its maximum gross weight, the penalty will be figured from the appropriate chart and the greater of the two penalties will be assessed plus \$10 penalty for the lesser violation.

2. Liquid Bulk Container Permit. If a vehicle combination exceeds the permitted maximum allowable weight on tandem axles the minimum, a \$100 penalty will be assessed for violating the terms of the permit. If the vehicle combination also exceeds its maximum gross weight, the penalty will be figured from the appropriate chart and the greater of the two penalties will be assessed plus \$10 penalty for the lesser violation.

I. Permit Restrictions

1. If a vehicle is operating without an escort, warning flags, warning signs, or warning lights when they are required by its permit; is traveling at night, during inclement weather, or on a designated holiday when prohibited by its permit; is exceeding the permitted speed limit; or is violating any other permit restrictions, the a \$100 penalty will be assessed and the driver must comply with all permit restrictions.

2. If it is verified that a vehicle has a valid permit, but fails to have the permit in the vehicle for which it was issued, a \$25 penalty will be assessed.

I.2.a. - K.2. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 and 32:386.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), LR 24:1517 (August 1998), amended by the Office of Operations, LR 50:

§1105. Vehicle Registration and Licensing Violations

A. Improper License or Registration

1. If a vehicle domiciled in Louisiana is operating with an improper Louisiana license or registration (full or apportioned), the penalty will be 25 percent of the annual cost of the proper license. The driver will be required to purchase the proper Louisiana license from the Office of Motor Vehicles. The cost of the Louisiana license on the vehicle will be credited toward the cost of the proper license.

2. Vehicles domiciled in Louisiana that have improper Louisiana license plates (full or apportioned) or an unlawful

Louisiana registration will be issued a notice of violation in accordance with the provisions of this Title.

3. If a vehicle is domiciled outside Louisiana, but exceeds its licensed gross weight, a \$100 penalty will be assessed.

4. Repealed.

B. Expired or No License or Registration. If a vehicle domiciled in Louisiana is operating with an expired Louisiana license or registration or no Louisiana license or registration, the penalty will be 25 percent of the annual cost of the proper license.

1. - 3. Repealed.

C. No Temporary 48-Hour Trip Permit. If a vehicle is operating without a temporary 48-hour trip permit when one is required, \$200 penalty shall be assessed, and the driver will also be required to purchase a temporary 48-hour trip permit for \$25.

1. - 2. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§1107. Fuel Tax Violations

A. Penalties will be due immediately upon receipt of the ticket.

B. Vehicles Using Gasoline

1. ...

2. If the driver of a vehicle which operates on gasoline has no fuel invoice or has an improper fuel invoice, a \$50 penalty will be assessed, in addition to the amount of fuel tax assessed.

C. Vehicles Using Special Fuels

1. ...

2. If the driver of a vehicle which operates on special fuels has no special fuels invoice or has an improper special fuels invoice, a \$50 penalty will be assessed, plus the amount of fuel tax assessed.

3. If a vehicle which operates on special fuels does not have either a working odometer, speedometer, or hub meter, a \$50 penalty will be assessed.

4. If a vehicle which operates on special fuels does not have the true owner's name and address or adequate identification on both cab doors, a \$50 penalty will be assessed.

5. Vehicles operating with special fuels which have nonworking odometers, speedometers, or hub meters or which do not have the true owner's name and address on both cab doors shall be issued a notice of violation

D. - D.5. Repealed.

E. - E.3.b.iv. ...

4. If any person transporting bulk gasoline is traveling on other than the approved route or not carrying the above information as required, the fine shall be:

a. - c. ...

E.5. - F.2. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

Chapter 12. Violation Ticket Review Committee

§1201. Composition of Violation Ticket Review Committee

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:389 (D).

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Weights, Measures and Standards, LR 22:372 (May 1996), amended LR 28:522 (March 2002), LR 33:863 (May 2007), repealed LR 50:

§1203. Tickets Subject to Review

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:389(D).

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:372 (May 1996), amended LR 28:522 (March 2002), repealed LR 50:

§1205. Time Limitations

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:389(D).

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:372 (May 1996), amended LR 28:522 (March 2002), repealed LR 50:

§1207. Duties of the DOTD Weights and Standards Administrator

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:389.D.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:372 (May 1996), amended LR 28:522 (March 2002), repealed LR 50:

§1209. Authorized Action

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:389.D.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:372 (May 1996), amended LR 28:523 (March 2002), repealed LR 50:

§1211. Rights of Protesting Party

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:389.D.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:372 (May 1996), amended LR 28:523 (March 2002), repealed LR 50:

§1213. Prescription

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:389.D.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:372 (May 1996), amended LR 28:523 (March 2002), repealed LR 50:

§1215. Reconsideration by Violation Ticket Review Committee

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:389.D.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:372 (May 1996), amended LR 28:523 (March 2002), repealed LR 50:

§1216. Consideration by Review Panel

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:389 (D).

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Weights, Measures and Standards, LR 22:372 (May 1996), amended LR 28:523 (March 2002), LR 33:863 (May 2007), repealed LR 50:

§1217. Record-Keeping

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:389.D.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:372 (May 1996), amended LR 28:523 (March 2002), repealed LR 50:

Chapter 13. Laws and Regulations Enforced by Other Agencies

§1301. Explosives, Flammable Liquids

A. Any interstate or international transportation of explosives, flammable liquids, or any other hazardous materials is regulated by federal laws. Contact should be made with the Federal Highway Administration, Bureau of Motor Carrier Safety.

B. Explosives. All vehicles transporting explosives intrastate in Louisiana must have a permit from the Department of Public Safety, Explosives Control Unit.

C. Liquefied Petroleum Gas and Anhydrous Ammonia

1. Any company which intends to transport liquefied petroleum gas or anhydrous ammonia over Louisiana highways must obtain a permit from the Liquefied Petroleum Gas Commission.

2. - 3. ...

D. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§1303. Operating Authority

A. Intrastate Hauling

1. To operate intrastate in Louisiana, all common and contract for-hire carriers (except those exempt by Louisiana law) must obtain operating authority from the Louisiana Public Service Commission.

A.2. - B.1. ...

a. To operate interstate in Louisiana, common and contract for-hire carriers must first obtain operating authority from the Interstate Commerce Commission (ICC) and then file that authority with their base state.

b. Louisiana-based ICC regulated carriers must register with the LPSC, file application, liability insurance and BOC-3 and carry a copy of annual SSRS registration receipt on board each vehicle for which fees were paid.

2. Interstate Exempt

a. To operate interstate exempt in Louisiana, for-hire carriers must register by paying a \$25 one-time filing fee, file Form A-1, insurance Form E and BOC-3 and carry on board each vehicle a Louisiana "Bingo Stamp" at a cost of \$10 each and affixed to a Uniform Cab Card. Interstate cab cards may be obtained from the LPSC or National Association of Regulatory Utility Commissioners (NARUC).

2.b. - 3.a. ...

b. Exempt carriers must have a current annual Louisiana interstate "Bingo Stamp" affixed to the back of the Uniform Cab Card in each vehicle. Annual stamp year begins on February 1 each year. Orders for the forthcoming year will be accepted beginning October 1 through January 31. Bingo stamps are \$10 each.

c. ...

4 - 4.b. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

§1399. Fee Schedule

First Overweight Permit Fee Schedule					
<p>This schedule is for three types of vehicles:</p> <ul style="list-style-type: none"> • This schedule is for three types of vehicles: • Vehicles and combinations of vehicles which do not exceed their legal gross weight, but do exceed the legal axle weight on one to three axles or axle groups* (including steering axles). • Vehicles or combinations of vehicles which have two or three axles ** total and which exceed both their legal gross weight and legal axle weight. • All two-to-four axle ** off-road equipment. 					
Excess Weight (in pounds)	Distance (in miles)				
	0-50	51-100	101-150	151-200	over 200

0-10,000	\$ 30.00	\$ 45.00	\$ 52.50	\$ 67.50	\$ 82.50
10,001-20,000	52.50	97.50	135.00	172.50	210.00
20,001-30,000	82.50	150.00	210.00	277.50	345.00
30,001-40,000	105.00	202.50	292.50	382.50	472.50
40,001-50,000	135.00	255.00	367.50	487.50	607.50
50,001-60,000	157.50	307.50	450.00	592.50	735.00
Over 60,000	\$15 plus \$0.10 per ton-mile				

*Axle groups are tandem, tridum, and quadrum axles.
**"Axle" here refers to single or individual axles. Tandem axle groups will be counted as two axles and tridum axle groups as three axles.

Second Overweight Permit Fee Schedule					
This schedule is for combinations of vehicles with four axles* (including the steering axle).					
Gross Weight (in pounds)	Distance (in miles)				
	0-50	51-100	101-150	151-200	over 200
66,001-80,000	\$30.00	\$52.50	\$ 67.50	\$ 90.00	\$ 105.00
80,001-90,000	67.50	112.50	165.00	217.50	262.50

*"Axle" here refers to single or individual axles. Tandem axle groups will be counted as two axles and tridum axle groups as three axles.

Third Overweight Permit Fee Schedule					
This schedule is for combinations of vehicles with five or more axles* (including the steering axle) when the gross weight exceeds 80,000 pounds.					
Gross Weight (in pounds)	Distance (in miles)				
	0-50	51-100	101-150	151-200	over 200
80,001-100,000	\$ 45.00	\$ 67.50	\$ 97.50	\$ 120.00	\$ 150.00
100,001-108,000	75.00	142.50	202.50	270.00	330.00
108,001-120,000	105.00	195.00	285.00	375.00	465.00
120,001-132,000	135.00	255.00	375.00	495.00	622.50
132,001-152,000	180.00	337.50	502.50	667.50	832.50
152,001-172,000	232.50	442.50	660.00	877.50	1095.00
172,001-192,000	285.00	547.50	817.50	1087.50	1357.00
192,001-212,000	337.50	652.50	975.00	1297.50	1620.00
212,001-232,000	390.00	757.50	1132.50	1507.50	1875.00
232,001-254,000	442.50	862.50	1290.00	1717.50	2130.00
over 254,000	\$ 15.00—plus \$0.75 per ton-mile of weight in excess of 80,000 pounds, plus a fee for structural evaluation based on the following schedule: \$187.50—for evaluation of treated timber, concrete slab, and precast concrete slab bridges \$1,275.00—for evaluation of truss, continuous span, and movable bridges and for all Mississippi River structures \$750—for all other structures				

Price of fuel showing tax paid* "Axle" here refers to single or individual axles. Tandem axle groups will be counted as two axles and tridum axle groups as three axles.
Notwithstanding any other provision of law to the contrary, any combination vehicle with a gross weight greater than 212,000 pounds, but not in excess of 254,000 pounds shall be authorized a maximum tandem axle weight of 45,000 pounds and a maximum steering axle weight of 13,000 pounds, provided the spread between axle groups is a minimum of 12 feet and the spread between tires in a group is a minimum of 4 feet.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Operations, LR 50:

Chapter 15. Guideline for Submitting Overweight Vehicle Configurations—Exceeding 232,000 Pounds

§1501. Necessary Requirements Accompanying the Permit

A. Map. Submit a map showing the proposed route and any alternate proposed routes in order of preference.

B. In the event there is one or more parallel, alternate modes of transportation that cannot accommodate the load, such as a navigable waterway of a railroad, but substantially reduces the length of haul on the state highway system, evidence of the physical and/or regulatory impasse(s) must be submitted with the permit request. This evidence must be a written response from the facility's authorities or offices

stating the nature of the impasse which will not accommodate the load.

C. Statement from the owner of the load certifying its gross weight.

D. - E. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

Chapter 17 Requirements for Permitting Off-Road Equipment

§1701. Off-Road Equipment on State-Maintained Highways

A. - B. ...

C. Off-road equipment shall be considered as any self-propelled or combination vehicle adaptable to the highway environment which is not intended for normal operation on the highway due to its weight, size, and/or configuration. This equipment will also be classified as either non-critical or critical. Noncritical off-road equipment is not expected to produce excessive stresses in common highway bridges when operated. Critical off-road equipment, however, can produce stresses in excess of the capacity of common highway bridges if its permit requirements are not carefully met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 50:

Chapter 19. Escort Requirements for Oversize and/or Overweight Vehicles or Loads

§1901. Provision Enforcement

A. - B.7. ...

8. The driver of the escorting vehicle is responsible for the movement and shall ensure that the escorted vehicle is operated in a manner consistent with these provisions and all provisions on the permit. In the event the driver of the escorted vehicle does not, or refuses to operate in accordance with these stipulations, the driver of the escort vehicle shall terminate the movement and report this action to the proper company officials or local police authority or to the Department of Transportation and Development Weights and Standards Police Headquarters.

9. It shall be the responsibility of the driver of the escort vehicle to operate as a warning vehicle only. The driver shall not run traffic lights, fail to stop at stop signs, improperly pass, etc. His authorization to warn motorists of danger shall not imply that the vehicle is or should be used as a police and/or emergency vehicle.

10. All costs incidental to escorts shall be borne by the escort or permittee.

11. The equipment and permit required on escort vehicles shall be available for inspection on demand of proper authorities.

12. Payment for escort service shall be determined by the escort and the permittee.

13. Self or private escorts shall not escort any movement in excess of 16 feet wide on two-lane highways or multi-lane highways. Escorts must be furnished for all movements in excess of 12 feet in width or in excess of 90 feet in length and for any other movement when so designated by the Department of Transportation and Development or the Office of State Police.

14. No current full-time employee of the Department of Transportation and Development shall be used for or engage in self or private escort service. Under the existing policy of the Department of Public Safety, Office of State Police, an off-duty trooper or DPS police officer working in uniform may serve as escort for movements of oversize and/or overweight loads.

15. In the event a state police escort is required, the permittee shall pay the escort fee, or any portion thereof, in addition to pay of the off-duty trooper or DPS police officer.

16. Escorts of house movements, overweight loads when required by the Department of Transportation and Development, and other loads needing police authority

during movement, shall be escorted by the Office of State Police, unless made within a city's limits where the authority may be the city police.

17. The owner and/or operator of the escort vehicle agrees to hold harmless the Department of Transportation and Development and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the authority to escort an oversize load.

18. The Department of Transportation and Development Weights and Standards Police of the Office of State Police, will determine that proper escort procedures are complied with and shall have full authority to enforce all provisions of the permit and escort regulations. The authority to revoke the escort vehicle permit shall rest with the Department of Transportation and Development.

19. - 20. Repealed.

C. - E.1.n. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), LR 30:1490 (July 2004), amended by the Department of Public Safety and Corrections, Office of State Police, LR 42:1302 (August 2016), amended by the Office of Operations, LR 50:

Chapter 30. Legal Limitations

§3001. Figures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

Part III. Weights and Measures

Chapter 3. Minimum Standards for Reflectivity of Work-Site Materials

§301. Minimum Standards for Reflective Sign Sheeting

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:35.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 24:703 (April 1998), amended LR 26:357 (February 2000), LR 30:502 (March 2004), repealed LR 50:

§303. Minimum Standards for Striping

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:35.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 24:705 (April 1998), amended LR 30:504 (March 2004), repealed LR 50:

§305. Minimum Standard for Thermoplastic Pavement Markings

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:35.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 24:707 (April 1998), amended LR 30:506 (March 2004), repealed LR 50:

§307. Minimum Standards for Preformed Plastic Pavement Marking Tape

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:35.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 24:708 (April 1998), amended LR 30:507 (March 2004), repealed LR 50:

§309. Minimum Standards for Raised Pavement Markers

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:35.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights Measures and Standards, LR 24:709 (April 1998), amended LR 30:507 (March 2004), repealed LR 50:

Family Impact Statement

Adoption of this proposed Rule should not have any known or foreseeable adverse impact on any family as defined by R.S. 49:972(D) or on family formation, stability, and autonomy. Specifically:

1. The adoption of this proposed Rule will have no known or foreseeable effect on the stability of the family.
2. The adoption of this proposed Rule will have no known or foreseeable effect on the authority and rights of parents regarding the education and supervision of their children.
3. The adoption of this proposed Rule will have no known or foreseeable effect on the functioning of the family.
4. The adoption of this proposed Rule will have no known or foreseeable adverse effect on the family earnings and family budget.
5. The adoption of this proposed Rule will have no known or foreseeable effect on the behavior and personal responsibility of children.
6. The adoption of this proposed Rule will have no known or foreseeable effect on the ability of the family or local government to perform this function.

Poverty Impact Statement

The adoption of this proposed Rule should not have any known or foreseeable adverse impact on child, individual, or family poverty in relation to individual or community asset development as defined by R.S. 49:973. Specifically,

1. The adoption of this proposed Rule will have no known or foreseeable adverse effect on household income, assets, and financial security.
2. The adoption of this proposed Rule will have no known or foreseeable adverse effect on early childhood development and preschool through postsecondary education development.
3. The adoption of this proposed Rule will have no known or foreseeable adverse effect on employment and workforce development.
4. The adoption of this proposed Rule will have no known or foreseeable effect on taxes and tax credits.
5. The adoption of this proposed Rule will have no known or foreseeable effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The impact of the adoption of this proposed Rule on small businesses, as defined in the Regulatory Flexibility Act, has

been considered. The proposed Rule is not expected to have a significant adverse impact on small businesses. The department, consistent with health, safety, environmental, and economic welfare factors, has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of the proposed statutes while minimizing the adverse impact of the Rule on small businesses.

Provider Impact Statement

The adoption of this proposed rule change does not have any known or foreseeable impact on a provider as defined by House Concurrent Resolution No. 170 of the 2014 Regular Session of the Louisiana State Legislature. Specifically:

1. The adoption of this proposed Rule change does not have any known or foreseeable impact on the staffing level requirements or qualifications required to provide the same level of service.
2. The adoption of this proposed Rule change does not have any known or foreseeable impact on the total direct and indirect effect on the cost to a provider to provide the same levels of service.
3. The adoption of this proposed Rule change does not have any known or foreseeable impact on the overall effect on the ability of a provider to provide the same level of service.

Public Comments

All interested persons so desiring shall submit oral or written data, views, comments, or arguments no later than 20 days from the date of publication of this Notice of Intent to Kevin Reed, Chief Maintenance Engineer, Department of Transportation and Development, P.O. Box 94245, Baton Rouge, LA 70804-9245. Telephone (225) 379-1916.

Eric Kalivoda
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Weights and Standards

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will increase expenditures in the Department of Transportation and Development (DOTD) by approximately \$3.3 M to enforce the stationary scales program. Prior to the transfer from State Police to DOTD, the operating costs for the program was approximately \$6.6 M. Act 447 of the 2023 RS appropriates an additional \$3.3 M to DOTD for 32 additional positions, which would allow DOTD to expand the current stationary scales program. This appropriation is only a portion of what would be needed to grow the program back to normal operating size. To the extent that the program continues to expand and the legislature continues to appropriate additional dollars, expenditures may increase further in the out-years.

The proposed rule change does the following:

- 1) Transfers the responsibility for all enforcement at stationary scales from State Police to DOTD, pursuant to Act 384 of the 2021 Regular Legislative Session. 23 C.F.R. § 657.5 requires Louisiana to enforce vehicle size and weight laws. Pursuant to 23 C.F.R. § 657.19, if such laws are not enforced, the state risks losing ten percent of its federal transportation funding apportionment. This enforcement responsibility was housed in the Department of Public Safety, specifically in Louisiana State Police. Effective July 1, 2022, responsibility for all enforcement at stationary scales transferred to DOTD. Revisions are necessary to existing provisions of the Louisiana

Administrative Code in order to carry DOTD's new responsibilities into effect.

2) Updates weights and standards enforcement practices, and language for overweight and oversize permits fees, and violation penalties. These fees and violation penalties are listed in various Louisiana statutes and the proposed rule change codifies the fees and fines to match current practices.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change may result in an increase in revenue collections by DOTD. The 32 new positions will increase the monitoring capabilities of the department. To the extent there are more ticketed violations due to expanded capabilities, revenues will increase accordingly. The magnitude of the increase is indeterminable at this time.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change has no anticipated economic impact to directly affected persons, small businesses, or non-governmental groups. Truckers are already required to purchase overweight and/or oversized permits to travel on Louisiana roads. The proposed rule change updates the permit fees language to match current practices, therefore there will be no impact on truckers.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed changes shall have no effect on competition and/or employment.

Barry D. Keeling
Deputy Secretary
2310#063

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office