

As Engrossed: 3/12/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Hoofman**

A BILL ACT 1231 OF 1991
SENATE BILL 708

For An Act To Be Entitled

8 "AN ACT TO AMEND SUBSECTION (b) OF ARKANSAS CODE § 27-35-
9 203 TO RE-DEFINE THE TERM `TANDEM' AXLES; TO AMEND
10 SUBSECTION (e) OF ARKANSAS CODE § 27-35-203 TO CLARIFY
11 THAT ALL VEHICLES OPERATING ON THE HIGHWAYS OF ARKANSAS IN
12 EXCESS OF EIGHTEEN THOUSAND POUNDS (18,000 LBS.) ON A
13 SINGLE AXLE OR THIRTY-TWO THOUSAND POUNDS (32,000 LBS.) ON
14 A TANDEM AXLE OR IN EXCESS OF SEVENTY-THREE THOUSAND TWO
15 HUNDRED EIGHTY POUNDS (73,280 LBS.) MUST COMPLY WITH THE
16 FORMULA SET FORTH HEREIN TO INSURE ARKANSAS SIZE AND
17 WEIGHT LAWS ARE COMPATIBLE TO FEDERAL LAWS AND
18 REGULATIONS; TO DECLARE AN EMERGENCY; AND FOR OTHER
19 PURPOSES."

20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

22
23 SECTION 1. Subsection (b) of Arkansas Code § 27-35-203 is hereby
24 amended to read as follows:

25 "(b) Maximum Tandem-Axle Load. (1) The total gross load imposed on
26 the highway by two (2) or more consecutive axles whose centers may be included
27 between parallel transverse vertical planes spaced more than forty inches
28 (40") and not more than ninety-six inches (96") apart, extending across the
29 full width of the vehicle, shall not exceed thirty-four thousand pounds
30 (34,000 lbs.).

31 (2) No one (1) axle of any such group of two (2) or more
32 consecutive axles shall exceed the load permitted for a single axle."

33
34 SECTION 2. Subsection (e) of Arkansas Code § 27-35-203 is hereby
35 amended to read as follows:

36 "(e) (1) No vehicle, or combination of vehicles, shall operate upon any

	1 or more consecutive axles	consecutive axles		
		4 axles	5 axles	6 axles
2				
3				
4	33			74,000
5	34			74,500
6	35			75,000
7	36			75,500
8	37			76,000
9	38			77,000
10	39			77,500
11	40			78,000
12	41		73,500	78,500
13	42		74,000	79,000
14	43		75,000	80,000
15	44		75,500	80,000
16	45		76,000	80,000
17	46		76,500	80,000
18	47	73,500	77,500	80,000
19	48	74,000	78,000	80,000
20	49	74,500	78,500	80,000
21	50	75,500	79,000	80,000
22	51	76,000	80,000	80,000
23	52	76,500	80,000	80,000
24	53	77,500	80,000	80,000
25	54	78,000	80,000	80,000
26	55	78,500	80,000	80,000
27	56	79,000	80,000	80,000
28	57	80,000	80,000	80,000

29 (2) (A) If the Federal Highway Administration or the United States
30 Congress prescribes or adopts vehicle size or weight limits greater than those
31 prescribed by the Federal-Aid Highway Act of 1956 which limits exceed, in full
32 or in part, the provisions of subsections (a), (b), (c), (d), or (e) of this
33 section, the State Highway Commission shall adopt size and weight limits
34 comparable to those prescribed or adopted by the Federal Highway
35 Administration or the United States Congress and shall authorize the limits to

1 be used by owners or operators of vehicles while the vehicles are using
2 highways within this state.

3 (B) No vehicle size or weight limit so adopted by the
4 commission shall be less in any respect than those provided for in subsections
5 (a), (b), (c), (d), or (e) of this section."
6

7 SECTION 3. All provisions of this act of general and permanent nature
8 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
9 Revision Commission shall incorporate the same in the Code.
10

11 SECTION 4. If any provisions of this act or the application thereof to
12 any person or circumstance is held invalid, the invalidity shall not affect
13 other provisions or applications of the act which can be given effect without
14 the invalid provisions or application, and to this end the provisions of this
15 act are declared to be severable.
16

17 SECTION 5. All laws and parts of laws in conflict with this act are
18 hereby repealed.
19

20 SECTION 6. Emergency. It is hereby found and determined by the
21 Seventy-Eighth General Assembly of the State of Arkansas that unless
22 subsections (b) and (e) of Arkansas Code § 27-35-203 are amended, thus
23 insuring that Arkansas laws are compatible with federal laws and regulations,
24 federal-aid highway funds accruing to this state will be withheld; that such
25 federal-aid highway funds are essential to the highway, road, and street
26 programs of this state; and that in the event of an extension of the 1991
27 Regular Session, the delay of the effective date of this act could work
28 irreparable harm upon the proper administration and provision of these
29 essential highway, road, and street programs. Therefore, an emergency is
30 hereby declared to exist, and this act being necessary for the immediate
31 preservation of the public peace, health, and safety, shall be in full force
32 and effect from and after its passage and approval.
33

34 /s/Hoofman
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APPROVED: 4-10-91

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