

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H1/31/07

A Bill

HOUSE BILL 1094

5 By: Representative Overbey
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For An Act To Be Entitled

9 AN ACT TO CLARIFY THE STATUTE CONCERNING WEIGHT
10 LIMITS ON COUNTY ROADS AND BRIDGES; AND FOR OTHER
11 PURPOSES.
12

Subtitle

14 TO CLARIFY THE STATUTE CONCERNING WEIGHT
15 LIMITS ON COUNTY ROADS AND BRIDGES.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 27-66-501 is amended to read as follows:

21 27-66-501. Classification of roads by weight of vehicles used thereon.

22 ~~(a) In addition to the duties imposed by law on the several county~~
23 ~~judges of the respective counties of this state, it is made their duty and~~
24 ~~they are directed to demand that the State Highway Commission inspect all the~~
25 ~~highways of the State of Arkansas which are hard surfaced with gravel,~~
26 ~~crushed rock, or other material ordinarily used for hard surfacing public~~
27 ~~highways.~~

28 ~~(b) The commission is directed and authorized under the direction of~~
29 ~~the several county judges of this state to make a classification of all roads~~
30 ~~with respect to the weight of loaded or unloaded vehicles which may be used~~
31 ~~thereon.~~

32 ~~(c) In making the classification, the commission shall give due~~
33 ~~consideration to the character and to the reasonable requirements of traffic~~
34 ~~in each county affected by its action, but in no case shall the commission~~
35 ~~make any order which shall be unjustly discriminatory; it shall in no case~~
36 ~~exclude or prohibit from the use of any class or character of traffic which~~



1 ~~ordinarily passes over or uses highways of like class.~~

2 ~~(d) Within ten (10) days after classifying any road or roads or making~~
3 ~~any order with reference to their use, the commission shall cause to be~~
4 ~~published a notice setting forth clearly the terms of the order or~~
5 ~~classification. This notice shall be published in some newspaper having a~~
6 ~~general circulation in the county in which the road or roads lie or in one~~
7 ~~(1) newspaper in each county in which the road or roads lie, if they shall~~
8 ~~lie in more than one (1) county. The commission shall also cause to be posted~~
9 ~~at all intersections of the road with other public highways, a notice in~~
10 ~~letters large enough to be easily read from the road, showing the~~
11 ~~classification of the road.~~

12 (a)(1) A county judge may establish weight limits on county bridges
13 and county roads in his or her jurisdiction if necessary to protect the
14 county bridges and county roads from damage from heavy loads.

15 (2) A county judge shall post established weight limits.

16 (3) In making the classification, a county judge shall give due
17 consideration to the character and to the reasonable requirements of traffic
18 in the county affected by the action and shall avoid unjust discrimination in
19 prohibiting the use of any class or character of traffic which ordinarily
20 passes over or uses highways of like class.

21 (b) The penalty for violation of a county bridge or county road weight
22 limit shall be in accordance with § 27-35-202.

23 (c) A person or entity operating a motor vehicle pursuant to an
24 overweight permit issued by the Arkansas State Highway and Transportation
25 Department or the county in which the person or entity is operating a motor
26 vehicle is exempt from the penalty under this section.

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28 /s/ Overbey
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