1	State of Arkansas	As Engrossed: H3/7/07	
2	86th General Assembly	A Bill	
3	Regular Session, 2007		HOUSE BILL 2351
4			
5	By: Representative Wyatt		
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7			
8	For An Act To Be Entitled		
9	AN ACT TO CLARIFY STATUTES CONCERNING WEIGHT		
10	LIMITS POSTED ON PUBLIC BRIDGES; AND FOR OTHER		
11	PURPOSES.		
12			
13		Subtitle	
14	TO CLARIFY STATUTES CONCERNING WEIGHT		
15	LIMI	TS POSTED ON PUBLIC BRIDGES.	
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18	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:		
19			
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-surface	<del>ced with gravel,</del>
26	crushed rock, or other	material ordinarily used for ha	<del>rd-surfacing public</del>
27	highways.		
28	(b) The commiss	ion is directed and authorized u	n <del>der the direction of</del>
29	the several county jud	lges of this state to make a class	sification of all roads
30	with respect to the weight of loaded or unloaded vehicles which may be used		
31	thereon.		
32	<del>(c) In making t</del>	the classification, the commission	n shall give due
33	consideration to the c	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		

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- 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) Exclusive of city streets, state highways, or interstates, a
- 13 county judge may post weight limits on public bridges in his or her
- 14 jurisdiction in connection with federally mandated bridge inspections.
- 15 (b) Posted weight limit signs shall be in accordance with state and
- 16 federal law.
- 17 (c)(1) It shall be unlawful for a person to drive, operate, or move a
- 18 motor vehicle, or for an owner of a motor vehicle to cause or permit the
- 19 motor vehicle to be driven, operated, or moved, of a size or weight exceeding
- 20 <u>the posted weight limit.</u>
- 21 (2) A person or an owner operating a motor vehicle under an
- 22 overweight permit issued by the Arkansas State Highway and Transportation
- 23 Department is exempt from penalty under subdivision (c)(1) of this section.
- 24 (d) A violation of this section is a Class C misdemeanor.
- 25 <u>(e) Even if authorized by an overweight permit issued by the Arkansas</u>
- 26 State Highway and Transportation Department, a person or an owner operating,
- 27 driving, or moving a vehicle, an object, or a contrivance upon a public
- 28 bridge shall be liable for all damage that the public bridge may sustain as a
- 29 result of:
- 30 <u>(1) Careless, negligent, or illegal operation, driving, or</u>
- 31 moving of a vehicle, an object, or a contrivance; or
- 32 (2) Operation, driving, or moving of a vehicle, object, or
- 33 contrivance of excessive width or weighing in excess of the maximum weight
- 34 limits in this chapter.

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36 SECTION 2. Arkansas Code § 27-66-506 is repealed.

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1	27-66-506. Protection of bridges and culverts - Penalty for violation.		
2	(a) It is unlawful for any person or persons owning or controlling an		
3	traction engine or engines or other unusual heavy machine or machinery in		
4	moving it from place to place over any of the public roads or highways to		
5	cross any of the bridges or culverts on the roads or highways without first		
6	laying plank at least three inches (3") thick and not less than twelve inche		
7	(12") wide and not less than twelve feet (12') long over bridges and culvert		
8	in such manner as to prevent any damage being done to the bridges or		
9	culverts.		
10	(b) Should any person or persons owning or controlling any engine or		
11	machinery mentioned in subsection (a) of this section do any damage to any		
12	bridge or culvert in crossing either on any of the public roads or highways		
13	by reason of any neglect, refusal, or failure to first provide and place the		
14	plank across and over the bridges and culverts before attempting to cross		
15	with the engines or machinery, they shall be deemed guilty of a misdemeanor		
16	and upon conviction shall be fined in any sum not more than two hundred		
17	dollars (\$200). However, if provisions are made before attempting to cross		
18	bridges or culverts with such engines or machinery and damage then occurs to		
19	any crossings and it appears that the damage occurred through no neglect or		
20	carelessness on the part of the party so crossing, then the party shall not		
21	be liable.		
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23	/s/ Wyatt		
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