

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: H3/7/07
A Bill

HOUSE BILL 2351

5 By: Representative Wyatt
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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

Subtitle

13 *TO CLARIFY STATUTES CONCERNING WEIGHT*
14 *LIMITS POSTED ON PUBLIC 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) 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 the posted weight limit.

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 (e) Even if authorized by an overweight permit issued by the Arkansas
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 (1) Careless, negligent, or illegal operation, driving, or
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.

