



# COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION  
1401 EAST BROAD STREET  
RICHMOND, VIRGINIA 23219-2000

David S. Ekern, P.E.  
COMMISSIONER

December 1, 2008

The Honorable Timothy M. Kaine  
Governor of Virginia  
Patrick Henry Building, 3rd Floor  
1111 East Broad Street  
Richmond, Virginia 23219

The Honorable Charles J. Colgan  
Virginia State Senate  
10677 Aviation Lane  
Manassas, Virginia 20110-2701

The Honorable Yvonne B. Miller  
Virginia State Senate  
P.O. Box 452  
Norfolk, Virginia 23501

The Honorable Lacey E. Putney  
Virginia House of Delegates  
P.O. Box 127  
Bedford, Virginia 24523

The Honorable Joe T. May  
Virginia House of Delegates  
P.O. Box 2146  
Leesburg, Virginia 20177-7538

Dear Governor Kaine and Members of the General Assembly:

Chapter 864 of the Acts of Assembly of 2008 requests that the Department of Transportation (VDOT), in consultation with the Department of Motor Vehicles (DMV) and representatives of the industries that own or operate overload and overweight vehicles, review the fee structure applied to motor vehicles operating on the highways of the Commonwealth pursuant to Articles 17 (§ 46.2-1122 et seq.) and 18 (§ 46.2-1139 et seq.) of Chapter 10 of Title 46.2 of the *Code of Virginia*. Based on the study conducted by the Virginia Transportation Research Council (VTRC), VDOT recommends the attached legislation regarding the fee structure for overload and overweight vehicles.

The Honorable Timothy M. Kaine  
The Honorable Charles J. Colgan  
The Honorable Yvonne B. Miller  
The Honorable Lacey E. Putney  
The Honorable Joe T. May  
December 1, 2008  
Page 2

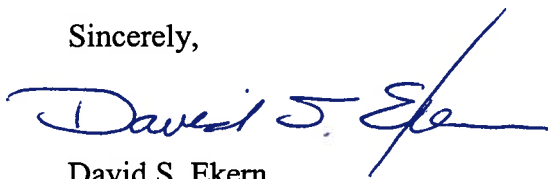
The VTRC conducted a study of the costs of added maintenance damage from overweight vehicles using state-maintained highways. The VTRC organized stakeholder meetings to present information and encourage open discussion of policy issues related to overload and overweight permit fees. The VTRC provided information on the current permitting processes, the pavement damage and bridge damage cost models, and presented the findings of three 2007 legislative studies on overweight trucks. The stakeholder attendees shared their concerns related to business impacts of the current overload and overweight allowances in Virginia and the perspectives of the businesses they represented.

The VTRC produced a report addressing its damage model and industry comments regarding overload and overweight permit policy issues. The report, including industry comment, was the basis for the attached legislation recommending changes to existing overload and overweight fees. In developing the legislation, VDOT weighed the information from the damage model against the concerns of the trucking industry.

The damage model shows that the amount of damage caused by overweight vehicles is significantly higher than the amount of fees paid by those vehicles. However, stakeholders raised concerns regarding current economic conditions, the competitiveness of Virginia's ports, and the difficulty in some industries of avoiding overweight loads. These concerns led VDOT to avoid basing the proposed overload and overweight fees on the full costs of damage. In addition, the recommended fees reflect a differentiation between vehicles that travel on state-maintained roads on a daily basis and those that make only occasional trips. To accommodate these two categories, the legislation proposes changes to both single-trip and blanket permit fees.

If you have questions or need additional information, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "David S. Ekern". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

David S. Ekern

Attachment

1                                   **Virginia Department of Transportation**  
2                                   **2009 Session of the General Assembly**

3  
4                                   **Proposal Identifier Number Trans-VDOT-9**  
5                                   **Draft Legislation**  
6

7    A BILL to amend and reenact §§ 46.2-652, 46.2-653, 46.2-685, 46.2-1128, 46.2-1141,  
8    46.2-1142, 46.2-1142.1, 46.2-1143, 46.2-1143.1, 46.2-1144, 46.2-1144.1, 46.2-1147,  
9    46.2-1149, 46.2-1149.1, and 46.2-1149.4 of the Code of Virginia; to add § 46.2-1139.2 to  
10   the Code of Virginia; and to repeal the second and third enactments of Chapter 738 of the  
11   Acts of Assembly of 2007 and the second enactment of Chapter 864 of the Acts of  
12   Assembly of 2008 relating to overload and overweight vehicle permits, and to repeal §  
13   46.2-1149.3 of the Code of Virginia relating to payment of fees into a special fund.

14   **Be it enacted by the General Assembly of Virginia:**

15   **1. That §§ 46.2-652, 46.2-653, 46.2-685, 46.2-1128, 46.2-1141, 46.2-1142, 46.2-1142.1,**  
16   **46.2-1143, 46.2-1143.1, 46.2-1144, 46.2-1144.1, 46.2-1147, 46.2-1149, 46.2-1149.1, and**  
17   **46.2-1149.4 of the *Code of Virginia* are amended and reenacted, and that the *Code of***  
18   ***Virginia* is amended by adding a section numbered § 46.2-1139.2, as follows:**

19   **§ 46.2-652. Temporary registration for vehicles.**

20   The Commissioner may grant a temporary registration or permit for the operation of (i) a  
21   vehicle or equipment that cannot be licensed because the vehicle, excluding any load  
22   thereon, is overweight, oversize, or both or (ii) a licensed vehicle that exceeds statutory  
23   weight limits on the highways in the Commonwealth from one point to another within the  
24   Commonwealth, or from the Commonwealth to a point or points outside the  
25   Commonwealth, or from outside the Commonwealth to a point or points within the  
26   Commonwealth. Any temporary registration or permit issued under this section shall

27 show the registration or permit number, the date of issue, the date of expiration, and the  
28 route to be traveled or other restrictions and shall be displayed in a prominent place on  
29 the vehicle.

30 For a single-trip temporary registration or permit issued under this section, the applicant  
31 shall pay a fee of ~~\$.10 per mile for every mile to be traveled~~ \$100, in addition to any  
32 administrative fee required by the Department. In lieu of a single-trip permit, an annual  
33 multi-trip permit may be issued for a fee of ~~\$40~~ \$250, in addition to any administrative  
34 fee required by the Department. Such temporary registration or permit fees shall be first  
35 used to pay the Department's cost in issuing temporary registrations or permits, and any  
36 remainder shall be dedicated to and deposited into the Highway Maintenance and  
37 Operating Fund.

38 **§ 46.2-653. Temporary registration or permit for transportation of manufactured**  
39 **homes exceeding the size permitted by law.**

40 The Commissioner may grant a temporary registration or permit for the transportation of  
41 manufactured homes, which exceed the size permitted by law, on the highways in the  
42 Commonwealth from one point to another within the Commonwealth, or from the  
43 Commonwealth to a point or points outside the Commonwealth, or from outside the  
44 Commonwealth to a point or points within the Commonwealth. Such temporary  
45 registration or permit shall show the registration or permit number, the date of issue, the  
46 date of expiration, and the route to be traveled or other restrictions and shall be displayed  
47 in a prominent place on the vehicle. The owner of every manufactured home of this sort  
48 purchased in the Commonwealth for use within the Commonwealth or brought into the  
49 Commonwealth for use within the Commonwealth shall apply within 30 days to the

50 Department for title in the name of the owner. This requirement shall not apply to  
51 inventory held by licensed Virginia dealers for the purpose of resale. After a  
52 manufactured home has been titled in the Commonwealth and at such time as the wheels  
53 and other equipment previously used for mobility have been removed and the unit has  
54 been attached to the realty, then the manufactured home shall, for purposes of this  
55 section, be deemed to be real estate and Virginia title issued for the unit may be returned  
56 to the Department for cancellation and the unit shall thereafter be transferred only as real  
57 estate is transferred. The validity of any security interest perfected pursuant to §§ 46.2-  
58 636 through 46.2-641 shall continue, notwithstanding the provisions of this section.

59 The Commissioner shall have prepared a list of all titles cancelled pursuant to this section  
60 and furnish it, in conjunction with the reports submitted pursuant to § 46.2-210, to the  
61 commissioner of the revenue of each county and city without cost. The Commissioner  
62 shall not make such list available to the public nor shall any commissioner of the revenue  
63 make such list available to any third party.

64 The authorities in cities and towns regulating the movement of traffic may prescribe the  
65 route or routes over which these manufactured homes may be transported, and no  
66 manufactured home of this sort shall be transported through any city or town except  
67 along a prescribed route or routes.

68 For each temporary single-trip registration or permit issued hereunder, the applicant shall  
69 pay a fee of ~~one dollar~~ \$100, in addition to any administrative fee required by the  
70 Department. In lieu of a single-trip permit, ~~an annual multi-trip permit may be issued for~~  
71 ~~a fee of \$40~~ \$250, in addition to any administrative fee required by the Department.

72 No permit, as provided in this section, shall be issued covering any manufactured home  
73 that is subject to a license plate.

74 Such temporary registration or permit fees shall be first used to pay the Department's cost  
75 in issuing temporary registrations or permits, and any remainder shall be dedicated to and  
76 deposited into the Highway Maintenance and Operating Fund.

77 **§ 46.2-685. Payment of fees into special fund.**

78 All fees collected by the Commissioner under §§ 46.2-651, ~~46.2-652~~, and ~~46.2-653~~ shall  
79 be paid into the state treasury and set aside as a special fund to be used to meet the  
80 expenses of the Department.

81 **§ 46.2-1128. Extensions of weight limits; fees.**

82 The owner of any motor vehicle may obtain an extension of single axle, tandem axle, and  
83 gross weight set forth in this article by purchasing an overload permit for such vehicle.

84 The permit shall extend the single axle weight limit of 20,000 pounds, tandem axle  
85 weight limit of 34,000 pounds, and gross weight limit based on axle spacing and number  
86 of axles on such vehicle. However, no such permit issued under this section or § 46.2-  
87 1129 shall authorize the operation of a motor vehicle whose gross weight exceeds 84,000  
88 pounds or is more than 5% above the motor vehicle's legal gross weight limit, whichever  
89 is less, nor shall any such permit authorize any extension of the limitations provided in §  
90 46.2-1127 for interstate highways. Permits under this section shall be valid for one year  
91 and shall be issued ~~according to the following fee schedule:~~

| 92 | Percentage | Fee for Permit |
|----|------------|----------------|
| 93 | 1%         | \$ 35          |
| 94 | 2%         | 75             |



118 **§ 46.2-1141. Overweight permits for containerized freight.**

119 Permits to operate on the highways a vehicle exceeding the maximum weight specified in  
120 this title shall be granted ~~without costs~~ if the vehicle is hauling containerized cargo in a  
121 sealed, seagoing container bound to or from a seaport and has been or will be transported  
122 by marine shipment. In order to qualify for such a permit the contents of such seagoing  
123 container shall not be changed from the time it is loaded by the consignor or his agents to  
124 the time it is delivered to the consignee or his agents. Cargo moving in vehicles  
125 conforming to specifications shown in this section shall be considered irreducible and  
126 eligible for permits under regulations of the Commissioner.

127 **§ 46.2-1142. Overweight permits for concrete haulers.**

128 The Commissioner and local authorities of cities and towns, in their respective  
129 jurisdictions, upon written application and payment of permit fees made by the owner or  
130 operator, shall issue overweight permits for operation of certain vehicles used to haul  
131 concrete. Permits under this section shall be issued only for vehicles that are used  
132 exclusively for the mixing of concrete in transit or at a project site or for transporting  
133 necessary components in a compartmentalized vehicle to produce concrete immediately  
134 upon arrival at a project site and either have (i) four axles with more than 22 feet between  
135 the first and last axle of the vehicle or (ii) three axles. Any vehicle operating under a  
136 permit issued pursuant to this section shall have a gross weight of no more than 60,000  
137 pounds for three-axle vehicles and 70,000 pounds for four-axle vehicles, a single axle  
138 weight of no more than 20,000 pounds, tandem axle weight of no more than 40,000  
139 pounds, and a tri-axle grouping weight of no more than 50,000 pounds, with no single  
140 axle of such tri-axle grouping exceeding the weight permitted for a single axle. ~~Such~~

141 ~~permits shall be issued without cost.~~ Such permit shall not designate the route to be  
142 traversed nor contain restrictions or conditions not applicable to other vehicles in their  
143 general use of the highways.

144 Each vehicle, when loaded according to the provisions of a permit issued under this  
145 section, shall be operated at a reduced speed. The reduced speed limit is to be 10 miles  
146 per hour slower than the legal speed limit in 55, 45, and 35 miles per hour speed limit  
147 zones.

148 **§ 46.2-1142.1. Extensions of overweight limits authorized under § 46.2-1142 for**  
149 **vehicles used to haul concrete; fees.**

150 Owners or operators of vehicles used exclusively to haul concrete may apply for permits  
151 to extend the single axle weight limit of 20,000 pounds, the tandem axle weight limit of  
152 40,000 pounds, the four axle weight of 70,000 pounds, the tri-axle grouping weight of  
153 50,000 pounds, and the three-axle weight of 60,000 pounds provided for in § 46.2-1142,  
154 ~~by the percentages and upon written application and payment of the permit fees, set forth~~  
155 ~~in this section:~~

| 156 | Percentage | Fee for Permit |
|-----|------------|----------------|
| 157 | 1%         | \$35           |
| 158 | 2          | 75             |
| 159 | 3          | 115            |
| 160 | 4          | 160            |
| 161 | 5          | 200            |

162 Permits issued under this section shall be valid for one year from the date of issuance. No  
163 permit issued under this section shall authorize violation of any weight limitation,

164 promulgated and posted in accordance with § 46.2-1130, applicable to bridges or  
165 culverts. Permits issued under this section shall authorize extensions of the limitation  
166 provided for in § 46.2-1128 for vehicles operating on interstate highways only to the  
167 extent that any such extension (i) is not inconsistent with federal law and (ii) will not  
168 jeopardize or require the withholding or reduction of federal transportation funding  
169 otherwise available to the Commonwealth or any of its political subdivisions.  
170 The Commissioner shall make the permit available to vehicles registered outside the  
171 Commonwealth under the same conditions and restrictions which are applicable to  
172 vehicles registered within the Commonwealth. The Commissioner may promulgate  
173 regulations governing such permits. Except as provided in this section and § 46.2-1142,  
174 no weights in excess of those authorized by law shall be tolerated.

175 **§ 46.2-1143. Overweight permits for coal haulers; trucks hauling gravel, sand,**  
176 **crushed stone, or liquids produced from gas or oil wells in certain counties;**  
177 **penalties.**

178 A. The Commissioner and local authorities of cities and towns in their respective  
179 jurisdictions, upon written application by the owner or operator of vehicles used  
180 exclusively for hauling coal from a mine or other place of production to a preparation  
181 plant, loading dock, or railroad shall issue, without cost, a permit authorizing those  
182 vehicles to operate with gross weights in excess of those established in § 46.2-1126 on  
183 the conditions set forth in this section.

184 B. Vehicles with three axles may have a maximum gross weight, when loaded, of no  
185 more than 60,000 pounds, a single axle weight of not more than 24,000 pounds and a  
186 tandem axle weight of no more than 45,000 pounds. Vehicles with four axles may have a

187 maximum gross weight, when loaded, of no more than 70,000 pounds, a single axle  
188 weight of no more than 24,000 pounds, and a tri-axle weight of no more than 50,000  
189 pounds. Vehicles with five axles having no less than 35 feet of axle space between  
190 extreme axles may have a maximum gross weight, when loaded, of no more than 90,000  
191 pounds, a single axle weight of no more than 20,000 pounds, and a tandem axle weight of  
192 no more than 40,000 pounds. Vehicles with six axles may have a maximum gross weight,  
193 when loaded, of no more than 110,000 pounds, a single axle weight of no more than  
194 24,000 pounds, a tandem axle weight of no more than 44,000 pounds, and a tri-axle  
195 weight of no more than 54,500 pounds.

196 C. No load of any vehicle operating under a permit issued according to this section shall  
197 rise above the top of the bed of such vehicle, not including extensions of the bed. Three-  
198 axle vehicles shall not carry loads in excess of the maximum bed size in cubic feet for  
199 such vehicle which shall be computed by a formula of 60,000 pounds minus the weight of  
200 the empty truck divided by the average weight of coal. For the purposes of this section,  
201 the average weight of coal shall be 52 pounds per cubic foot. Four-axle vehicles shall not  
202 carry loads in excess of the maximum bed size for such vehicle which shall be computed  
203 by a formula of 70,000 pounds minus the weight of the truck empty divided by the  
204 average weight of coal. Five-axle vehicles shall not carry loads in excess of the maximum  
205 bed size for such vehicle, which shall be computed by a formula of 90,000 pounds minus  
206 the weight of the truck empty divided by the average weight of coal. Six-axle vehicles  
207 shall not carry loads in excess of the maximum bed size for such vehicle, which shall be  
208 computed by a formula of 110,000 pounds minus the weight of the truck empty divided  
209 by the average weight of coal.

210 D. For the purposes of this section, the term bed shall mean that part of the vehicle used  
211 to haul coal. Bed size shall be measured by its interior dimensions with volume expressed  
212 in cubic feet. In order to ensure compliance with this section by visual inspection, if the  
213 actual bed size of the vehicle exceeds the maximum as provided above, the owner or  
214 operator shall be required to paint a horizontal line two inches wide on the sides of the  
215 outside of the bed of the vehicle, clearly visible to indicate the uppermost limit of the  
216 maximum bed size applicable to the vehicle as provided in this section. In addition, one  
217 hole two inches high and six inches long on each side of the bed shall be cut in the center  
218 of the bed and at the top of the painted line. Any vehicle in violation of this section shall  
219 subject the vehicle's owner or operator or both to a penalty of \$250 for a first offense,  
220 \$500 for a second offense within a 12-month period, and \$1,000 and revocation of the  
221 permit for a third offense within a 12-month period from the first offense.

222 E. If the bed of any vehicle is enlarged beyond the maximum bed size for which its  
223 permit was granted, or if the line or holes required are altered so that the vehicle exceeds  
224 the bed size for which its permit was granted, the owner, operator, or both shall be  
225 subject to a penalty of \$1,000 for each offense and revocation of the permit. Upon  
226 revocation, a permit shall not be reissued for six months. The penalties provided in this  
227 section shall be in lieu of those imposed under § 46.2-1135.

228 F. For any vehicle with a valid permit issued pursuant to the conditions required by this  
229 section, when carrying loads which do not rise above the top of the bed or the line  
230 indicating the bed's maximum size, if applicable, it shall be, in the absence of proof to the  
231 contrary, prima facie evidence that the load is within the applicable weight limits. If any  
232 vehicle is stopped by enforcement officials for carrying a load rising above the top of the

233 bed or the line indicating the bed's maximum size, the operator of the vehicle shall be  
234 permitted to shift his load within the bed to determine whether the load can be contained  
235 in the bed without rising above its top or above the line.

236 G. No such permit shall be valid for the operation of any such vehicle for a distance of  
237 more than 85 miles within the Commonwealth of Virginia from the preparation plant,  
238 loading dock, or railroad.

239 Until July 1, 2009, in counties that impose a severance tax on coal and gases as  
240 authorized by § 58.1-3712, the Commissioner, upon written application and payment of  
241 permit fees, shall issue to the owner or operator a permit authorizing the operation on the  
242 highway at the weight limits prescribed in subsection B of this section ~~shall also apply to~~  
243 such trucks hauling gravel, sand, or crushed stone no more than 50 miles from origin to  
244 destination. Nothing contained in this subsection shall authorize any extension of weight  
245 limits provided in § 46.2-1127 for operation on interstate highways. Any weight violation  
246 hauling sand, gravel, or crushed stone under this subsection shall be subject to the  
247 penalties authorized by § 46.2-1135.

248 H. In counties that impose a severance tax on coal and gases as authorized by § 58.1-  
249 3712, the weight limits prescribed in subsection B shall also apply to motor vehicles  
250 hauling liquids produced from a gas or oil well and water used for drilling and  
251 completion of a gas or oil well no more than 50 miles from origin to destination. Nothing  
252 contained in this subsection shall authorize any extension of weight limits provided in §  
253 46.2-1127 for operation on interstate highways. Any weight violation involving hauling  
254 liquids produced from a gas or oil well and water used for drilling and completion of a

255 gas or oil well under this subsection shall be subject to the penalties authorized by § 46.2-  
256 1135.

257 **§ 46.2-1143.1. Overweight permits for haulers of excavated material.**

258 The Commissioner and local authorities of cities and towns, in their respective  
259 jurisdictions, upon written application and payment of permit fees made by the owner or  
260 operator, shall issue overweight permits for operation of certain vehicles hauling  
261 excavated material from construction-related land-clearing operations. Permits shall be  
262 issued under this section only for vehicles that have either (i) four axles with more than  
263 22 feet between the first and last axle of the vehicle or (ii) three axles. Any vehicle  
264 operating under a permit issued pursuant to this section shall have a gross weight of no  
265 more than 60,000 pounds for three-axle vehicles and 70,000 pounds for four-axle  
266 vehicles, a single axle weight of no more than 20,000 pounds, tandem axle weight of no  
267 more than 40,000 pounds, and a tri-axle grouping weight of no more than 50,000 pounds,  
268 with no single axle of such tri-axle grouping exceeding the weight permitted for a single  
269 axle. ~~Such permits shall be issued without cost.~~

270 No permit issued under this section shall authorize the operation of any vehicle hauling  
271 excavated material for a distance of more than 25 miles from the land-clearing operation.  
272 However, such permit shall not designate the route to be traversed nor contain restrictions  
273 or conditions not applicable to other vehicles in their general use of the highways. Each  
274 vehicle, when loaded according to the provisions of a permit issued under this section,  
275 shall be operated at a reduced speed of 10 miles per hour slower than the legal speed limit  
276 in 55, 45, and 35 miles per hour speed limit zones.

277 For purposes of this section, the term "excavated material" shall mean natural earth  
278 materials, which includes stumps, brush, leaves, soil, and rocks, removed by any  
279 mechanized means.

280 **§ 46.2-1144. Overweight permits for solid waste haulers.**

281 The Commissioner, upon written application and payment of permit fees by the owner or  
282 operator of vehicles used exclusively for hauling solid waste other than hazardous waste,  
283 shall issue ~~without cost~~ a permit authorizing the operation on the highway of such  
284 vehicles at gross weights in excess of those set forth in § 46.2-1126.

285 No permit issued under this section shall authorize a single axle weight of more than  
286 20,000 pounds or a tandem axle weight of more than 40,000 pounds. No such permit  
287 shall be issued for a total gross weight in excess of 40,000 pounds for a two-axle vehicle,  
288 or of more than 60,000 pounds for a three-axle vehicle. Such permit shall be obtained  
289 annually at the time the vehicle is registered. The Commissioner shall promulgate  
290 regulations governing such permits.

291 No such permit shall authorize the operation of any vehicle enumerated in this section  
292 beyond the boundary of the county or city where it is principally garaged or for a distance  
293 of more than 25 miles from the place where it is principally garaged, whichever is  
294 greater. However, the permit shall not designate the route to be traversed nor contain  
295 restrictions or conditions not applicable to other vehicles in their general use of the  
296 highways. Each vehicle, when loaded according to the provisions of a permit issued  
297 under this section, shall be operated at a reduced speed of 10 miles per hour slower than  
298 the legal speed limit in 55, 45, and 35 miles per hour speed limit zones.

299 For the purposes of this section, the terms "solid waste" and "hazardous waste" shall have  
300 the meanings provided in § 10.1-1400.

301 **§ 46.2-1144.1. Overweight permits for tank wagons.**

302 The Commissioner, upon written application and payment of a fee permit fees by the  
303 owner or operator of tank wagon vehicles as defined in § 58.1-2201, shall issue  
304 overweight permits for operation of said vehicles.

305 ~~The overweight permit fees shall be based on a fee schedule established by the  
306 Commonwealth Transportation Commissioner. Such fees shall be dedicated to and  
307 deposited into the Highway Maintenance and Operating Fund.~~

308 ~~The Commissioner may also assess a separate application fee for applications pursuant to  
309 this section that covers the administrative expenses of the Department. Funds from the  
310 application fee are to be designated as specified in § 46.2-1149.3.~~

311 No permit issued under this section shall authorize a single axle weight of more than  
312 24,000 pounds and a total gross weight in excess of 40,000 pounds. Permits issued under  
313 this section shall be valid for one year from the date of issuance. No permit issued under  
314 this section shall authorize violation of any weight limitation, promulgated and posted in  
315 accordance with § 46.2-1130, applicable to bridges or culverts. This permit shall not be  
316 combined with any other overweight permit or extension of weight limits.

317 **§ 46.2-1147. Permits for excessive size and weight for articulated buses.**

318 The Commissioner and local authorities of cities and towns in their respective  
319 jurisdictions, upon written application and payment of permit fees by the owner or  
320 operator of passenger buses having three or more axles consisting of two sections joined  
321 together by an articulated joint with the trailer being equipped with a mechanically

322 steered rear axle, and having a gross weight of no more than 60,000 pounds, a single axle  
323 weight of no more than 25,000 pounds and a width of no more than 102 inches shall issue  
324 to such owner or operator, ~~without cost~~, a written permit authorizing the operation of  
325 such vehicles on the highways.

326 **§ 46.2-1149. Unladen, oversize and overweight, rubber-tired, self-propelled haulers**  
327 **and loaders; permits; engineering analysis; costs.**

328 The Commissioner and local authorities of cities and towns in their respective  
329 jurisdictions, upon written application and payment of permit fees and other costs by the  
330 owner or operator of any empty, oversize and overweight, rubber-tired, self-propelled  
331 hauler or loader used in the construction and coal mining industries, may issue to such  
332 owner or operator a permit authorizing operation upon the highways of such equipment  
333 with gross empty weights in excess of those established in §§ 46.2-1122 through 46.2-  
334 1127 and sizes in excess of those established in §§ 46.2-1105 through 46.2-1108. The  
335 permits shall be issued only after an engineering analysis of a proposed routing has been  
336 conducted by the Virginia Department of Transportation or local authorities of counties,  
337 cities, and towns in their respective jurisdictions to assess the ability of the roadway and  
338 bridges to be traversed to sustain the vehicles' size and weight. Costs shall be assessed  
339 against the applicant to cover engineering analysis.

340 Notwithstanding the fees set forth in § 46.2-1139.2, the fee for a permit issued under this  
341 section shall be \$100. No permit issued under this section shall be valid for the operation  
342 of the equipment for a distance of more than 35 miles.

343 **§ 46.2-1149.1. Excess tandem axle weight permits for cotton module haulers.**

344 The Commissioner, upon application and payment of permit fees made by the owner or  
345 operator of vehicles used exclusively to transport seed cotton modules, shall issue  
346 ~~without cost~~ a permit authorizing the operation on the highway of such vehicles, from  
347 September 1 through December 31 of each year, at tandem axle weights in excess of that  
348 authorized in § 46.2-1125. The Commissioner shall promulgate regulations governing  
349 such permits. Such permits shall allow the vehicles to have tandem axle weights of no  
350 more than 44,000 pounds. No permit issued under this section shall authorize a single  
351 axle weight in excess of that authorized in § 46.2-1124 or a gross weight in excess of  
352 56,000 pounds.

353 **§ 46.2-1149.4. Overweight permits for specialized mobile equipment.**

354 The Commissioner and local authorities of cities and towns, in their respective  
355 jurisdictions, upon written application and payment of permit fees made by the owner or  
356 operator, shall issue ~~without cost~~ an overweight permit for the operation of specialized  
357 mobile equipment. Any vehicle operating under a permit issued pursuant to this section  
358 shall have a gross weight of no more than 64,000 pounds, a single axle weight of no more  
359 than 20,000 pounds, and a tandem axle weight of no more than 44,000 pounds. Such  
360 permit shall not designate the route to be traversed nor contain restrictions or conditions  
361 not applicable to other vehicles in their general use of the highways.

362 For purposes of this section, "specialized mobile equipment" means a self-propelled  
363 motor vehicle manufactured for the specific purpose of supporting well-drilling  
364 machinery on the job site and whose movement on any highway is incidental to the  
365 purpose for which it was designed and manufactured.

366 **2. That § 46.2-1149.3 of the *Code of Virginia* is repealed.**

367 **3. That the second and third enactment clauses of Chapter 738 of the Acts of**  
368 **Assembly of 2007 are repealed.**

369 **4. That the second enactment clause of Chapter 864 of the Acts of Assembly of 2008**  
370 **is repealed.**