

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 69

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-102, IDAHO CODE, TO DEFINE
2 THE TERM "AGRICULTURAL PRODUCTS"; AMENDING SECTION 49-1001, IDAHO
3 CODE, TO REMOVE LANGUAGE RELATING TO THE OPERATION OF REFUSE OR SANI-
4 TATION TRUCKS; AND AMENDING SECTION 49-1011, IDAHO CODE, TO PROVIDE AN
5 EXCEPTION TO SIZE AND WEIGHT LIMITATIONS FOR REFUSE/SANITATION TRUCKS
6 WHEN OWNED BY, UNDER CONTRACT TO OR UNDER AUTHORITY OF A CITY, COUNTY OR
7 STATE AGENCY TRANSPORTING REFUSE; AND DECLARING AN EMERGENCY.
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Section 49-102, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 49-102. DEFINITIONS -- A. (1) "Abandon" means to leave a vehicle on
13 private property without the permission of the person having rights to the
14 possession of the property, or on a highway or other property open to the pub-
15 lic for the purposes of vehicular traffic or parking, or upon or within the
16 right-of-way of any highway, for twenty-four (24) hours or longer.

17 (2) "Abandoned vehicle" means any vehicle observed by an authorized of-
18 ficer or reported by a member of the public to have been left within the lim-
19 its of any highway or upon the property of another without the consent of the
20 property owner for a period of twenty-four (24) hours or longer, except that
21 a vehicle shall not be considered abandoned if its owner-operator is unable
22 to remove it from the place where it is located and has notified a law en-
23 forcement agency and requested assistance.

24 (3) "Accident" means any event that results in an unintended injury or
25 property damage attributable directly or indirectly to the motion of a motor
26 vehicle or its load, a snowmobile or special mobile equipment.

27 (4) "Actual physical control" means being in the driver's position of a
28 motor vehicle with the motor running or the vehicle moving.

29 (5) "Administrator" means the federal highway administrator, the chief
30 executive of the federal highway administration, an agency within the U.S.
31 department of transportation.

32 (6) "Age of a motor vehicle" means the age determined by subtracting
33 the manufacturer's year designation of the vehicle from the year in which the
34 designated registration fee is paid. If the vehicle has the same manufac-
35 turer's year designation as the year in which the fee is paid, or if a vehicle
36 has a manufacturer's year designation later than the year in which the fee is
37 paid, the vehicle shall be deemed to be one (1) year old.

38 (7) "Agricultural products" means the activities related to and nec-
39 essary for: the farming of crops, including soil preparation; livestock
40 and livestock products including, but not limited to, field crops, fruits,
41 vegetables, horticultural specialties, cattle, sheep, hogs, goats, horses,

1 poultry, furbearing animals, bees, milk, eggs and furs; and forestry and
 2 forest products, including logging of timber and timber harvesting.

3 (8) "Air-conditioning equipment" means mechanical vapor compression
 4 refrigeration equipment which is used to cool the driver's or passenger com-
 5 partment of any motor vehicle.

6 (~~8~~9) "Alcohol or alcoholic beverage" means:

7 (a) Beer as defined in 26 U.S.C. section 5052 (a), of the Internal Rev-
 8 enue Code;

9 (b) Wine of not less than one-half of one percent (.005%) of alcohol by
 10 volume; or

11 (c) Distilled spirits as defined in section 5002 (a) (8), of the Internal
 12 Revenue Code.

13 (~~9~~10) "Alley" means a public way of limited use intended only to provide
 14 access to the rear or side of lots or buildings in urban districts.

15 (~~10~~1) "All-terrain vehicle" or "ATV" means an all-terrain vehicle or
 16 ATV as defined in section 67-7101, Idaho Code.

17 (~~11~~2) "Amateur radio operator." (See "Radio operator, amateur," sec-
 18 tion 49-119, Idaho Code)

19 (~~12~~3) "Ambulance" means a motor vehicle designed and used primarily for
 20 the transportation of injured, sick, or deceased persons, on stretchers,
 21 cots, beds, or other devices for carrying persons in a prone position.

22 (~~13~~4) "Applicant" means an individual who applies to obtain, transfer,
 23 upgrade, or renew a driver's license.

24 (~~14~~5) "Approved driver training course" means a training course from a
 25 school licensed under the provisions of chapter 21 of this title or a driver
 26 training course approved by another United States jurisdiction provided the
 27 course was taken while an individual was a resident of that United States ju-
 28 risdiction.

29 (~~15~~6) "Approved testing agency" means a person, firm, association,
 30 partnership or corporation approved by the director of the Idaho state po-
 31 lice which is:

32 (a) In the business of testing equipment and systems;

33 (b) Recognized by the director as being qualified and equipped to do ex-
 34 perimental testing; and

35 (c) Not under the jurisdiction or control of any single manufacturer or
 36 supplier for an affected industry.

37 (~~16~~7) "Armed forces" means the army, navy, marine corps, coast guard and
 38 the air force of the United States.

39 (~~17~~8) "Authorized emergency vehicle." (See "Vehicle," section 49-123,
 40 Idaho Code)

41 (~~18~~9) "Authorized officer" means any member of the Idaho state police,
 42 or any regularly employed and salaried deputy sheriff, or other county em-
 43 ployee designated to perform the function of removing abandoned vehicles or
 44 junk vehicles by the board of county commissioners of the county in which a
 45 vehicle is located, or any regularly employed and salaried city peace of-
 46 ficer or other city employee designated to perform the function of removing
 47 abandoned vehicles or junk vehicles by the city council, or a qualified per-
 48 son deputized or appointed by the proper authority as reserve deputy sheriff
 49 or city policeman, authorized within the jurisdiction in which the abandoned
 50 vehicle or junk vehicle is located.

1 (1920) "Authorized transportation department employee" means any em-
 2 ployee appointed by the board to perform duties relating to enforcement of
 3 vehicle laws as have been specifically defined and approved by order of the
 4 board (see section 40-510, Idaho Code).

5 (201) "Auto transporter" means a vehicle combination constructed for
 6 the purpose of transporting vehicles.

7 SECTION 2. That Section 49-1001, Idaho Code, be, and the same is hereby
 8 amended to read as follows:

9 49-1001. ALLOWABLE GROSS LOADS. The gross load imposed on the high-
 10 way by any vehicle or combination of vehicles shall not exceed the limits in
 11 this section. The maximum single axle gross weight shall be twenty thousand
 12 (20,000) pounds, the maximum single wheel gross weight shall be ten thousand
 13 (10,000) pounds and the maximum gross vehicle or combination weight shall be
 14 one hundred five thousand five hundred (105,500) pounds, provided that maxi-
 15 mum gross vehicle or combination weight on United States federal interstate
 16 and defense highways of this state shall not exceed eighty thousand (80,000)
 17 pounds, except as permitted under the provisions of section 49-1004, Idaho
 18 Code.

19 (1) The total gross weight imposed on the highway by any group of con-
 20 secutive axles shall be determined by the following formula:

$$21 \qquad \qquad \qquad W=500 ((LN/N-1)+12N+36)$$

22 Where W is the maximum weight in pounds (to the nearest 500 pounds) car-
 23 ried on any group of two (2) or more consecutive axles. L is the distance in
 24 feet between the extremes of any group of two (2) or more consecutive axles,
 25 and N is the number of axles under consideration.

26 The formula is modified as illustrated in the following table:

1	2	Maximum load in pounds carried on any group of 2											
3	4	or more consecutive axles											
5	6	7	8	9	10	11	12	13	14	15	16	17	
Distance in	feet between	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
4	34,000												
5	34,000												
6	34,000												
7	34,000												
8	34,000												
9+	38,000	42,000											
9	39,000	42,500											
10	40,000	43,500											
11		44,000											
12		45,000	50,000										
13		45,500	50,500										
14		46,500	51,500										
15		47,000	52,000										
16		48,000	52,500	58,000									
17		48,500	53,500	58,500									
18		49,500	54,000	59,000									
19		50,000	54,500	60,000									
20		51,000	55,500	60,500	66,000								
21		51,500	56,000	61,000	66,500								
22		52,500	56,500	61,500	67,000								
23		53,000	57,500	62,500	68,000								
24		54,000	58,000	63,000	68,500	74,000							
25		54,500	58,500	63,500	69,000	74,500							

WHEN NO ALLOWABLE WEIGHT IS
LISTED FOR ANY AXLE SPACING,
APPLY THE ALLOWABLE WEIGHT
AS LISTED IN THE FIRST COLUMN
TO THE LEFT

1	2	Maximum load in pounds carried on any group of 2																
3	4	or more consecutive axles																
5	6	7	8	9	10	11	12	13	14	15	16	17						
18	19	20	21	22	23	24	25	26	27	28	29	30						
Distance in	feet between	the extremes	of any group	of 2 or more	consecutive	axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
26				55,500	59,500	64,000	69,500	75,000										
27				56,000	60,000	65,000	70,000	75,500										
28				57,000	60,500	65,500	71,000	76,500	82,000									
29				57,500	61,500	66,000	71,500	77,000	82,500									
30				58,500	62,000	66,500	72,000	77,500	83,000									
31				59,000	62,500	67,500	72,500	78,000	83,500									
32				60,000	63,500	68,000	73,000	78,500	84,500	90,000								
33					64,000	68,500	74,000	79,000	85,000	90,500								
34					64,500	69,000	74,500	80,000	85,500	91,000								
35					65,500	70,000	75,000	80,500	86,000	91,500								
36					66,000	70,500	75,500	81,000	86,500	92,000	98,000							
37					66,500	71,000	76,000	81,500	87,000	93,000	98,500							
38					67,500	71,500	77,000	82,000	87,500	93,500	99,000							
39					68,000	72,500	77,500	82,500	88,500	94,000	99,500							
40					68,500	73,000	78,000	83,500	89,000	94,500	100,000	106,000						
41					69,500	73,500	78,500	84,000	89,500	95,000	100,500	106,500						
42					70,000	74,000	79,000	84,500	90,000	95,500	101,000	107,000						
43					70,500	75,000	80,000	85,000	90,500	96,000	102,000	107,500						
44					71,500	75,500	80,500	85,500	91,000	96,500	102,500	108,000	114,000					
45					72,000	76,000	81,000	86,000	91,500	97,500	103,000	108,500	114,500					
46					72,500	76,500	81,500	87,000	92,500	98,000	103,500	109,000	115,000					
47					73,500	77,500	82,000	87,500	93,000	98,500	104,000	110,000	115,500					
48					74,000	78,000	83,000	88,000	93,500	99,000	104,500	110,500	116,000	122,000				

1	Distance in	Maximum load in pounds carried on any group of 2											
2	feet between	or more consecutive axles											
3	the extremes												
4	of any group												
5	of 2 or more												
6	consecutive												
7	axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
8	49			74,500	78,500	83,500	88,500	94,000	99,500	105,000	111,000	116,500	122,500
9	50			75,500	79,000	84,000	89,000	94,500	100,000	105,500	111,500	117,000	123,000
10	51			76,000	80,000	84,500	89,500	95,000	100,500	106,000	112,000	118,000	123,500
11	52			76,500	80,500	85,000	90,500	95,500	101,000	107,000	112,500	118,500	124,000
12	53			77,500	81,000	86,000	91,000	96,500	102,000	107,500	113,000	119,000	124,500
13	54			78,000	81,500	86,500	91,500	97,000	102,500	108,000	113,500	119,500	125,000
14	55			78,500	82,500	87,000	92,000	97,500	103,000	108,500	114,000	120,000	125,500
15	56			79,500	83,000	87,500	92,500	98,000	103,500	109,000	115,000	120,500	126,000
16	57			80,000	83,500	88,000	93,000	98,500	104,000	109,500	115,500	121,000	127,000
17	58				84,000	89,000	94,000	99,000	104,500	110,000	116,000	121,500	127,500
18	59				85,000	89,500	94,500	99,500	105,000	110,500	116,500	122,000	128,000
19	60				85,500	90,000	95,000	100,500	105,500	111,000	117,000	122,500	128,500
20	61				86,000	90,500	95,500	101,000	106,000	112,000	117,500	123,000	129,000
21	62				87,000	91,000	96,000	101,500	107,000	112,500	118,000	124,000	
22	63				87,500	92,000	96,500	102,000	107,500	113,000	118,500	124,500	
23	64				88,000	92,500	97,500	102,500	108,000	113,500	119,000	125,000	
24	65				88,500	93,000	98,000	103,000	108,500	114,000	119,500	125,500	
25	66				89,500	93,500	98,500	103,500	109,000	114,500	120,000	126,000	
26	67				90,000	94,000	99,000	104,500	109,500	115,000	121,000	126,500	
27	68				90,500	95,000	99,500	105,000	110,000	115,500	121,500	127,000	
28	69				91,000	95,500	100,000	105,500	111,000	116,000	122,000	127,500	
29	70				92,000	96,000	101,000	106,000	111,500	117,000	122,500	128,000	
30	71				92,500	96,500	101,500	106,500	112,000	117,500	123,000	128,500	

1	Distance in	Maximum load in pounds carried on any group of 2											
2	feet between	or more consecutive axles											
3	the extremes												
4	of any group												
5	of 2 or more												
6	consecutive												
7	axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
8	72				93,000	97,000	102,000	107,000	112,500	118,000	123,500	129,000	
9	73				93,500	98,000	102,500	107,500	113,000	118,500	124,000		
10	74				94,500	98,500	103,000	108,000	113,500	119,000	124,500		
11	75				95,000	99,000	103,500	109,000	114,000	119,500	125,000		
12	76				95,500	99,500	104,500	109,500	114,500	120,000	126,000		
13	77				96,000	100,000	105,000	110,000	115,000	120,500	126,500		
14	78				97,000	101,000	105,500	110,500	116,000	121,000	127,000		
15	79				97,500	101,500	106,000	111,000	116,500	122,000	127,500		
16	80				98,000	102,000	106,500	111,500	117,000	122,500	128,000		
17	81				98,500	102,500	107,000	112,000	117,500	123,000	128,500		
18	82				99,000	103,000	108,000	113,000	118,000	123,500	129,000		
19	83				100,000	104,000	108,500	113,500	118,500	124,000			
20	84					104,500	109,000	114,000	119,000	124,500			
21	85					105,000	109,500	114,500	120,000	125,000			
22	86					105,500	110,000	115,000	120,500	125,500			
23	87					106,000	111,000	115,500	121,000	126,000			
24	88					107,000	111,500	116,000	121,500	127,000			
25	89					107,500	112,000	117,000	122,000	127,500			
26	90					108,000	112,500	117,500	122,500	128,000			
27	91					108,500	113,000	118,000	123,000	128,500			
28	92					109,000	113,500	118,500	123,500	129,000			
29	93					110,000	114,000	119,000	124,000				
30	94					110,500	115,000	119,500	125,000				

1	Distance in	Maximum load in pounds carried on any group of 2											
2	feet between	or more consecutive axles											
3	the extremes												
4	of any group												
5	of 2 or more												
6	consecutive												
7	axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
8	95					111,000	115,500	120,000	125,500				
9	96					111,500	116,000	121,000	126,000				
10	97					112,000	116,500	121,500	126,500				
11	98					113,000	117,000	122,000	127,000				
12	99					113,500	118,000	122,500	127,500				
13	100					114,000	118,500	123,000	128,000				
14	101					114,500	119,000	123,500	129,000				

1 (a) A public highway agency may limit the application of the weights
 2 authorized in this section as to certain highways within its jurisdic-
 3 tion which it determines have limited structural capacity of pavements,
 4 bridges, or other appurtenances. In designating such highways, it may
 5 specify a minimum wheelbase for combinations to be operated thereon. It
 6 may also designate specific highways or portions on which operation of a
 7 combination of vehicles with seven (7) through thirteen (13) axles will
 8 be subject to specified lesser allowable gross weights.

9 (b) Notwithstanding the figures shown in the table in this subsection
 10 (1), two (2) consecutive sets of tandem axles may carry a gross load of
 11 thirty-four thousand (34,000) pounds each, providing the overall dis-
 12 tance between the first and last axles of such consecutive sets of tan-
 13 dem axles is thirty-six (36) feet or more.

14 (c) Vehicles may operate with reducible loads at gross weights greater
 15 than one hundred five thousand five hundred (105,500) pounds but not
 16 exceeding one hundred twenty-nine thousand (129,000) pounds on nonin-
 17 terstate highways in accordance with the provisions of section 49-1004,
 18 Idaho Code, provided such vehicles are in compliance with the weight
 19 formula specified in this subsection (1) of this section, have reg-
 20 istered and have paid the registration fees as specified in section
 21 49-434, Idaho Code, and are in compliance with the length restrictions
 22 set forth in section 49-1010 (7), Idaho Code.

23 (2) The weight limitations set forth in the table in subsection (1) of
 24 this section shall not apply to any vehicle, or combination of vehicles when
 25 a greater allowed weight in pounds would be permitted such vehicles under the
 26 table provided in this subsection, except that with regard to transportation
 27 on the United States federal interstate and defense highways of this state,
 28 the following table of allowable weights shall apply only to vehicles en-
 29 gaged in the transportation of logs, pulp wood, stull, rough lumber, poles
 30 or piling; or to any such vehicle engaged in the transportation of ores, con-
 31 centrates, sand and gravel and aggregates thereof, in bulk; or to any such
 32 vehicle engaged in the transportation of agricultural commodities, includ-
 33 ing livestock:

34 Distance in feet between	35 Allowed Load in Pounds	
	36 Vehicles with	36 Vehicles with
36 the extremes of any group	Three or Four	Five or more
36 of 2 or more consecutive		
37 axles	axles	axles
38 3 through 12	37,800	37,800
39 13	56,470	56,470
40 14	57,940	57,940
41 15	59,400	59,400
42 16	60,610	60,610
43 17	61,820	61,820
44 18	63,140	63,140
45 19	64,350	64,350
46 20	65,450	65,450

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
21	66,000	66,330
22	66,000	67,250
23	66,000	67,880
24	66,000	68,510
25	66,000	69,150
26	66,000	69,770
27	66,000	70,400
28	66,000	70,950
29	66,000	71,500
30	66,000	72,050
31		72,600
32		73,150
33		73,700
34		74,250
35		74,800
36		75,350
37		75,900
38		76,450
39		77,000
40		77,550
41		78,100
42		78,650
43 and over		79,000

The weight allowances provided in this subsection do not apply if the total gross weight of a vehicle or combination of vehicles is intended to exceed seventy-nine thousand (79,000) pounds as declared by the operator. When the provisions of this subsection are applicable to a vehicle or combination of vehicles, it shall be a violation of the provisions of this subsection if that vehicle or combination of vehicles exceeds the weights specified in this table.

(3) In determining the gross weight of a vehicle or the gross weight of any two (2) or more consecutive axles under subsection (1) or (2) or (9) of this section, the total gross weight of the vehicle or combination of vehicles or the gross weight of any two (2) or more consecutive axles shall be the sum of the axle weights.

For the purposes of this chapter the gross weight of a vehicle or the gross weight of any two (2) or more consecutive axles may be determined by accumulatively adding the separate weights of individual axles and tandem axles or groups of axles to determine gross weight. The results of any weigh-

1 ing at a temporary or permanent port of entry and the records relating to the
2 calibration and accuracy of any scale at a temporary or permanent port of en-
3 try shall be admissible in any proceeding in this state. In order to prove a
4 violation of the provisions of this section the state must show that:

5 (a) The sum of the axle weights exceeds what is allowable under the pro-
6 visions of subsection (1) or (2) or (9) of this section;

7 (b) The scale involved in the weighing was at the time of weighing cali-
8 brated in conformity with and met the accuracy requirements of the stan-
9 dards for the enforcement of traffic and highway laws as set forth in the
10 latest edition of handbook 44 of the national institute of standards and
11 technology;

12 (c) Weights of individual axles or axles within a commonly suspended
13 group of axles supported by a mechanical system designed to distribute
14 equal wheel loads to individual axles in the group were utilized only
15 to determine gross weights of that group of axles, and that any further
16 evaluation of gross weights of combinations of axles considered only
17 the accumulated gross weight of each such commonly suspended group of
18 axles.

19 (4) In applying the weight limitations imposed in this section, a vehi-
20 cle or combination of vehicles must comply exclusively with the weight limi-
21 tations in either subsection (1) or (2) or (9) of this section.

22 (5) In applying the weight limitations imposed in this section, the
23 distance between axles shall be measured to the nearest even foot. When a
24 fraction is exactly one-half (1/2) foot the next larger whole number shall
25 be used.

26 (6) The limitations imposed in this section are in addition and suppl-
27 mental to all other laws imposing limitations upon the size and weight of ve-
28 hicles. Further, single axles within groups of axles are subject to the pro-
29 visions and limitations of this chapter. Single axles within groups of axles
30 may be weighed and evaluated separately.

31 (7) Notwithstanding the other provisions of this chapter, no vehicle,
32 motor vehicle, trailer and/or semitrailer, or combination thereof, may be
33 operated on the public highways of the state under loads which would result
34 in the withholding of funds by operation of controlling federal law as pro-
35 vided in the Federal Aid Highway Act of 1956, as amended.

36 (8) Except as provided herein, no vehicle or combination of vehicles
37 may proceed past the place of weighing at temporary or permanent ports of
38 entry or checking stations when: the weight of a single axle exceeds the
39 maximum limitations set forth herein by two thousand (2,000) pounds or more;
40 the weight of a combination of axles, or gross vehicle weight exceeds the
41 maximum allowable weight as set forth herein by seven percent (7%) or more.
42 Vehicles or combinations of vehicles which exceed the weight limitations set
43 forth herein shall be required to be brought into compliance with applicable
44 weight limitations contained within this subsection at the place of weighing
45 prior to continuing, except those vehicles or combinations of vehicles which
46 are transporting loads which, in the determination of the board or other
47 proper authorities in charge of or having jurisdiction over a highway, are
48 deemed unsafe or impractical to bring into compliance at the place of weigh-
49 ing, and except those vehicles which do not exceed fifteen percent (15%) over
50 maximum axle and axle group weights set forth in this section. Vehicles or

1 combinations of vehicles transporting loads in this latter category shall
 2 obtain a travel authorization to the nearest place of safe unloading, load
 3 adjustment or other means of legalization.

4 (a) Neither the state of Idaho or its employees, nor any authority and
 5 its employees in charge of or having jurisdiction over a highway, shall
 6 be held liable for personal injury or property damage resulting from the
 7 requirements of section 49-1001(8), Idaho Code.

8 (b) The fee for a travel authorization as set forth above shall be fifty
 9 dollars (\$50.00) and shall be on a form prescribed by the board or other
 10 proper authorities, and shall not be construed as contributing to a re-
 11 duction in the penalties prescribed in section 49-1013, Idaho Code.

12 (c) The board or other proper authorities in charge of or having juris-
 13 diction over a highway shall adopt and enforce administrative rules as
 14 may be necessary to carry out the provisions of this section.

15 (9) For vehicles on all highways except the United States federal in-
 16 terstate and defense highways of this state, the following table shall ap-
 17 ply:

18	Distance in feet between 19 the extremes of any group 20 of 2 or more consecutive 21 axles	Allowed Load in Pounds	
		22 Vehicles with 23 Three or Four 24 axles	25 Vehicles with 26 Five or more 27 axles
28	3 through 12	37,800	37,800
29	13	56,470	56,470
30	14	57,940	57,940
31	15	59,400	59,400
32	16	60,610	60,610
33	17	61,820	61,820
34	18	63,140	63,140
35	19	64,350	64,350
36	20	65,450	65,450
37	21	66,000	66,330
38	22	66,000	67,250
39	23	66,000	67,880
40	24	66,000	68,510
41	25	66,000	69,150
42	26	66,000	69,770
43	27	66,000	70,400
	28	66,000	70,950
	29	66,000	71,500
	30	66,000	72,050
	31		72,600
	32		73,150
	33		73,700

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
34		74,250
35		74,800
36		75,350
37		75,900
38		76,450
39		77,000
40		77,550
41		78,100
42		78,650
43 and over		80,000

The weight allowances provided in this subsection do not apply if the total gross weight of a vehicle or combination of vehicles is intended to exceed eighty thousand (80,000) pounds as declared by the operator. When the provisions of this subsection are applicable to a vehicle or combination of vehicles, it shall be a violation of the provisions of this subsection if that vehicle or combination of vehicles exceeds the weights specified in this table.

~~(10) When owned by or under contract to or under authority of a city, county, or state agency, refuse/sanitation trucks transporting refuse may be operated on public highways in accordance with the weights allowed in subsection (9) of this section, except that such trucks equipped with single rear axles are allowed twenty-four thousand (24,000) pounds on that single rear axle when specifically authorized by the public highway agency governing the highways over which the refuse/sanitation truck is operating and provided the following conditions are met:~~

~~(a) The weight allowances provided for in this subsection shall not apply to the United States federal interstate and defense highways of the state; and~~

~~(b) The owner or operator has paid an annual operating fee for a permit, not to exceed fifty dollars (\$50.00) per refuse/sanitation truck to each public agency governing the public highways over which the refuse/sanitation truck operates. The permit shall be carried in the refuse/sanitation truck. The permit fee may be waived by a public agency for refuse/sanitation trucks operated over public highways under that agency's jurisdiction.~~

~~(11) Variable load suspension axles shall meet the following criteria in order to be included in the computation of gross vehicle or axle weight limits for vehicles under the provisions of this section:~~

~~(a) The deployment control switch for such axles may be located inside of the driver's compartment but the pressure regulator valve for the operation of pressure on the pavement shall be located outside of and inaccessible to the driver's compartment.~~

1 (b) The manufacturer's gross axle weight rating of each such axle must
2 not be less than the actual loading of the axle.

3 (c) All variable load suspension axles shall be designed to be
4 self-steering; provided however, variable load suspension axles that
5 are within sixty (60) inches of a drive axle or are within sixty (60)
6 inches of a trailer axle, need not be self-steering.

7 (d) The manufacturer's gross tire weight rating of each tire must not be
8 less than the actual loading of the tire.

9 (e) Variable load suspension axles must be fully deployed or fully
10 raised. For applicable definitions, see sections 49-117 and 49-123,
11 Idaho Code.

12 (121) Any person who operates a motor vehicle with a variable load sus-
13 pension axle in violation of the provisions of this section shall be subject
14 to the penalties provided in section 49-1013, Idaho Code.

15 SECTION 3. That Section 49-1011, Idaho Code, be, and the same is hereby
16 amended to read as follows:

17 49-1011. EXCEPTION TO WEIGHT AND SIZE LIMITATIONS. (1) If federal law
18 permits the several states to establish size and weight limits in excess of
19 those prescribed in sections 49-1001 and 49-1010, Idaho Code, the board,
20 as provided in subsection (2) of this section, may authorize the movement
21 on highways under its jurisdiction of vehicles, motor vehicles, trailers
22 and/or semitrailers, or combinations thereof, of a size or weight in excess
23 of the limits prescribed in sections 49-1001 and 49-1010, Idaho Code, but
24 within the limits necessary to qualify for federal-aid highway funds.

25 (2) The authority granted the board by the provisions of this section
26 shall be exercised by adoption of rules or regulations pursuant to section
27 40-312, Idaho Code, or by issuance of permits pursuant to section 49-1004,
28 Idaho Code, except that the maximum size and weight limits authorized in this
29 section apply.

30 (3) Vehicles owned and operated by a farmer or designated agents trans-
31 porting agricultural products or refuse/sanitation trucks when owned by,
32 under contract to or under authority of a city, county or state agency trans-
33 porting refuse may be operated on any highway, except a highway that is part
34 of the federal-aid interstate system, up to two thousand (2,000) pounds
35 in excess of any axle, bridge or gross vehicle weight limit established in
36 section 49-1001, Idaho Code, as determined by the vehicle operator. Such
37 extra weight shall not apply to posted bridge weights or other seasonal or
38 temporary weight limit postings.

39 SECTION 4. An emergency existing therefor, which emergency is hereby
40 declared to exist, this act shall be in full force and effect on and after its
41 passage and approval.