

STATE OF CONNECTICUT,

Bill No. 2574Page 1 of 3Introduced by Senator Burke, 3rd District Date _____Ref. to Committee on Transportation

General Assembly,

January Session, A. D., 19 _____

AN ACT CONCERNING OPERATING OVERWEIGHT COMMERCIAL VEHICLES. HIGHWAY WEIGHING REQUIRED. PENALTY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 14-267 of the 1969 supplement to the general statutes is repealed and the following is substituted in lieu thereof: (a) No person shall operate any commercial motor vehicle, nor shall the owner of any commercial motor vehicle allow such motor vehicle to be operated, on any public highway or bridge, when the combined weight of vehicle and load exceeds by two per cent or more the gross weight as registered with the department of motor vehicles, the tire capacity or axle loads ((as registered with the department of motor vehicles)) permitted by statute, except that the registered gross vehicle weight plus two per cent shall not exceed seventy-three thousand pounds, or as provided by statute, or, in the case of a vehicle registered in any other state or country, as so registered or provided in such state or country or as designated as legal for a like motor vehicle of Connecticut registration, whichever is the lesser, without a written permit from the commissioner of transportation, as provided in section 14-270, which shall prescribe the condition under which the same shall be operated. Any person who violates the provision of this section shall be fined as follows: For a violation of the axle weight

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limitations, for the first two thousand (2,000) pounds or any part thereof, five cents (5¢) per pound; for any excess over two thousand pounds, ten cents (10¢) per pound. For a violation of the gross weight limitations, for the first one thousand (1,000) pounds or any part thereof, three cents (3¢) per pound; for the next two thousand (2,000) pounds or any part thereof, five cents (5¢) per pound; and for each additional pound, ten cents (10¢) per pound. ((If the overweight does not exceed five per cent, not less than one nor more than two dollars per hundred pounds of overweight; if the overweight exceeds five per cent but does not exceed ten per cent, not less than two nor more than three dollars per hundred pounds of overweight; if the overweight exceeds ten per cent but does not exceed fifteen per cent, not less than three nor more than four dollars per hundred pounds of overweight; if the overweight exceeds fifteen per cent but does not exceed twenty per cent, not less than five nor more than six dollars per hundred pounds of overweight; if the overweight exceeds twenty per cent but does not exceed twenty-five per cent, not less than seven nor more than eight dollars per hundred pounds of overweight; if the overweight exceeds twenty-five per cent, not less than nine nor more than ten dollars per hundred pounds of overweight, and, upon)) Upon any conviction for such violation, the motor vehicle commissioner or the commissioner of transportation may, in his discretion, demand of the owner of such motor vehicle a bond, with sufficient surety, to the state, in the sum of not less than five hundred dollars, which bond shall be forfeited to the state upon a second conviction for the violation of the provision of this section. The motor vehicle commissioner may revoke the registration of any commercial motor vehicle so operated and may refuse to issue a registration

for such motor vehicle during such time as he deems reasonable. (b) For the purpose of enforcing the provisions of this section, any state police officer or state transportation department employee designated by the commissioner of transportation may require the driver to stop and submit to a weighing by means of either portable or stationary scales and may require that such vehicle be driven to the nearest scale. (c) Whenever signs are displayed, on a public highway, indicating that a scale is in operation, and directing the driver of a commercial vehicle to stop at the weighing area, he shall do so and, in accordance with the directions of any state police officer or designated state transportation department employee, shall allow his vehicle to be weighed. (d) Whenever such an official, upon weighing a vehicle and load, determines that the weight is unlawful, such official may require the driver to remove from the vehicle that portion of the load that may be necessary to reduce the gross weight of such vehicle to the limits permitted under this chapter. Any property so unloaded shall be stored or cared for by the owner or operator of the overweight vehicle at the risk of such owner or operator. (e) Any driver of a vehicle who, fails or refuses to comply with the provisions of this section, or fails or refuses when directed by such official upon a weighing of the vehicle to comply with his directions shall be fined not less than one hundred dollars nor more than two hundred dollars for the first offense and not less than two hundred dollars nor more than five hundred dollars for each subsequent offense.

Sec. 2. This act shall take effect July 1, 1971.

STATEMENT OF PURPOSE: To provide (1) equal fines for all violators rather than a range, (2) a simpler means of computing fines and (3) to recognize that axle load violations differ from gross load violations.