

39:3-20 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 39:3-20 et al

(Vehicles - dimension and weight limitations-various amendments)

LAWS OF: 1983

CHAPTER: 349

Bill No: A3003

Sponsor(s): Markert and others

Date Introduced: January 11, 1983

Committee:

Assembly: Transportation and Communications

Senate: -----

Amended during passage: YES
According to Governor's recommendations

Amendments during passage denoted by asterisks. Substituted for S3015 (not attached since identical to A3003 - Senate Committee Statement to S3015 attached)

Date of Passage:

Assembly: March 14, 1983 Re-enacted 6/16/83

Senate: March 30, 1983 Re-enacted 9/15/83

Date of Approval: September 22, 1983

Following statements are attached if available:

Sponsor statement: YES

Committee statement: Assembly YES

Senate NO

Fiscal Note: NO

Veto Message: YES

Message on Signing: NO

Following were printed:

Reports: NO

Hearings: NO

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ASSEMBLY, No. 3003

STATE OF NEW JERSEY

INTRODUCED JANUARY 11, 1983

By Assemblymen MARKERT, COWAN, T. GALLO, GILL,
BRYANT, FELICE and KOSCO

AN ACT concerning the application and enforcement of the dimensional and weight limitations of certain vehicles or combinations thereof, and amending R. S. 39:3-20, R. S. 39:3-84, P. L. 1950, c. 142 and repealing P. L. 1973, c. 273.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. R. S. 39:3-20 is amended to read as follows:

2 39:3-20. For the purpose of this act gross weight means the
3 weight of ***[both]*** the vehicle ***[and its]*** **or combination of ve-*
3A *hicles, including** load **or contents**. a. The director is authorized
4 to issue registrations for commercial motor vehicles other than
5 omnibuses or motor-drawn vehicles upon application therefor and
6 payment of a fee based on the gross weight of the vehicle including
7 the gross weight of all vehicles in any combination of vehicles of
8 which the commercial motor vehicle is the drawing vehicle. The
9 gross weight of a disabled commercial vehicle or combination of
10 disabled commercial vehicles being removed from a highway shall
11 not be included in the calculation of the registration fee for the
12 drawing vehicle.

13 Except as otherwise provided in this subsection, every registra-
14 tion for a commercial motor vehicle other than an omnibus or
15 motor-drawn vehicle shall expire and the certificate thereof shall
16 become void on the last day of the eleventh calendar month follow-
17 ing the month in which the certificate was issued. The minimum
18 registration fee shall be \$50.00 plus \$8.50 for each 1,000 pounds
19 or portion thereof in excess of 5,000 pounds.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly amendments adopted March 14, 1983.

**—Assembly amendments adopted in accordance with Governor's recom-
mendations April 25, 1983.

20 Commercial motor vehicles other than omnibuses or motor-drawn
21 vehicles for which commercial motor vehicle registrations had been
22 issued prior to the effective date of this act and which expire March
23 31, 1982 shall be issued commercial registrations which, in the
24 director's discretion, shall expire on a date to be fixed by him, which
25 date shall not be sooner than four months nor later than 16 months
26 following the date of issuance of the registration. The fees for such
27 registrations shall be fixed by the director in amounts proportion-
28 ately less or greater than the fees established by this subsection.

29 b. The director is also authorized to issue registration for com-
30 mercial motor vehicles having three or more axles and a gross
31 weight over 40,000 pounds but not exceeding 70,000 pounds, upon
32 application therefor and proof to the satisfaction of the director
33 that the applicant is actually engaged in construction work or in
34 the business of supplying material, transporting material, or using
35 such registered vehicle for construction work.

36 Except as otherwise provided in this subsection, every registra-
37 tion for these commercial motor vehicles shall expire and the cer-
38 tificate thereof shall become void on the last day of the eleventh
39 calendar month following the month in which the certificate was
40 issued.

41 The registration fee shall be *~~[\$10.00]~~* *\$16.00* for each 1,000
42 pounds or portion thereof of gross weight including the gross weight
43 of all vehicles in any combination of which such commercial motor
44 vehicle is the drawing vehicle. "Constructor" registrations issued
45 prior to the effective date of this act which expire June 30, 1982 shall
46 be issued contractor vehicle registrations which, in the director's
47 discretion, shall expire on a date to be fixed by him, which date
48 shall not be sooner than four months nor later than 16 months
49 following the date of issuance of the registration. The fees for the
50 registration shall be fixed by the director in amounts proportion-
51 ately less or greater than the fees established by this subsection.

52 Such commercial motor vehicle shall be operated in compliance
53 with the speed limitations of Title 39 of the Revised Statutes and
54 shall not be operated at a speed greater than 30 miles per hour
55 when one or more of its axles has a load which exceeds the limita-
56 tions prescribed in R. S. 39:3-84.

57 c. The director is also authorized to issue registrations for each
58 of the following solid waste vehicles: two-axle vehicles having a
59 gross weight not exceeding 42,000 pounds; tandem three-axle and
60 four-axle vehicles having a gross weight not exceeding 60,000
61 pounds; four-axle tractor-trailer combination vehicles having a
62 gross weight not exceeding 60,000 pounds. Registration is based

63 upon application to the director and proof to his satisfaction that
64 the applicant is actually engaged in the performance of solid waste
65 disposal or collection functions and holds a certificate of convenience and necessity therefor issued by the Board of Public
66 Utilities.
67

68 Except as otherwise provided in this subsection, every registration
69 for a solid waste vehicle shall expire and the certificate thereof
70 shall become void on the last day of the eleventh calendar month
71 following the month in which the certificate was issued.

72 The registration fee shall be \$50.00 plus \$8.50 for each 1,000
73 pounds or portion thereof in excess of 5,000 pounds.

74 Solid waste vehicles for which commercial motor vehicles registrations had been issued prior to the effective date of this act and
75 which shall expire June 30, 1982 shall be issued solid waste registrations which, in the director's discretion, shall expire on a date
76 to be fixed by him, which date shall not be sooner than four months
77 or later than 16 months following the date of issuance of the registration. The fees for the registration shall be fixed by the director
78 in amounts proportionately less or greater than the fees established
79 by this subsection.
80
81
82

83 d. The director is also authorized to issue registrations for commercial motor-drawn vehicles upon application therefor. The
84 registration year for commercial motor-drawn vehicles shall be
85 April 1 to the following March 31 and the fee therefor shall be
86 \$18.00 for each such vehicle.
87

88 At the discretion of the director, an applicant for registration
89 for a commercial motor-drawn vehicle may be provided the option
90 of registering such vehicle for a period of four years. In the event
91 that the applicant for registration exercises the four-year option,
92 a fee of \$64.00 for each such vehicle shall be paid to the director in
93 advance.

94 If any commercial motor-drawn vehicle registered for a four-year
95 period is sold or withdrawn from use on the highways, the director
96 may, upon surrender of the vehicle registration and plate, refund
97 \$16.00 for each full year of unused prepaid registration.

98 e. It shall be unlawful for any vehicle or combination of vehicles
99 registered under this act having a gross weight, *including load or*
100 *contents*, in excess of the gross weight provided on the registration
101 certificate to be operated on the highways of this State.

102 [In the event that a commercial motor vehicle registered under
103 this act is found on a highway in combination with a commercial
104 motor-drawn vehicle properly registered in any other state, federal district or Canadian province which imposes registration
105

106 weight fees on such commercial motor-drawn vehicles, the drawing
 107 vehicle registered under this act shall have a gross weight regis-
 108 tration equal to at least one-half of the gross weight of the com-
 109 bination of vehicles. If it does not, the operation of said vehicles
 110 on the highways of this State shall be unlawful.

111 The 5% allowance provided by section 5 of P. L. 1950, c. 142
 112 (C. 39:3-84.3) shall be applicable as heretofore to all registered
 113 weight limitations provided in this section, except that in no event
 114 shall the gross weight of any vehicle or combination of vehicles
 115 exceed the federal maximum as such may be amended from time
 116 to time established for vehicles operated on the National System
 117 of Interstate and Defense Highways. In the case of a commercial
 118 motor vehicle registered under this act in combination with a
 119 commercial motor-drawn vehicle properly registered in any other
 120 state, federal district or Canadian province which imposes regis-
 121 tration weight fees on such commercial motor-drawn vehicles, the
 122 5% allowance shall be applied and added to the registered weight
 123 of the drawing vehicle registered under this act. If the resulting
 124 sum is equal at least to one-half of the combined gross weight of the
 125 mixed combination, then the mixed combination shall be in com-
 126 pliance with the registration requirements of this section.】

127 *The owner, lessee, bailee or any one of the aforesaid of a vehicle*
 128 *or combination of vehicles, including load or contents, found or*
 129 *operated on any public road, street or highway or on any public or*
 130 *quasi-public property in this State with a gross weight of that*
 131 *vehicle or combination of vehicles, including load or contents, in*
 132 *excess of the weight limitation permitted by the certificate of reg-*
 133 *istration for the vehicle or combination of vehicles, pursuant to the*
 134 *provisions of this section shall be *【fined】* *assessed a penalty of**
 135 *\$50.00 plus an amount equal to \$8.50 for each 1,000 pounds or frac-*
 136 *tional portion of 1,000 pounds of weight in excess of the weight*
 137 *limitation permitted by the certificate of registration for that vehi-*
 138 *cle or combination of vehicles. A vehicle or combination of vehicles*
 139 *for which there is no valid certificate of registration is deemed to*
 140 *have been registered for zero pounds for the purposes of the en-*
 141 *forcement of this act in addition to any other violation of this Title,*
 142 *but is not deemed to be lawfully or validly registered pursuant to*
 143 *the provisions of this Title.*

144 Moneys realized from the increase of the fees for registrations
 145 issued pursuant to the provisions of this act shall be paid into the
 146 State Treasury and credited to the General State Fund and avail-
 147 able for general State purposes.

148 This section shall not be construed to supersede or repeal the
149 provisions of sections 39:3-84, 39:4-75, or 39:4-76 of this Title.

1 2. R. S. 39:3-84 is amended to read as follows:

2 39:3-84. a. *The following constitute the maximum dimensional*
3 *limits for width, height and ***[overall]*** length for any vehicle or*
3A *combination of vehicles, including load or contents *or any part or*
3B *portion thereof*, found or operated on any public road, street or*
3C *highway or any public or quasi-public property in this State. Vio-*
3D *lations shall be enforced pursuant to subsection ***[h.]*** *i.* of*
3E *section ***[4 of this 1983 amendatory act]*** *5 of P. L. 1950, c. 142*
4 *(C. 39:3-84.3)*.*

5 **The dimensional limitations set forth in this subsection are ex-*
5A *clusive of safety and energy conservation devices necessary for*
5B *safe and efficient operation of a vehicle or combination of vehicles,*
5C *including load or contents, except that no device excluded herein*
5D *shall have by its design or use the capability to carry, transport or*
5E *otherwise be utilized for cargo.*

5F *Any rules and regulations authorized to be promulgated pursuant*
5G *to this subsection shall be consistent with any rules and regulations*
6 *promulgated by the Secretary of Transportation of the United*
6A *States of America, and shall be in accordance with the provisions*
6B *of the "Administrative Procedure Act," P. L. 1968, c. 410*
6C *(C. 52:14B-1 et seq.). In addition to the other requirements of*
6D *this subsection and notwithstanding any other provision of this*
6E *Title, no vehicle or combination of vehicles, including load or con-*
6F *tents or any part or portion thereof, except as otherwise pro-*
6G *vided by this subsection shall be operated in this State, unless by*
7 *special permit authorized by subsection d. of this section with a*
7A *dimension the allowance of which would disqualify the State of New*
7B *Jersey or any department, agency or governmental subdivision*
7C *thereof for the purpose of receiving federal highway funds.*

7D *As used herein and pursuant to R. S. 39:1-1, the term "vehicle"*
7E *includes, but is not limited to, commercial motor vehicles, trucks,*
7F *truck tractors, tractors, road tractors, or omnibuses. As used*
7G *herein and pursuant to R. S. 39:1-1, the term "combination of ve-*
7H *hicles" includes, but is not limited to, vehicles as heretofore desig-*
7I *nated, when those vehicles are the drawing or power unit of a*
7J *combination of vehicles and motor-drawn vehicles such as, but not*
7K *limited to, trailers, semi-trailers, or other vehicles.**

8 ****[(1)** No commercial motor vehicle, tractor, trailer or semitrailer*
9 *shall be operated on any highway in this State the outside width of*
10 *which is more than 96 inches, inclusive of load, or the height of*
11 *which exceeds 13½ feet, inclusive of load, and no commercial motor*

12 vehicle, tractor or trailer shall be operated on any highway in this
13 State, the extreme overall length of which exceeds 35 feet either
14 for a two-axle four-wheeled vehicle, inclusive of load, or 35 feet
15 either for a three-axle six-wheeled vehicle, inclusive of load, except
16 that a vehicle or vehicle inclusive of load exceeding the above
17 limitations may be operated when a special permit so to operate is
18 secured in advance from the director. The application for such
19 permit shall be accompanied by a fee fixed by the director. A
20 special permit issued by the director shall be in the possession of
21 the operator of the vehicle for which such permit was issued. In
22 computing any dimensions of a vehicle, or vehicle and load, for the
23 purposes of this section, there shall not be included in the dimen-
24 sional limitations safety appliances such as mirrors or lights, or
25 chains or similar fasteners used for the securing of cargo, provided
26 such appliances or fasteners do not exceed the overall limitations
27 established by the director by rule or regulation.

28 (2) In the case of an omnibus the maximum width and length
29 dimensions shall be such as the Board of Public Utility Commis-
30 sioners prescribe, but no outside width in excess of 96 inches shall
31 be prescribed with respect to one or more highways specified or
32 otherwise described except upon certifications, (1) of the Division
33 of Motor Vehicles in the Department of Law and Public Safety
34 that the proposed width is not unsafe for use on the highways in
35 this State and (2) of the State Department of Transportation that
36 the proposed width, if in excess of 96 inches, is not in conflict with
37 the requirements of any agency of the United States having
38 jurisdiction over the National System of Interstate and Defense
39 Highways authorized by law. No outside width so prescribed shall
40 be valid if the allowance of use of the same would disqualify the
41 State of New Jersey or any department, agency or governmental
42 subdivision thereof for the purpose of receiving federal highway
43 funds.

44 (3) In the case of farm tractors and traction equipment and farm
45 machinery and implements, the maximum width and length shall
46 be such as the Director of the Division of Motor Vehicles shall
47 prescribe by uniform rules and regulations but the operation of
48 such vehicles shall be subject to the provisions of section 39:3-24
49 of this Title and any such vehicle shall not be operated on any
50 highway which is part of the National System of Interstate and
51 Defense Highways or on any highway which has been designated
52 a freeway or parkway as provided by law.

53 (4) In the case of commercial motor vehicles, trailers and semi-
54 trailers including farm trucks, while loaded with hay or straw the
55 maximum width of the load shall not exceed 105½ inches.

56 (5) No commercial motor vehicle drawing or having attached
 57 thereto any other such vehicle, nor any combination of vehicles,
 58 shall be operated on any highway in this State, in excess of a total
 59 overall length, inclusive of load, of 55 feet except a vehicle or a
 60 combination of vehicles transporting poles, pilings, structural units
 61 or other articles incapable of dismemberment the total overall
 62 length of which, inclusive of load, shall not exceed 70 feet, but the
 63 provisions of this paragraph shall not apply to a vehicle nor to any
 64 combination of vehicles, operated by a public utility as defined in
 65 R. S. 48:2-13 which vehicle or combination of vehicles is used by
 66 such public utility in the construction, reconstruction, repair or
 67 maintenance of its property or facilities.

68 (6) Notwithstanding the above limitations, a combination of
 69 vehicles designed, built and used to transport other motor vehicles
 70 may carry a load which exceeds the 55 feet overall length, provided,
 71 however, the total load overhang shall be limited to five feet and
 72 may not exceed three feet at either the front or rear and that the
 73 overhang shall be above the height of the average passenger car.]*

74 *(1) *The maximum outside width of any vehicle or combination*
 74A *of vehicles, including load or contents of any part or portion thereof,*
 74B *except as otherwise provided by this subsection, shall be no more*
 74C *than 102 inches; except that the Commissioner of Transportation,*
 74D *after consultation with the Director of the Division of Motor Vehi-*
 74E *cles and the Superintendent of State Police, may promulgate rules*
 74F *and regulations for those public roads, streets or highways or public*
 74G *quasi-public property in this State where it is determined that the*
 74H *interest of public safety and welfare require the maximum outside*
 74I *width be no more than 96 inches.*

74J (2) *The maximum height of any vehicle or combination of ve-*
 74K *hicles, including load or contents of any part or portion thereof,*
 74L *except as otherwise provided by this subsection, shall not exceed*
 74M *13 feet six inches.*

74N (3) *The maximum overall length of any vehicle, as set forth in*
 74O *this subsection, including load or contents or any part or portion*
 74P *thereof, except as otherwise provided by this subsection, shall not*
 74Q *exceed 35 feet, except that the overall length of a vehicle, including*
 74R *load or contents or any part or portion thereof, otherwise subject*
 74S *to the provisions of this paragraph shall not exceed 50 feet when*
 74T *transporting poles, pilings, structural units or other articles which*
 74U *cannot be dismembered, dismantled or divided. When a vehicle,*
 74V *subject to this paragraph, is the drawing or power unit of a com-*
 74W *bination of vehicles, as set forth in this subsection, the overall*
 74X *length of the combination of vehicles, including load or contents or*

74Y any part or portion thereof shall not exceed 62 feet. The provisions
 74Z of this paragraph shall not apply to omnibuses or to vehicles which
 74ZZ are not designed, built or otherwise capable of carrying cargo or
 75 loads.

75A (4) The maximum overall length of a motor-drawn vehicle, as
 75B set forth in this subsection, including load or contents or any part
 75C or portion thereof, except as otherwise provided by this subsection,
 75D shall no exceed 48 feet when operated as part of a combination of
 75E vehicles consisting of one motor-drawn vehicle and a drawing or
 75F power unit vehicle not designed, built or otherwise capable of
 75G carrying cargo or loads, except that the overall length of a motor-
 75H drawn vehicle, otherwise subject to the provisions of this paragraph
 75I shall not exceed 63 feet when transporting poles, pilings, structural
 75J units or other articles that cannot be dismembered, dismantled or
 75K divided. The provisions of this paragraph shall not apply to any
 75L vehicle or combination of vehicles designed, built and utilized solely
 75M to transport other motor vehicles.

75N (5) No combination of vehicles, including load or contents, con-
 75O sisting of more than two motor-drawn vehicles, as set forth in this
 75P subsection, and any other vehicle, shall be found or operated on
 75Q any public road, street or highway or any public or quasi-public
 75R property in this State.

75S (6) The maximum overall length of a motor-drawn vehicle, as
 75T set forth in this section, including load or contents or any part or
 75U portion thereof, except as otherwise provided by this subsection,
 75V when operated as part of a combination of vehicles consisting of
 75W two motor-drawn vehicles and a drawing or power unit vehicle
 75X which is not designed, built or otherwise capable of carrying cargo
 75Y or loads, shall not exceed 28 feet ****[six inches]**** for each motor-
 75Z drawn vehicle in the combination of vehicles. The provision of this
 76 paragraph shall not apply to any vehicle or combination of vehicles
 76A designed, built and utilized solely to transport other motor vehi-
 76B cles. The Commissioner of Transportation after consultation with
 76C the Director of the Division of Motor Vehicles and the Superin-
 76D tendent of State Police, shall promulgate rules and regulations
 76E specifying those portions or parts of the National System of In-
 76F terstate and Defense Highways, Federal-aid Primary System High-
 76G ways and public roads, streets, highways, toll roads, freeways or
 76H parkways in this State where combinations of vehicles as described
 76I in this paragraph may lawfully operate.

76J (7) The maximum length and outside width of an omnibus found
 76K or operated in this State shall be established by rules and regula-
 76L tions promulgated by the Commissioner of Transportation after
 76M consultation with the Director of the Division of Motor Vehicles

76N and the Superintendent of State Police. Unless otherwise specified
 76O in the aforesaid rules and regulations the maximum outside width
 76P shall be 102 inches, any other dimension established for width in
 76Q the aforesaid rules and regulations shall be based upon a determi-
 76R nation that operation of an omnibus with a width of less than 102
 76S inches, but no less than 96 inches is required in the interests of
 76T public safety on those public roads, streets, highways, toll roads,
 76U freeways, parkways or the National System of Interstate and De-
 76V fense Highways in this State specified in the aforesaid rules and
 76W regulations, or that operation of an omnibus with a width greater
 76X than 102 inches is not unsafe on those public roads, streets, high-
 76Y ways, toll roads, freeways, parkways or the National System of
 76Z Interstate and Defense Highways in this State specified in the
 77 aforesaid rules and regulations.

77A (8) The maximum width and length of farm tractors and trac-
 77B tion equipment and farm machinery and implements shall be es-
 77C tablished by rules and regulations promulgated by the Director of
 77D the Division of Motor Vehicles. The operation of the aforesaid
 77E vehicles shall be subject to the provisions of R. S. 39:3-24 and they
 77F shall not be operated on any highway which is part of the National
 77G System of Interstate and Defense Highways or on any highway
 77H which has been designated a freeway or parkway as provided by
 77I law.

77J (9) The maximum outside width of the cargo or load of a vehicle
 77K or combination of vehicles, including farm trucks, loaded with hay
 77L or straw shall not exceed 105 1/2 inches, but the maximum outside
 77M width of the vehicle or combination of vehicles including farm
 77N trucks shall otherwise comply with the provisions of paragraph
 77O (1) of this subsection. The Commissioner of Transportation after
 77P consultation with the Director of the Division of Motor Vehicles
 77Q and the Superintendent of State Police may promulgate rules and
 77R regulations establishing a maximum outside width of 102 inches
 77S for the aforesaid cargo or load when operating on those highways
 77T where a greater width is prohibited by operation of law.

77U (10) Notwithstanding the provisions of paragraphs 4 and 6 of
 77V this subsection pertaining to length, the Director of the Division
 77W of Motor Vehicles may adopt rules and regulations specifying
 77X maximum length dimensions for any vehicle or combination of
 77Y vehicles designed, built and utilized solely to transport other motor
 77Z vehicles.

78 (11) The provisions of this subsection pertaining to length shall
 78A not apply to a vehicle or combination of vehicles or special mobile
 78B equipment operated by a public utility, as defined in R. S. 48:2-13,

78C *when that vehicle or combination of vehicles or special mobile*
 78D *equipment is used by the public utility in the construction, recon-*
 78E *struction, repair or maintenance of its property or facilities.**

78F *b. No vehicle or combination of vehicles, including load or con-*
 78G *tents, found or operated on any public road, street or highway or*
 78H *any public or quasi-public property in this State shall exceed the*
 78I *weight limitations set forth in this Title. Violations shall be en-*
 78J *forced pursuant to subsection ***[i.]*** *j.* of section ***[4** of this 1983*
 79 *amendatory act]* *5 of P. L. 1950, c. 142 (C. 39:3-84.3)*.*

80 *Where enforcement of a weight limit provision of this Title*
 81 *requires a measurement of length between axle centers, ***[th]****
 82 **the* distance between axle centers shall be measured to the nearest*
 83 *whole foot or whole inch, whichever is applicable, and when the*
 84 *measurement includes a fractional part of a foot equalling six*
 85 *inches or more or a fractional part of an inch equalling one-half*
 86 *inch or more, the next larger whole foot or whole inch, whichever*
 87 *is applicable, shall be utilized. The term "tandem axle" as used in*
 88 *this act is defined as a combination of consecutive axles, consisting*
 89 *of only two axles, where the distance between axle centers is 40*
 90 *inches or more but no more than 96 inches.*

90A **In addition to the other requirements of this section and not-*
 90B *withstanding any other provision of this Title, no vehicle or com-*
 90C *bination of vehicles, including load or contents, shall be operated*
 90D *in this State, unless by special permit authorized by this Title, with*
 90E *a gross weight, single or multiple axle weight, or gross weight of*
 90F *two or more consecutive axles, the allowance of which would dis-*
 90G *qualify the State of New Jersey or any department, agency or*
 90H *governmental subdivision thereof for the purpose of receiving*
 90I *federal highway funds.**

91 *(1) The gross weight imposed on the highway or other surface*
 92 *by the wheels of any one axle of a vehicle or combination of vehicles,*
 93 *including load or contents, shall not exceed 22,400 pounds.*

94 *For the purpose of this Title the combined gross weight imposed*
 95 *on the highway or other surface by all the wheels of any one axle of*
 96 *a vehicle or combination of vehicles, including load or contents, shall*
 97 *be deemed to mean the total **[load transmitted to the road by]***
 98 *gross weight of all wheels whose axle centers are spaced **[included***
 99 *between two parallel transverse vertical planes] less than 40 inches*
 100 *apart**[, extending across the full width of the vehicle].***

101 *(2) The **[combined]** gross weight imposed on the highway or*
 102 *other surface by all the wheels of all consecutive axles of a vehicle*
 103 *or combination of vehicles, including load or contents, **[whose***

104 centers are on or between two parallel transverse vertical planes
105 spaced] shall not exceed 34,000 pounds where the distance between
106 consecutive axle centers is 40 inches or more, but [less] no more
107 than 96 inches apart[, extending across the full width of the vehicle,
108 shall not exceed 34,000 pounds].

109 (3) *The combined gross weight imposed on the highway or other*
110 *surface by all the wheels of consecutive axles of a vehicle or com-*
111 *bination of vehicles, including load or contents, shall not exceed*
112 *22,400 pounds for each single axle where the distance between con-*
113 *secutive axle centers is more than 96 inches; except that on any*
114 *highway in this State which is part of, or designated as part of, the*
115 *National Interstate System, as provided at 23 U. S. C. § 103 (e), this*
116 *single axle limitation shall not apply and in those instances the*
117 *provisions of this Title as set forth at R. S. 39:3-84 b. (5) shall*
118 *apply.*

119 (4) *The maximum total gross weight imposed on the highway or*
120 *other surface by a vehicle or combination of vehicles, including load*
121 *or contents, shall not exceed 80,000 pounds.*

122 (5) *On any highway in this State which is part of, or designated*
123 *as part of, the National Interstate System as provided at 23 U. S. C.*
124 *§ 103 (e), the total gross weight, in pounds, imposed on the highway*
125 *or other surface by any group of two or more consecutive axles of*
126 *a vehicle or combination of vehicles, including load or contents,*
127 *shall not exceed that listed in the following TABLE OF MAXI-*
128 *MUM GROSS WEIGHTS, for the respective distance, in feet,*
129 *between the axle centers of the first and last axles of the group of*
130 *two or more consecutive axles under consideration; except that in*
131 *addition to the weights specified in that Table, two consecutive sets*
132 *of tandem axles may carry a gross weight of 34,000 pounds each if*
133 *the overall distance between the first and last axles of the consecu-*
134 *tive sets of tandem axles is thirty-six feet or more. The gross weight*
135 *of each set of tandem axles shall not exceed 34,000 pounds and the*
136 *combined gross weight of the two consecutive sets of tandem axles*
137 *shall not exceed 68,000 pounds.*

138 *In all cases the combined gross weight for a vehicle or combina-*
139 *tion of vehicles, including load or contents, or the maximum gross*
140 *weight for any axle or combination of axles of the vehicle or com-*
141 *bination of vehicles, including load or contents, shall not exceed*
142 *that which is permitted pursuant to this paragraph or R. S.*
143 *39:3-84 b. (2); R. S. 39:3-84 b. (3); or R. S. 39:3-84 b. (4) of this*
144 *act, whichever is the lesser allowable gross weight.*

TABLE OF MAXIMUM GROSS WEIGHTS

<i>Distance in feet between axle centers of first and last axles of any group of two or more con- secutive axles</i>		<i>2 axles</i>	<i>3 axles</i>	<i>4 axles</i>	<i>5 axles</i>	<i>6 axles</i>	<i>7 axles</i>
145	3	22400	22400	22400	22400	22400	22400
146	4	34000	34000	34000	34000	34000	34000
147	5	34000	34000	34000	34000	34000	34000
148	6	34000	34000	34000	34000	34000	34000
149	7	34000	34000	34000	34000	34000	34000
150	8	34000	34000	34000	34000	34000	34000
151	9	39000	42500	42500	42500	42500	42500
152	10	40000	43500	43500	43500	43500	43500
153	11	41000	44000	44000	44000	44000	44000
154	12	42000	45000	50000	50000	50000	50000
155	13	43000	45500	50500	50500	50500	50500
156	14	44000	46500	51500	51500	51500	51500
157	15	44800	47000	52000	52000	52000	52000
158	16	44800	48000	52500	58000	58000	58000
159	17	44800	48500	53500	58500	58500	58500
160	18	44800	49500	54000	59000	59000	59000
161	19	44800	50000	54500	60000	60000	60000
162	20	44800	51000	55500	60500	66000	66000
163	21	44800	51500	56000	61000	66500	66500
164	22	44800	52500	56500	61500	67000	67000
165	23	44800	53000	57500	62500	68000	68000
166	24	44800	54000	58000	63000	68500	74000
167	25	44800	54500	58500	63500	69000	74500
168	26	44800	55500	59500	64000	69500	75000
169	27	44800	56000	60000	65000	70000	75500
170	28	44800	57000	60500	65500	71000	76500
171	29	44800	57500	61500	66000	71500	77000
172	30	44800	58500	62000	66500	72000	77500
173	31	44800	59000	62500	67500	72500	78000
174	32	44800	60000	63500	68000	73000	78500
175	33	44800	60500	64000	68500	74000	79000
176	34	44800	61500	64500	69000	74500	80000
177	35	44800	62000	65500	70000	75000	80000
178	36	44800	63000	66000	70500	75500	80000
179	37	44800	63500	66500	71000	76000	80000
180	38	44800	64500	67500	71500	77000	80000
181	39	44800	65000	68000	72500	77500	80000

TABLE OF MAXIMUM GROSS WEIGHTS (Continued)

<i>Distance in feet between axle centers of first and last axles of any group of two or more con- secutive axles</i>		<i>2 axles</i>	<i>3 axles</i>	<i>4 axles</i>	<i>5 axles</i>	<i>6 axles</i>	<i>7 axles</i>
182	40	44800	66000	68500	73000	78000	80000
183	41	44800	66500	69500	73500	78500	80000
184	42	44800	67200	70000	74000	79000	80000
185	43	44800	67200	70500	75000	80000	80000
186	44	44800	67200	71500	75500	80000	80000
187	45	44800	67200	72000	76000	80000	80000
188	46	44800	67200	72500	76500	80000	80000
189	47	44800	67200	73500	77500	80000	80000
190	48	44800	67200	74000	78000	80000	80000
191	49	44800	67200	74500	78500	80000	80000
192	50	44800	67200	75500	79000	80000	80000
193	51	44800	67200	76000	80000	80000	80000
194	52	44800	67200	76500	80000	80000	80000
195	53	44800	67200	77500	80000	80000	80000
196	54	44800	67200	78000	80000	80000	80000
197	55	44800	67200	78500	80000	80000	80000
198	56	44800	67200	79500	80000	80000	80000
199	57	44800	67200	80000	80000	80000	80000
200	58	44800	67200	80000	80000	80000	80000
201	59	44800	67200	80000	80000	80000	80000
202	60	44800	67200	80000	80000	80000	80000
203	61	44800	67200	80000	80000	80000	80000
204	62	44800	67200	80000	80000	80000	80000
205	63	44800	67200	80000	80000	80000	80000
206	64	44800	67200	80000	80000	80000	80000
207	65	44800	67200	80000	80000	80000	80000
208	66	44800	67200	80000	80000	80000	80000
209	67	44800	67200	80000	80000	80000	80000
210	68	44800	67200	80000	80000	80000	80000
211	69	44800	67200	80000	80000	80000	80000
212	70	44800	67200	80000	80000	80000	80000

213 *[(6) In addition to the other requirements of this section and
 214 notwithstanding any other provision of this Title, no vehicle or
 215 combination of vehicles, including load or contents,]* [commercial
 216 motor vehicle, tractor, trailer or semitrailer]* [shall be operated]*
 217[on any highway]* [in this State, unless by special permit autho-

218 *rized by this Title, with a combined weight of vehicle and load, an*
 219 *axle weight or a vehicle dimension the allowance of which would*
 220 *disqualify the State of New Jersey or any department, agency or*
 221 *governmental subdivision thereof for the purpose of receiving*
 222 *federal highway funds.】**

223 *c. The dimensional and weight restrictions set forth herein shall*
 224 *not apply to a combination of vehicles which includes a disabled*
 225 *vehicle or a combination of vehicles being removed from a highway*
 226 *in this State, provided that such oversize or overweight vehicle*
 227 *combination may not travel on the public highways more than five*
 228 *miles from the point where such disablement occurred. If the dis-*
 229 *ablement occurred on a limited access highway, the distance to the*
 230 *nearest exit of such highway shall be added to the five-mile limitation.*

231 *d. The Director of the Division of Motor Vehicles may promul-*
 232 *gate rules and regulations, including the establishment of fees, for*
 233 *the issuance, at his discretion and if good cause appears, of a special*
 234 *written permit authorizing the applicant:*

235 *(1) To operate or move a vehicle or combination of vehicles or*
 236 *special mobile equipment, transporting one piece loads that cannot*
 237 *be dismembered*, dismantled or divided* in order to comply with*
 238 *the weight limitations set forth in this act. The special written*
 239 *permit issued by the director shall be in the possession of the driver*
 240 *or operator of the vehicle or combination of vehicles or special*
 241 *mobile equipment for which said permit was issued; and*

242 **(2) To operate or move a vehicle or combination of vehicles or*
 243 *specialized mobile equipment, transporting a load or cargo that*
 244 *cannot be dismembered, dismantled or divided in order to comply*
 245 *with the dimensional limitations set forth in this act. The special*
 246 *written permit shall be in the possession of the driver or operator*
 247 *of the vehicle or combination of vehicles or special mobile equip-*
 248 *ment for which the permit was issued; and**

249 **[(2)]* *(3)* Under emergency conditions, to operate or move*
 250 *a type of vehicle or combination of vehicles or special mobile equip-*
 251 *ment of a size or weight, including load or contents, which exceeds*
 252 *the maximum size or weight limitations specified in this act.*

1 3. Section 3 of P. L. 1950, c. 142 (C. 39:3-84.1) is amended to
 2 read as follows:

3 3. The axle weight limitations **【of】** *as provided at R. S. 39:3-84b.*
 4 *shall apply to all vehicles registered in New Jersey subsequent to*
 5 *March 1, 1950, which have not been registered therein or contracted*
 6 *for purchase by New Jersey residents prior to that date. The*
 7 **【gross】** *weight 【and axle load】 limitations provided 【in】 at R. S.*
 8 *39:3-84 b. (1); R. S. 39:3-84 b. (2); and R. S. 39:3-84 b. (3) relative*

9 *to maximum gross axle weights*; shall not apply to vehicles regis-
 10 *tered as "constructor" or "solid waste" vehicles or to a combina-*
 11 *tion of vehicles of which the "constructor" or "solid waste" vehicle*
 12 *is the drawing vehicle [or to vehicles registered as "solid waste"]*
 13 *as provided [in] at R. S. 39:3-20, except that said limitations shall*
 14 *apply to vehicles registered as "solid waste" [registered vehicles]*
 15 *when operated on any highway which is part of the National System*
 16 *of Interstate and Defense Highways, as provided at 23 U. S. C.*
 17 *§ 103 (e). The provisions of R. S. 39:3-84 b. (5) shall apply to*
 18 *vehicles registered as "constructor" or "solid waste" or to a*
 19 *combination of vehicles of which the "constructor" or "solid*
 20 *waste" vehicle is the drawing vehicle as provided in R. S. 39:3-20*,*
 21 *except that for any vehicle registered as a "constructor" or any*
 22 *combination of vehicles of which the drawing vehicle is registered*
 23 *as a "constructor," the provisions of R. S. 39:3-84b.(5) shall not*
 24 *apply provided the vehicle or combination of vehicles is **operated*
 25 *within an area that is 30 miles or less from** the point established*
 26 *as a headquarters for the particular construction operation*. Ve-*
 27 *hicles registered as "constructor" or "solid waste" or a combina-*
 28 *tion of vehicles of which the "constructor" or "solid waste" vehicle*
 29 *is the drawing vehicle shall be limited [as] to a maximum gross*
 30 *vehicle weight, including load or contents, [by the allowable gross*
 31 *weight] as shown on the registration certificate of that vehicle.*

1 4. Section 5 of P. L. 1950, c. 142 (C. 39:3-84.3) is amended to
 2 read as follows:

3 5. a. Any State Police officer or motor vehicle inspector [having
 4 reason to believe that the size or weight of a vehicle and load is un-
 5 lawful] is authorized to require the driver, operator, owner, lessee
 6 or bailee of any vehicle or combination of vehicles found on any
 7 public road, street or highway or on any public or quasi-public prop-
 8 erty in this State to stop and submit the vehicle or combination of
 9 vehicles, including load or contents, to [a] measurement or weigh-
 10 ing [of the same] to determine whether the size or weight of the
 11 vehicle or combination of vehicles, including load or contents, is in
 12 excess of that permitted in this Title, by means of [either portable
 13 or stationary scales] measuring or weighing devices or scales ap-
 14 proved and certified by the State Superintendent of Weights and
 15 Measures or his agent. Copies of documents displaying the seal or
 16 certification of the State Superintendent of Weights and Measures
 17 shall be prima facie evidence of the reliability and accuracy of the
 18 measuring or weighing devices or scales utilized in the enforcement
 19 of this Title. The driver, operator, owner, lessee or bailee of a vehi-
 20 cle or combination of vehicles, including load or contents, that is to

21 *be measured or weighed may be required to drive or otherwise move*
22 *the vehicle or combination of vehicles to a location, as directed by*
23 *the officer or inspector, where the vehicle or combination of vehicles,*
24 *including load or contents, can be measured or weighed as described*
25 *in this section* **[and may require that such vehicle be driven to the**
26 **nearest public scales in the event such scales are within two miles].**

27 *b. Whenever* **[an]** *the officer or inspector upon measuring or*
28 *weighing a vehicle or combination of vehicles, including load or*
29 *contents,* **[and load, as above provided,]** *determines that the size*
30 *or weight is* **[unlawful]** *in excess of the limits permitted in this*
31 *Title,* **[such]** *the officer or inspector shall require the driver,*
32 *operator, owner, lessee or bailee to stop the vehicle or combination*
33 *of vehicles in a suitable place and remain* **[standing]** *in that place*
34 *until* **[such]** *a portion of the load or contents of the vehicle or*
35 *combination of vehicles is removed by the driver, operator, owner,*
36 *lessee, bailee or duly appointed agent thereof, as may be necessary*
37 *to conform or reduce the size or* **[gross]** *weight of* **[such]** *the vehi-*
38 *cle or combination of vehicles, including load or contents, to* **[such]**
39 *those* **[limit]** *limits as permitted under this act, or permitted by*
40 *the certificate of registration for the vehicle or combination of*
41 *vehicles, whichever may be lower. All materials so unloaded or*
42 *removed shall be cared for by the driver, owner,* **[or]** *operator,*
43 *lessee or bailee of* **[such]** *the vehicle or combination of vehicles, or*
44 *duly appointed agent thereof, at the risk, responsibility and liability*
45 *of* **[such]** *the driver, owner,* **[or]** *operator, lessee, bailee or duly*
46 *appointed agent thereof.*

47 *c. No vehicle or combination of vehicles shall be deemed to be in*
48 *violation of the* **[overweight]** *weight limitation provision of this*
49 *act when, upon examination by* **[an]** *the officer or inspector, the*
50 **[vehicle's]** *dispatch papers for the vehicle or combination of*
51 *vehicles, including load or contents, show it is proceeding from its*
52 *last preceding freight pickup point within the State of New Jersey*
53 *by a reasonably expeditious route to the nearest available scales or*
54 *to the first available scales in the general direction towards which*
55 *the vehicle or combination of vehicles has been dispatched, or is*
56 *returning from such scales after weighing-in to the last preceding*
57 *pickup point.*

58 *d. When* **[an]** *the officer or inspector determines that a vehicle*
59 *or combination of vehicles, including load or contents, is in violation*
60 *of the* **[axle]** *weight limitations of this* **[act]** *Title as provided at*
61 *R. S. 39:3-84 b. (1); R. S. 39:3-84 b. (2); R. S. 39:3-84 b. (3); or*
62 *R. S. 39:3-84 b. (5) relative to maximum gross axle weights, but is*
63 *within the* **[legal]** *permissible maximum gross vehicle* **[maximum]**

64 weight of this Title as provided at R. S. 39:3-84 b, (4) or R. S.
 65 39:3-84 b. (5), whichever is applicable, the driver, operator, owner,
 66 lessee, bailee or duly appointed agent thereof, shall be permitted,
 67 before proceeding, to redistribute the weight of the [vehicle's]
 68 vehicle or combination of vehicles or the load or contents of the
 69 vehicle or combination of vehicles so that no axle [is overweight]
 70 or combination of consecutive axles are in excess of the limits set
 71 by this act, in which event there is no violation.

72 e. When [an] the officer or inspector determines that a vehicle
 73 or combination of vehicles, including load or contents, [or vehicle
 74 and load] is in violation of the height, width or length [restrictions]
 75 limits of this Title as provided at R. S. 39:3-84a., the driver,
 76 operator, owner, lessee or bailee of [such] the vehicle or combina-
 77 tion of vehicles or duly appointed agent thereof, shall be permitted,
 78 before proceeding, to adjust, reduce or conform the vehicle or
 79 combination of vehicles, including load or contents, so that the
 80 vehicle or combination of vehicles, including [vehicle and] load
 81 or contents, are [is] not in excess of [within such] the height,
 82 [weight] width, or length [restrictions] limits set by this act, in
 83 which event there is no violation.

84 [No arrest shall be made in cases where weight limitations pro-
 85 vided in this section are not exceeded by more than 5%, except that
 86 arrests may be made where the gross weight of any vehicle or
 87 combination of vehicles, including load, exceeds the federal maxi-
 88 mum of 80,000 pounds, or as such may be amended from time to
 89 time.]

89A *f. The provisions of this subsection shall not apply to a vehicle
 89B or combination of vehicles, including load or contents, found or
 89C operated on any highway in this State which is part of or desig-
 89D nated as part of the National Interstate System as provided at 23
 89E U. S. C. § 103(e). No arrest shall be made or summons issued for
 89F a violation of the weight limitations provided in this act at R. S.
 89G 39:3-84b. where the excess weight is no more than 5% of the weight
 89H permitted, provided the gross weight of the vehicle or combination
 89I of vehicles, including load or contents, does not exceed the maxi-
 89J mum gross weight of 80,000 pounds as set forth at R. S. 39:3-84b.
 89K (4)*.

90 *[f.]* *g.* Any person who [prepares,] presents to [an] the
 91 officer or inspector, or has in his possession, or who prepares false
 92 dispatch papers, that is to say, dispatch papers which do not cor-
 93 respond to the cargo carried, shall be subject to a fine not [exceed-
 94 ing] to exceed \$100.00.

95 *[g.]* *h.* Any driver of a vehicle or combination of vehicles

96 who fails or refuses to stop and submit the vehicle or combination
 97 of vehicles, including [and] load or contents, to [a] measurement
 98 or weighing, as provided in this Title or [who fails or refuses when
 99 directed by an officer upon a measurement or weighing of the ve-
 100 hicle to stop the vehicle and] otherwise fails to comply with the
 101 provisions of this section, [shall be subject to a fine not exceeding
 102 \$100.00] *[is a disorderly person and shall be subject to arrest
 103 pursuant to the provisions of subsection b. of N. J. S. 2C:29-2.]*
 103A *shall be subject to a fine not exceeding \$200.00.*

104 *[h.]* *i.* The owner, lessee, [and] bailee or any one of the
 105 aforesaid of any vehicle or combination of vehicles [commercial
 106 motor vehicle, tractor, trailer or semi-trailer] found or operated
 107 on [a] any public road, street or highway or on any public or
 108 quasi-public property in this State in violation of the [dimensional
 109 restrictions] height, width or length limits as set forth in subsec-
 110 tion a. of R. S. 39:3-84 shall be fined not less than *[\$150,00]*
 110A *\$150.00* nor more than \$500.00.

111 *[i.]* *j.* The owner, lessee, [and] bailee or any one of the
 112 aforesaid of any vehicle or combination of vehicles [commercial
 113 motor vehicle, tractor, trailer or semitrailer] found or operated on
 114 [a] any public road, street or highway or on any public or quasi-
 115 public property in this State with a gross weight of the vehicle
 116 [and] or combination of vehicles, including load or contents, [in
 117 excess of the weight limitation permitted by the certificate of reg-
 118 istration for the vehicle or] in excess of the [gross] weight limita-
 119 tions [imposed] as provided at subsection b. of R. S. 39:3-84 or
 120 section 3 of P. L. 1950, c. 142 (C. 39:3-84.1) [by this Title for ve-
 121 hicle and load or an axle weight in excess of the axle weight limita-
 122 tion imposed by this Title,] shall be fined an amount equal to \$0.02
 123 per pound for each pound of the total excess weight [if the excess
 124 does not exceed] provided the total excess weight is 10,000 pounds
 125 or less, [and] or shall be fined an amount equal to \$0.03 per pound
 126 for each pound of the total excess weight [if the excess weight
 127 exceeds] provided the total excess weight is more than 10,000
 128 pounds, but in no event shall the fine be less than \$50.00.

129 [The owner, lessee and bailee of a truck, road tractor or truck
 130 tractor registered under this act and found on a highway in com-
 131 bination with a trailer or semitrailer duly registered in any other
 132 state or federal district which imposes registration weight fees
 133 on such trailers or semitrailers and in violation of the weight
 134 limitations of R. S. 39:3-20 shall be fined an amount equal to \$0.02
 135 for each pound by which one-half of the combined gross weight of
 136 all vehicles in the combination, including load, shall exceed the

137 gross weight registration of the drawing vehicle registered under
138 this act, if the excess is not greater than 10,000 pounds, and \$0.03
139 for each pound of the excess if it is greater than 10,000 pounds,
140 but in no event less than \$50,00.]

141 ***[j.]*** *k.* Whenever **[it]** *a vehicle or combination of vehicles,*
142 *including load or contents,* is found **[that there is a weight in ex-**
143 *cess of]* *to be in violation of any two or more of [said] the weight*
144 *limitations as provided at subsection b. of R. S. 39:3-84 or section 3*
145 *of P. L. 1950, c. 142 (C. 39:3-84.1), the fine [shall be] levied shall*
146 *be only for the violation involving the greater or greatest excess*
147 *weight.*

1 5. P. L. 1973, c. 273 (C. 39:3-84a) is repealed.

1 6. This act shall take effect on April **[1]*** *6*, 1983.

ASSEMBLY, No. 3003
STATE OF NEW JERSEY

INTRODUCED JANUARY 11, 1983

By Assemblymen MARKERT, COWAN, T. GALLO, GILL,
BRYANT, FELICE and KOSCO

AN ACT concerning the application and enforcement of the dimensional and weight limitations of certain vehicles or combinations thereof, and amending R. S. 39:3-20, R. S. 39:3-84, P. L. 1950, c. 142 and repealing P. L. 1973, c. 273.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. R. S. 39:3-20 is amended to read as follows:

2 39:3-20. For the purpose of this act gross weight means the
3 weight of both the vehicle and its load. a. The director is authorized
4 to issue registrations for commercial motor vehicles other than
5 omnibuses or motor-drawn vehicles upon application therefor and
6 payment of a fee based on the gross weight of the vehicle including
7 the gross weight of all vehicles in any combination of vehicles of
8 which the commercial motor vehicle is the drawing vehicle. The
9 gross weight of a disabled commercial vehicle or combination of
10 disabled commercial vehicles being removed from a highway shall
11 not be included in the calculation of the registration fee for the
12 drawing vehicle.

13 Except as otherwise provided in this subsection, every registra-
14 tion for a commercial motor vehicle other than an omnibus or
15 motor-drawn vehicle shall expire and the certificate thereof shall
16 become void on the last day of the eleventh calendar month follow-
17 ing the month in which the certificate was issued. The minimum
18 registration fee shall be \$50.00 plus \$8.50 for each 1,000 pounds
19 or portion thereof in excess of 5,000 pounds.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.
Matter printed in italics *thus* is new matter.

20 Commercial motor vehicles other than omnibuses or motor-drawn
21 vehicles for which commercial motor vehicle registrations had been
22 issued prior to the effective date of this act and which expire March
23 31, 1982 shall be issued commercial registrations which, in the
24 director's discretion, shall expire on a date to be fixed by him, which
25 date shall not be sooner than four months nor later than 16 months
26 following the date of issuance of the registration. The fees for such
27 registrations shall be fixed by the director in amounts proportion-
28 ately less or greater than the fees established by this subsection.

29 b. The director is also authorized to issue registration for com-
30 mercial motor vehicles having three or more axles and a gross
31 weight over 40,000 pounds but not exceeding 70,000 pounds, upon
32 application therefor and proof to the satisfaction of the director
33 that the applicant is actually engaged in construction work or in
34 the business of supplying material, transporting material, or using
35 such registered vehicle for construction work.

36 Except as otherwise provided in this subsection, every registra-
37 tion for these commercial motor vehicles shall expire and the cer-
38 tificate thereof shall become void on the last day of the eleventh
39 calendar month following the month in which the certificate was
40 issued.

41 The registration fee shall be \$10.00 for each 1,000 pounds or
42 portion thereof of gross weight including the gross weight of all
43 vehicles in any combination of which such commercial motor vehicle
44 is the drawing vehicle. "Constructor" registrations issued prior to
45 the effective date of this act which expire June 30, 1982 shall be
46 issued contractor vehicle registrations which, in the director's
47 discretion, shall expire on a date to be fixed by him, which date
48 shall not be sooner than four months nor later than 16 months
49 following the date of issuance of the registration. The fees for the
50 registration shall be fixed by the director in amounts proportion-
51 ately less or greater than the fees established by this subsection.

52 Such commercial motor vehicle shall be operated in compliance
53 with the speed limitations of Title 39 of the Revised Statutes and
54 shall not be operated at a speed greater than 30 miles per hour
55 when one or more of its axles has a load which exceeds the limita-
56 tions prescribed in R. S. 39:3-84.

57 c. The director is also authorized to issue registrations for each
58 of the following solid waste vehicles: two-axle vehicles having a
59 gross weight not exceeding 42,000 pounds; tandem three-axle and
60 four-axle vehicles having a gross weight not exceeding 60,000
61 pounds; four-axle tractor-trailer combination vehicles having a
62 gross weight not exceeding 60,000 pounds. Registration is based

63 upon application to the director and proof to his satisfaction that
64 the applicant is actually engaged in the performance of solid waste
65 disposal or collection functions and holds a certificate of convenience and necessity therefor issued by the Board of Public
66 Utilities.
67

68 Except as otherwise provided in this subsection, every registration
69 for a solid waste vehicle shall expire and the certificate thereof
70 shall become void on the last day of the eleventh calendar month
71 following the month in which the certificate was issued.

72 The registration fee shall be \$50.00 plus \$8.50 for each 1,000
73 pounds or portion thereof in excess of 5,000 pounds.

74 Solid waste vehicles for which commercial motor vehicles registrations had been issued prior to the effective date of this act and
75 which shall expire June 30, 1982 shall be issued solid waste registrations which, in the director's discretion, shall expire on a date
76 to be fixed by him, which date shall not be sooner than four months
77 or later than 16 months following the date of issuance of the registration. The fees for the registration shall be fixed by the director
78 in amounts proportionately less or greater than the fees established
79 by this subsection.
80

81 d. The director is also authorized to issue registrations for commercial motor-drawn vehicles upon application therefor. The
82 registration year for commercial motor-drawn vehicles shall be
83 April 1 to the following March 31 and the fee therefor shall be
84 \$18.00 for each such vehicle.
85

86 At the discretion of the director, an applicant for registration
87 for a commercial motor-drawn vehicle may be provided the option
88 of registering such vehicle for a period of four years. In the event
89 that the applicant for registration exercises the four-year option,
90 a fee of \$64.00 for each such vehicle shall be paid to the director in
91 advance.
92

93 If any commercial motor-drawn vehicle registered for a four-year
94 period is sold or withdrawn from use on the highways, the director
95 may, upon surrender of the vehicle registration and plate, refund
96 \$16.00 for each full year of unused prepaid registration.
97

98 e. It shall be unlawful for any vehicle or combination of vehicles
99 registered under this act having a gross weight, *including load or*
100 *contents*, in excess of the gross weight provided on the registration
101 certificate to be operated on the highways of this State.

102 [In the event that a commercial motor vehicle registered under
103 this act is found on a highway in combination with a commercial
104 motor-drawn vehicle properly registered in any other state, federal district or Canadian province which imposes registration
105

106 weight fees on such commercial motor-drawn vehicles, the drawing
107 vehicle registered under this act shall have a gross weight regis-
108 tration equal to at least one-half of the gross weight of the com-
109 bination of vehicles. If it does not, the operation of said vehicles
110 on the highways of this State shall be unlawful.

111 The 5% allowance provided by section 5 of P. L. 1950, c. 142
112 (C. 39:3-84.3) shall be applicable as heretofore to all registered
113 weight limitations provided in this section, except that in no event
114 shall the gross weight of any vehicle or combination of vehicles
115 exceed the federal maximum as such may be amended from time
116 to time established for vehicles operated on the National System
117 of Interstate and Defense Highways. In the case of a commercial
118 motor vehicle registered under this act in combination with a
119 commercial motor-drawn vehicle properly registered in any other
120 state, federal district or Canadian province which imposes regis-
121 tration weight fees on such commercial motor-drawn vehicles, the
122 5% allowance shall be applied and added to the registered weight
123 of the drawing vehicle registered under this act. If the resulting
124 sum is equal at least to one-half of the combined gross weight of the
125 mixed combination, then the mixed combination shall be in com-
126 pliance with the registration requirements of this section.】

127 *The owner, lessee, bailee or any one of the aforesaid of a vehicle*
128 *or combination of vehicles, including load or contents, found or*
129 *operated on any public road, street or highway or on any public or*
130 *quasi-public property in this State with a gross weight of that*
131 *vehicle or combination of vehicles, including load or contents, in*
132 *excess of the weight limitation permitted by the certificate of reg-*
133 *istration for the vehicle or combination of vehicles, pursuant to the*
134 *provisions of this section shall be fined \$50.00 plus an amount equal*
135 *to \$8.50 for each 1,000 pounds or fractional portion of 1,000 pounds*
136 *of weight in excess of the weight limitation permitted by the cer-*
137 *tificate of registration for that vehicle or combination of vehicles.*
138 *A vehicle or combination of vehicles for which there is no valid*
139 *certificate of registration is deemed to have been registered for*
140 *zero pounds for the purposes of the enforcement of this act in ad-*
141 *dition to any other violation of this Title, but is not deemed to be*
142 *lawfully or validly registered pursuant to the provisions of this*
143 *Title.*

144 Moneys realized from the increase of the fees for registrations
145 issued pursuant to the provisions of this act shall be paid into the
146 State Treasury and credited to the General State Fund and avail-
147 able for general State purposes.

148 This section shall not be construed to supersede or repeal the
149 provisions of sections 39:3-84, 39:4-75, or 39:4-76 of this Title.

1 2. R. S. 39:3-84 is amended to read as follows:

2 39:3-84. *a. The following constitute the maximum dimensional*
3 *limits for width, height and overall length for any vehicle or com-*
4 *bination of vehicles, including load or contents, found or operated*
5 *on any public road, street or highway or any public or quasi-public*
6 *property in this State. Violations shall be enforced pursuant to*
7 *subsection h. of section 4 of this 1983 amendatory act.*

8 (1) No commercial motor vehicle, tractor, trailer or semitrailer
9 shall be operated on any highway in this State the outside width of
10 which is more than 96 inches, inclusive of load, or the height of
11 which exceeds 13½ feet, inclusive of load, and no commercial motor
12 vehicle, tractor or trailer shall be operated on any highway in this
13 State, the extreme overall length of which exceeds 35 feet either
14 for a two-axle four-wheeled vehicle, inclusive of load, or 35 feet
15 either for a three-axle six-wheeled vehicle, inclusive of load, except
16 that a vehicle or vehicle inclusive of load exceeding the above
17 limitations may be operated when a special permit so to operate is
18 secured in advance from the director. The application for such
19 permit shall be accompanied by a fee fixed by the director. A
20 special permit issued by the director shall be in the possession of
21 the operator of the vehicle for which such permit was issued. In
22 computing any dimensions of a vehicle, or vehicle and load, for the
23 purposes of this section, there shall not be included in the dimen-
24 sional limitations safety appliances such as mirrors or lights, or
25 chains or similar fasteners used for the securing of cargo, provided
26 such appliances or fasteners do not exceed the overall limitations
27 established by the director by rule or regulation.

28 (2) In the case of an omnibus the maximum width and length
29 dimensions shall be such as the Board of Public Utility Commis-
30 sioners prescribe, but no outside width in excess of 96 inches shall
31 be prescribed with respect to one or more highways specified or
32 otherwise described except upon certifications, (1) of the Division
33 of Motor Vehicles in the Department of Law and Public Safety
34 that the proposed width is not unsafe for use on the highways in
35 this State and (2) of the State Department of Transportation that
36 the proposed width, if in excess of 96 inches, is not in conflict with
37 the requirements of any agency of the United States having
38 jurisdiction over the National System of Interstate and Defense
39 Highways authorized by law. No outside width so prescribed shall
40 be valid if the allowance of use of the same would disqualify the
41 State of New Jersey or any department, agency or governmental

42 subdivision thereof for the purpose of receiving federal highway
43 funds.

44 (3) In the case of farm tractors and traction equipment and farm
45 machinery and implements, the maximum width and length shall
46 be such as the Director of the Division of Motor Vehicles shall
47 prescribe by uniform rules and regulations but the operation of
48 such vehicles shall be subject to the provisions of section 39:3-24
49 of this Title and any such vehicle shall not be operated on any
50 highway which is part of the National System of Interstate and
51 Defense Highways or on any highway which has been designated
52 a freeway or parkway as provided by law.

53 (4) In the case of commercial motor vehicles, trailers and semi-
54 trailers including farm trucks, while loaded with hay or straw the
55 maximum width of the load shall not exceed 105½ inches.

56 (5) No commercial motor vehicle drawing or having attached
57 thereto any other such vehicle, nor any combination of vehicles,
58 shall be operated on any highway in this State, in excess of a total
59 overall length, inclusive of load, of 55 feet except a vehicle or a
60 combination of vehicles transporting poles, pilings, structural units
61 or other articles incapable of dismemberment the total overall
62 length of which, inclusive of load, shall not exceed 70 feet, but the
63 provisions of this paragraph shall not apply to a vehicle nor to any
64 combination of vehicles, operated by a public utility as defined in
65 R. S. 48:2-13 which vehicle or combination of vehicles is used by
66 such public utility in the construction, reconstruction, repair or
67 maintenance of its property or facilities.

68 (6) Notwithstanding the above limitations, a combination of
69 vehicles designed, built and used to transport other motor vehicles
70 may carry a load which exceeds the 55 feet overall length, provided,
71 however, the total load overhang shall be limited to five feet and
72 may not exceed three feet at either the front or rear and that the
73 overhang shall be above the height of the average passenger car.

74 *b. No vehicle or combination of vehicles, including load or con-*
75 *tents, found or operated on any public road, street or highway or*
76 *on any public or quasi-public property in this State shall exceed the*
77 *weight limitations set forth in this Title. Violations shall be en-*
78 *forced pursuant to subsection i. of section 4 of this 1983 amendatory*
79 *act.*

80 *Where enforcement of a weight limit provision of this Title*
81 *requires a measurement of length between axle centers, th distance*
82 *between axle centers shall be measured to the nearest whole foot or*
83 *whole inch, whichever is applicable, and when the measurement*
84 *includes a fractional part of a foot equalling six inches or more or a*

85 fractional part of an inch equalling one-half inch or more, the next
86 larger whole foot or whole inch, whichever is applicable, shall be
87 utilized. The term "tandem axle" as used in this act is defined as a
88 combination of consecutive axles, consisting of only two axles,
89 where the distance between axle centers is 40 inches or more but no
90 more than 96 inches.

91 (1) The gross weight imposed on the highway or other surface
92 by the wheels of any one axle of a vehicle or combination of vehicles,
93 including load or contents, shall not exceed 22,400 pounds.

94 For the purpose of this Title the combined gross weight imposed
95 on the highway or other surface by all the wheels of any one axle of
96 a vehicle or combination of vehicles, including load or contents, shall
97 be deemed to mean the total [load transmitted to the road by]
98 gross weight of all wheels whose axle centers are spaced [included
99 between two parallel transverse vertical planes] less than 40 inches
100 apart[, extending across the full width of the vehicle].

101 (2) The [combined] gross weight imposed on the highway or
102 other surface by all the wheels of all consecutive axles of a vehicle
103 or combination of vehicles, including load or contents, [whose
104 centers are on or between two parallel transverse vertical planes
105 spaced] shall not exceed 34,000 pounds where the distance between
106 consecutive axle centers is 40 inches or more, but [less] no more
107 than 96 inches apart[, extending across the full width of the vehicle,
108 shall not exceed 34,000 pounds].

109 (3) The combined gross weight imposed on the highway or other
110 surface by all the wheels of consecutive axles of a vehicle or com-
111 bination of vehicles, including load or contents, shall not exceed
112 22,400 pounds for each single axle where the distance between con-
113 secutive axle centers is more than 96 inches; except that on any
114 highway in this State which is part of, or designated as part of, the
115 National Interstate System, as provided at 23 U. S. C. § 103 (e), this
116 single axle limitation shall not apply and in those instances the
117 provisions of this Title as set forth at R. S. 39:3-84 b. (5) shall
118 apply.

119 (4) The maximum total gross weight imposed on the highway or
120 other surface by a vehicle or combination of vehicles, including load
121 or contents, shall not exceed 80,000 pounds.

122 (5) On any highway in this State which is part of, or designated
123 as part of, the National Interstate System as provided at 23 U. S. C.
124 § 103 (e), the total gross weight, in pounds, imposed on the highway
125 or other surface by any group of two or more consecutive axles of
126 a vehicle or combination of vehicles, including load or contents,
127 shall not exceed that listed in the following TABLE OF MAXI-

128 MUM GROSS WEIGHTS, for the respective distance, in feet,
 129 between the axle centers of the first and last axles of the group of
 130 two or more consecutive axles under consideration; except that in
 131 addition to the weights specified in that Table, two consecutive sets
 132 of tandem axles may carry a gross weight of 34,000 pounds each if
 133 the overall distance between the first and last axles of the consecu-
 134 tive sets of tandem axles is thirty-six feet or more. The gross weight
 135 of each set of tandem axles shall not exceed 34,000 pounds and the
 136 combined gross weight of the two consecutive sets of tandem axles
 137 shall not exceed 68,000 pounds.

138 In all cases the combined gross weight for a vehicle or combina-
 139 tion of vehicles, including load or contents, or the maximum gross
 140 weight for any axle or combination of axles of the vehicle or com-
 141 bination of vehicles, including load or contents, shall not exceed
 142 that which is permitted pursuant to this paragraph or R. S.
 143 39:3-84 b. (2); R. S. 39:3-84 b. (3); or R. S. 39:3-84 b. (4) of this
 144 act, whichever is the lesser allowable gross weight.

TABLE OF MAXIMUM GROSS WEIGHTS

<i>Distance in feet between axle centers of first and last axles of any group of two or more con- secutive axles</i>		<i>2 axles</i>	<i>3 axles</i>	<i>4 axles</i>	<i>5 axles</i>	<i>6 axles</i>	<i>7 axles</i>
145	3	22400	22400	22400	22400	22400	22400
146	4	34000	34000	34000	34000	34000	34000
147	5	34000	34000	34000	34000	34000	34000
148	6	34000	34000	34000	34000	34000	34000
149	7	34000	34000	34000	34000	34000	34000
150	8	34000	34000	34000	34000	34000	34000
151	9	39000	42500	42500	42500	42500	42500
152	10	40000	43500	43500	43500	43500	43500
153	11	41000	44000	44000	44000	44000	44000
154	12	42000	45000	50000	50000	50000	50000
155	13	43000	45500	50500	50500	50500	50500
156	14	44000	46500	51500	51500	51500	51500
157	15	44800	47000	52000	52000	52000	52000
158	16	44800	48000	52500	58000	58000	58000
159	17	44800	48500	53500	58500	58500	58500
160	18	44800	49500	54000	59000	59000	59000
161	19	44800	50000	54500	60000	60000	60000
162	20	44800	51000	55500	60500	66000	66000
163	21	44800	51500	56000	61000	66500	66500

TABLE OF MAXIMUM GROSS WEIGHTS (Continued)

*Distance in feet
between axle centers
of first and last
axles of any group
of two or more con-
secutive axles*

		<i>2 axles</i>	<i>3 axles</i>	<i>4 axles</i>	<i>5 axles</i>	<i>6 axles</i>	<i>7 axles</i>
164	22	44800	52500	56500	61500	67000	67000
165	23	44800	53000	57500	62500	68000	68000
166	24	44800	54000	58000	63000	68500	74000
167	25	44800	54500	58500	63500	69000	74500
168	26	44800	55500	59500	64000	69500	75000
169	27	44800	56000	60000	65000	70000	75500
170	28	44800	57000	60500	65500	71000	76500
171	29	44800	57500	61500	66000	71500	77000
172	30	44800	58500	62000	66500	72000	77500
173	31	44800	59000	62500	67500	72500	78000
174	32	44800	60000	63500	68000	73000	78500
175	33	44800	60500	64000	68500	74000	79000
176	34	44800	61500	64500	69000	74500	80000
177	35	44800	62000	65500	70000	75000	80000
178	36	44800	63000	66000	70500	75500	80000
179	37	44800	63500	66500	71000	76000	80000
180	38	44800	64500	67500	71500	77000	80000
181	39	44800	65000	68000	72500	77500	80000
182	40	44800	66000	68500	73000	78000	80000
183	41	44800	66500	69500	73500	78500	80000
184	42	44800	67200	70000	74000	79000	80000
185	43	44800	67200	70500	75000	80000	80000
186	44	44800	67200	71500	75500	80000	80000
187	45	44800	67200	72000	76000	80000	80000
188	46	44800	67200	72500	76500	80000	80000
189	47	44800	67200	73500	77500	80000	80000
190	48	44800	67200	74000	78000	80000	80000
191	49	44800	67200	74500	78500	80000	80000
192	50	44800	67200	75500	79000	80000	80000
193	51	44800	67200	76000	80000	80000	80000
194	52	44800	67200	76500	80000	80000	80000
195	53	44800	67200	77500	80000	80000	80000
196	54	44800	67200	78000	80000	80000	80000
197	55	44800	67200	78500	80000	80000	80000
198	56	44800	67200	79500	80000	80000	80000
199	57	44800	67200	80000	80000	80000	80000

TABLE OF MAXIMUM GROSS WEIGHTS (Continued)

<i>Distance in feet between axle centers of first and last axles of any group of two or more con- secutive axles</i>		<i>2 axles</i>	<i>3 axles</i>	<i>4 axles</i>	<i>5 axles</i>	<i>6 axles</i>	<i>7 axles</i>
200	58	44800	67200	80000	80000	80000	80000
201	59	44800	67200	80000	80000	80000	80000
202	60	44800	67200	80000	80000	80000	80000
203	61	44800	67200	80000	80000	80000	80000
204	62	44800	67200	80000	80000	80000	80000
205	63	44800	67300	80000	80000	80000	80000
206	64	44800	67300	80000	80000	80000	80000
207	65	44800	67200	80000	80000	80000	80000
208	66	44800	67200	80000	80000	80000	80000
209	67	44800	67200	80000	80000	80000	80000
210	68	44800	67300	80000	80000	80000	80000
211	69	44800	67300	80000	80000	80000	80000
212	70	44800	67200	80000	80000	80000	80000

213 (c) In addition to the other requirements of this section and not-
 214 withstanding any other provision of this Title, no *vehicle or com-*
 215 *ination of vehicles, including load or contents,* [commercial motor
 216 vehicle, tractor, trailer or semitrailer] shall be operated [on any
 217 highway] in this State, *unless by special permit authorized by this*
 218 *Title,* with a combined weight of vehicle and load, an axle weight
 219 or a vehicle dimension the allowance of which would disqualify the
 220 State of New Jersey or any department, agency or governmental
 221 subdivision thereof for the purpose of receiving Federal highway
 222 funds.

223 c. The dimensional and weight restrictions set forth herein shall
 224 not apply to a combination of vehicles which includes a disabled
 225 vehicle or a combination of vehicles being removed from a highway
 226 in this State, provided that such oversize or overweight vehicle
 227 combination may not travel on the public highways more than five
 228 miles from the point where such disablement occurred. If the dis-
 229 ablement occurred on a limited access highway, the distance to the
 230 nearest exit of such highway shall be added to the five-mile limitation.

231 d. *The Director of the Division of Motor Vehicles may promul-*
 232 *gate rules and regulations, including the establishment of fees, for*
 233 *the issuance, at his discretion and if good cause appears, of a special*
 234 *written permit authorizing the applicant:*

235 (1) To operate or move a vehicle or combination of vehicles or
 236 special mobile equipment, transporting one piece loads that cannot
 237 be dismembered in order to comply with the weight limitations set
 238 forth in this act. The special written permit issued by the director
 239 shall be in the possession of the driver or operator of the vehicle or
 240 combination of vehicles or special mobile equipment for which said
 241 permit was issued; and

242 (2) Under emergency conditions, to operate or move a type of
 243 vehicle or combination of vehicles or special mobile equipment of a
 244 size or weight, including load or contents, which exceeds the maxi-
 245 mum size or weight limitations specified in this act.

1 3. Section 3 of P. L. 1950, c. 142 (C. 39:3-84.1) is amended to
 2 read as follows:

3 3. The axle weight limitations **[of]** as provided at R. S. 39:3-84b.
 4 shall apply to all vehicles registered in New Jersey subsequent to
 5 March 1, 1950, which have not been registered therein or contracted
 6 for purchase by New Jersey residents prior to that date. The
 7 **[gross]** weight **[and axle load]** limitations provided **[in]** at R. S.
 8 39:3-84 b. (1); R. S. 39:3-84 b. (2); and R. S. 39:3-84 b. (3) relative
 9 to maximum gross axle weights; shall not apply to vehicles regis-
 10 tered as "constructor" or "solid waste" vehicles or to a combina-
 11 tion of vehicles of which the "constructor" or "solid waste" vehicle
 12 is the drawing vehicle **[or to vehicles registered as "solid waste"]**
 13 as provided **[in]** at R. S. 39:3-20, except that said limitations shall
 14 apply to vehicles registered as "solid waste" **[registered vehicles]**
 15 when operated on any highway which is part of the National System
 16 of Interstate and Defense Highways, as provided at 23 U. S. C.
 17 § 103 (e). The provisions of R. S. 39:3-84 b. (5) shall apply to
 18 vehicles registered as "constructor" or "solid waste" or to a
 19 combination of vehicles of which the "constructor" or "solid
 20 waste" vehicle is the drawing vehicle as provided in R. S. 39:3-20.
 21 Vehicles registered as "constructor" or "solid waste" or a combi-
 22 nation of vehicles of which the "constructor" or "solid waste"
 23 vehicle is the drawing vehicle shall be limited **[as]** to a maximum
 24 gross vehicle weight, including load or contents, **[by the allowable**
 25 **gross weight]** as shown on the registration certificate of that
 26 vehicle.

1 4. Section 5 of P. L. 1950, c. 142 (C. 39:3-84.3) is amended to
 2 read as follows:

3 5. a. Any State Police officer or motor vehicle inspector **[having**
 4 **reason to believe that the size or weight of a vehicle and load is un-**
 5 **lawful]** is authorized to require the driver, operator, owner, lessee
 6 or bailee of any vehicle or combination of vehicles found on any

7 public road, street or highway or on any public or quasi-public prop-
8 erty in this State to stop and submit the vehicle or combination of
9 vehicles, including load or contents, to [a] measurement or weigh-
10 ing [of the same] to determine whether the size or weight of the
11 vehicle or combination of vehicles, including load or contents, is in
12 excess of that permitted in this Title, by means of [either portable
13 or stationary scales] measuring or weighing devices or scales ap-
14 proved and certified by the State Superintendent of Weights and
15 Measures or his agent. Copies of documents displaying the seal or
16 certification of the State Superintendent of Weights and Measures
17 shall be prima facia evidence of the reliability and accuracy of the
18 measuring or weighing devices or scales utilized in the enforcement
19 of this Title. The driver, operator, owner, lessee or bailee of a vehi-
20 cle or combination of vehicles, including load or contents, that is to
21 be measured or weighed may be required to drive or otherwise move
22 the vehicle or combination of vehicles to a location, as directed by
23 the officer or inspector, where the vehicle or combination of vehicles,
24 including load or contents, can be measured or weighed as described
25 in this section [and may require that such vehicle be driven to the
26 nearest public scales in the event such scales are within two miles].

27 b. Whenever [an] the officer or inspector upon measuring or
28 weighing a vehicle or combination of vehicles, including load or
29 contents, [and load, as above provided,] determines that the size
30 or weight is [unlawful] in excess of the limits permitted in this
31 Title, [such] the officer or inspector shall require the driver,
32 operator, owner, lessee or bailee to stop the vehicle or combination
33 of vehicles in a suitable place and remain [standing] in that place
34 until [such] a portion of the load or contents of the vehicle or
35 combination of vehicles is removed by the driver, operator, owner,
36 lessee, bailee or duly appointed agent thereof, as may be necessary
37 to conform or reduce the size or [gross] weight of [such] the vehi-
38 cle or combination of vehicles, including load or contents, to [such]
39 those [limit] limits as permitted under this act, or permitted by
40 the certificate of registration for the vehicle or combination of
41 vehicles, whichever may be lower. All materials so unloaded or
42 removed shall be cared for by the driver, owner, [or] operator,
43 lessee or bailee of [such] the vehicle or combination of vehicles, or
44 duly appointed agent thereof, at the risk, responsibility and liability
45 of [such] the driver, owner, [or] operator, lessee, bailee or duly
46 appointed agent thereof.

47 c. No vehicle or combination of vehicles shall be deemed to be in
48 violation of the [overweight] weight limitation provision of this
49 act when, upon examination by [an] the officer or inspector, the

50 **[vehicle's]** dispatch papers *for the vehicle or combination of*
51 *vehicles, including load or contents*, show it is proceeding from its
52 last preceding freight pickup point within the State of New Jersey
53 by a reasonably expeditious route to the nearest available scales or
54 to the first available scales in the general direction towards which
55 the vehicle *or combination of vehicles* has been dispatched, or is
56 returning from such scales after weighing-in to the last preceding
57 pickup point.

58 *d.* When **[an]** the officer or inspector determines that a vehicle
59 *or combination of vehicles, including load or contents*, is in violation
60 of the **[axle]** weight limitations of this **[act]** Title as provided at
61 *R. S. 39:3-84 b. (1); R. S. 39:3-84 b. (2); R. S. 39:3-84 b. (3); or*
62 *R. S. 39:3-84 b. (5) relative to maximum gross axle weights*, but is
63 within the **[legal]** permissible maximum gross vehicle **[maximum]**
64 weight of this Title as provided at *R. S. 39:3-84 b. (4) or R. S.*
65 *39:3-84 b. (5), whichever is applicable*, the driver, operator, owner,
66 lessee, bailee or duly appointed agent thereof, shall be permitted,
67 before proceeding, to redistribute the weight of the **[vehicle's]**
68 *vehicle or combination of vehicles or the load or contents of the*
69 *vehicle or combination of vehicles* so that no axle **[is overweight]**
70 *or combination of consecutive axles are in excess of the limits set*
71 *by this act*, in which event there is no violation.

72 *e.* When **[an]** the officer or inspector determines that a vehicle
73 *or combination of vehicles, including load or contents*, **[or vehicle**
74 **and load]** is in violation of the height, width or length **[restrictions]**
75 *limits of this Title as provided at R. S. 39:3-84a.*, the driver,
76 operator, owner, lessee or bailee of **[such]** the vehicle *or combina-*
77 *tion of vehicles or duly appointed agent thereof*, shall be permitted,
78 before proceeding, to adjust, *reduce or conform* the vehicle or
79 *combination of vehicles, including load or contents*, so that the
80 vehicle *or combination of vehicles, including* **[vehicle and]** load
81 *or contents, are* **[is]** *not in excess of* **[within such]** *the height,*
82 **[weight]** *width, or length* **[restrictions]** *limits set by this act*, in
83 which event there is no violation.

84 **[No arrest shall be made in cases where weight limitations pro-**
85 **vided in this section are not exceeded by more than 5%, except that**
86 **arrests may be made where the gross weight of any vehicle or**
87 **combination of vehicles, including load, exceeds the federal maxi-**
88 **imum of 80,000 pounds, or as such may be amended from time to**
89 **time.]**

90 *f.* Any person who **[prepares,]** presents to **[an]** the officer or
91 inspector, or has in his possession, or who prepares false dispatch
92 papers, that is to say, dispatch papers which do not correspond to

93 the cargo carried, shall be subject to a fine not [exceeding] to
94 exceed \$100.00.

95 g. Any driver of a vehicle or combination of vehicles who fails or
96 refuses to stop and submit the vehicle or combination of vehicles,
97 including [and] load or contents, to [a] measurement or weighing,
98 as provided in this Title or [who fails or refuses when directed by
99 an officer upon a measurement or weighing of the vehicle to stop
100 the vehicle and] otherwise fails to comply with the provisions of
101 this section, [shall be subject to a fine not exceeding \$100.00] is a
102 disorderly person and shall be subject to arrest pursuant to the
103 provisions of subsection b. of N. J. S. 2C:29-2.

104 h. The owner, lessee, [and] bailee or any one of the aforesaid of
105 any vehicle or combination of vehicles [commercial motor vehicle,
106 tractor, trailer or semi-trailer] found or operated on [a] any public
107 road, street or highway or on any public or quasi-public property
108 in this State in violation of the [dimensional restrictions] height,
109 width or length limits as set forth in subsection a. of R. S. 39:3-84
110 shall be fined not less than \$150.00 nor more than \$500.00.

111 i. The owner, lessee, [and] bailee or any one of the aforesaid of
112 any vehicle or combination of vehicles [commercial motor vehicle,
113 tractor, trailer or semitrailer] found or operated on [a] any public
114 road, street or highway or on any public or quasi-public property
115 in this State with a gross weight of the vehicle [and] or combination
116 of vehicles, including load or contents, [in excess of the weight
117 limitation permitted by the certificate of registration for the vehicle
118 or] in excess of the [gross] weight limitations [imposed] as
119 provided at subsection b. of R. S. 39:3-84 or section 3 of P. L. 1950,
120 c. 142 (C. 39:3-84.1) [by this Title for vehicle and load or an axle
121 weight in excess of the axle weight limitation imposed by this Title,]
122 shall be fined an amount equal to \$0.02 per pound for each pound of
123 the total excess weight [if the excess does not exceed] provided
124 the total excess weight is 10,000 pounds or less, [and] or shall be
125 fined an amount equal to \$0.03 per pound for each pound of the
126 total excess weight [if the excess weight exceeds] provided the
127 total excess weight is more than 10,000 pounds, but in no event shall
128 the fine be less than \$50.00.

129 [The owner, lessee and bailee of a truck, road tractor or truck
130 tractor registered under this act and found on a highway in com-
131 bination with a trailer or semitrailer duly registered in any other
132 state or federal district which imposes registration weight fees
133 on such trailers or semitrailers and in violation of the weight
134 limitations of R. S. 39:3-20 shall be fined an amount equal to \$0.02
135 for each pound by which one-half of the combined gross weight of

136 all vehicles in the combination, including load, shall exceed the
 137 gross weight registration of the drawing vehicle registered under
 138 this act, if the excess is not greater than 10,000 pounds, and \$0.03
 139 for each pound of the excess if it is greater than 10,000 pounds,
 140 but in no event less than \$50.00.]

141 j. Whenever [it] a vehicle or combination of vehicles, including
 142 load or contents, is found [that there is a weight in excess of] to be
 143 in violation of any two or more of [said] the weight limitations as
 144 provided at subsection b. of R. S. 39:3-84 or section 3 of P. L. 1950,
 145 c. 142 (C. 39:3-84.1), the fine [shall be] levied shall be only for the
 146 violation involving the greater or greatest excess weight.

1 5. P. L. 1973, c. 273 (C. 39:3-84a) is repealed.

1 6. This act shall take effect on April 1, 1983.

STATEMENT

This bill contains proposed amendments to Title 39 of the Revised Statutes. This amendatory legislation is part of the New Jersey Size and Weight Enforcement Program upon which the continued allocation of Federal Highway Construction Funds pursuant to 23 U. S. C. § 104 is predicated.

These proposed amendments will achieve several goals: (1) establishment of a Table of Maximum Allowable Gross Weights to insure that the Vehicle Weight Enforcement Program of New Jersey is consistent with Federal Law and sets weight limits which do not exceed those mandated by the provisions of 23 U. S. C. § 127; (2) conform existing law with federal weight limits; and (3) reorganize and restructure the existing statutory language to provide for greater clarity and identity of purposes.

The amendments in this act will not increase the present allowable weight for vehicles using the highways and roads of this State, including the Interstate Highway System.

A3003 (1983)

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3003

STATE OF NEW JERSEY

DATED: JANUARY 27, 1983

The statement appended to this bill adequately expresses its provisions and purpose.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

April 25, 1983

ASSEMBLY BILL NO. 3003 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Assembly Bill No. 3003 (OCR) with my objections and recommendations for amendment.

The purpose of this bill is to amend Title 39 of the Revised Statutes to ensure that New Jersey's Vehicle Weight Enforcement Program is consistent with federal law. The bill further amends Title 39 to permit the presence of longer trucks and "double-bottom" vehicles on our Interstate highways in accordance with the mandate of the Federal Surface Transportation Assistance Act of 1982 (STAA). The STAA and the Appropriations Act of 1982 made several significant changes in federal law governing the length and width of trucks using the Interstate system and other qualifying federal aid highways. Assembly Bill No. 3003 (OCR) would bring New Jersey into conformity with the dimensional requirements of this federal legislation.

Under the federal legislation, states must allow semi-trailers of no less than 48 feet in length when in a tractor/semi-trailer combination and no less than 28 feet in length when in a tractor/semi-trailer trailer combination, more commonly known as "double-bottoms." The states are also precluded from setting an overall length limitation on tractors, semi-trailer or tractor/semi-trailer combinations. Additionally, no state may impose a length limitation on the tractor portion of truck combinations consisting of a tractor and either one or two trailing units because it could have the practical effect of imposing an overall length limitation on these truck combinations.

In enacting the Surface Transportation Assistance Act, Congress has not only preempted this and every other state's discretion in determining the dimensions of commercial vehicles which can safely travel their roads, but it has done so at the threat of losing Federal Highway funds. I am vehemently opposed to the existence of these large "double-bottom" vehicles on our highways and am incensed that Congress has dictated to the State of New Jersey dimensional limitations which intimidate our motoring public and threaten their safety on our highways. It is my intention, therefore, to see to it that New Jersey's motorists are protected to the fullest extent possible and to ensure

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

2

that our highways and bridges remain durable by complying with the absolute minimum requirements of the federal legislation. This can only be accomplished by enacting legislation which makes New Jersey's allowable length limitations reflective of the minimum standards permitted under federal law.

As such, I propose that the trailer length limitation on the "double-bottom" vehicles be amended to reflect a 28 foot maximum as opposed to the 28½ foot limit presently in the bill.

In addition, the final printed version of Assembly Bill No. 3003 (OCR) failed to completely mirror the amendments adopted on the Senate floor regarding the grandfathering provisions for "constructor" vehicles. As such, I have incorporated this missing language into the conditional veto.

Therefore, I herewith return Assembly Bill No. 3003 (OCR) and recommend that it be amended as follows:

Page 8, Section 2, Line 75y: After "feet" delete "six inches"

Page 15, Section 3, Line 24: After "is" insert "operated within an area that is 30 miles or less from"

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

{seal}

Attest:

/s/ W. Cary Edwards
Chief Counsel

4-25-83

[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 3003

STATE OF NEW JERSEY

INTRODUCED JANUARY 11, 1983

By Assemblymen MARKERT, COWAN, T. GALLO, GILL,
BRYANT, FELICE and KOSCO

AN ACT concerning the application and enforcement of the dimensional and weight limitations of certain vehicles or combinations thereof, and amending R. S. 39:3-20, R. S. 39:3-84, P. L. 1950, c. 142 and repealing P. L. 1973, c. 273.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. R. S. 39:3-20 is amended to read as follows:

2 39:3-20. For the purpose of this act gross weight means the
3 weight of ***[both]*** the vehicle ***[and its]*** **or combination of ve-*
3A *hicles, including** load **or contents**. a. The director is authorized
4 to issue registrations for commercial motor vehicles other than
5 omnibuses or motor-drawn vehicles upon application therefor and
6 payment of a fee based on the gross weight of the vehicle including
7 the gross weight of all vehicles in any combination of vehicles of
8 which the commercial motor vehicle is the drawing vehicle. The
9 gross weight of a disabled commercial vehicle or combination of
10 disabled commercial vehicles being removed from a highway shall
11 not be included in the calculation of the registration fee for the
12 drawing vehicle.

13 Except as otherwise provided in this subsection, every registra-
14 tion for a commercial motor vehicle other than an omnibus or
15 motor-drawn vehicle shall expire and the certificate thereof shall
16 become void on the last day of the eleventh calendar month follow-
17 ing the month in which the certificate was issued. The minimum
18 registration fee shall be \$50.00 plus \$8.50 for each 1,000 pounds
19 or portion thereof in excess of 5,000 pounds.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly amendments adopted March 14, 1983.

20 Commercial motor vehicles other than omnibuses or motor-drawn
21 vehicles for which commercial motor vehicle registrations had been
22 issued prior to the effective date of this act and which expire March
23 31, 1982 shall be issued commercial registrations which, in the
24 director's discretion, shall expire on a date to be fixed by him, which
25 date shall not be sooner than four months nor later than 16 months
26 following the date of issuance of the registration. The fees for such
27 registrations shall be fixed by the director in amounts proportion-
28 ately less or greater than the fees established by this subsection.

29 b. The director is also authorized to issue registration for com-
30 mercial motor vehicles having three or more axles and a gross
31 weight over 40,000 pounds but not exceeding 70,000 pounds, upon
32 application therefor and proof to the satisfaction of the director
33 that the applicant is actually engaged in construction work or in
34 the business of supplying material, transporting material, or using
35 such registered vehicle for construction work.

36 Except as otherwise provided in this subsection, every registra-
37 tion for these commercial motor vehicles shall expire and the cer-
38 tificate thereof shall become void on the last day of the eleventh
39 calendar month following the month in which the certificate was
40 issued.

41 The registration fee shall be *~~[\$10.00]~~* *\$16.00* for each 1,000
42 pounds or portion thereof of gross weight including the gross weight
43 of all vehicles in any combination of which such commercial motor
44 vehicle is the drawing vehicle. "Constructor" registrations issued
45 prior to the effective date of this act which expire June 30, 1982 shall
46 be issued contractor vehicle registrations which, in the director's
47 discretion, shall expire on a date to be fixed by him, which date
48 shall not be sooner than four months nor later than 16 months
49 following the date of issuance of the registration. The fees for the
50 registration shall be fixed by the director in amounts proportion-
51 ately less or greater than the fees established by this subsection.

52 Such commercial motor vehicle shall be operated in compliance
53 with the speed limitations of Title 39 of the Revised Statutes and
54 shall not be operated at a speed greater than 30 miles per hour
55 when one or more of its axles has a load which exceeds the limita-
56 tions prescribed in R. S. 39:3-84.

57 c. The director is also authorized to issue registrations for each
58 of the following solid waste vehicles: two-axle vehicles having a
59 gross weight not exceeding 42,000 pounds; tandem three-axle and
60 four-axle vehicles having a gross weight not exceeding 60,000
61 pounds; four-axle tractor-trailer combination vehicles having a
62 gross weight not exceeding 60,000 pounds. Registration is based

63 upon application to the director and proof to his satisfaction that
64 the applicant is actually engaged in the performance of solid waste
65 disposal or collection functions and holds a certificate of convenience and necessity therefor issued by the Board of Public
66 Utilities.
67

68 Except as otherwise provided in this subsection, every registration
69 for a solid waste vehicle shall expire and the certificate thereof
70 shall become void on the last day of the eleventh calendar month
71 following the month in which the certificate was issued.

72 The registration fee shall be \$50.00 plus \$8.50 for each 1,000
73 pounds or portion thereof in excess of 5,000 pounds.

74 Solid waste vehicles for which commercial motor vehicles registrations
75 had been issued prior to the effective date of this act and
76 which shall expire June 30, 1982 shall be issued solid waste registrations which, in the director's discretion, shall expire on a date
77 to be fixed by him, which date shall not be sooner than four months
78 or later than 16 months following the date of issuance of the registration. The fees for the registration shall be fixed by the director
79 in amounts proportionately less or greater than the fees established
80 by this subsection.
81

82
83 d. The director is also authorized to issue registrations for commercial motor-drawn vehicles upon application therefor. The
84 registration year for commercial motor-drawn vehicles shall be
85 April 1 to the following March 31 and the fee therefor shall be
86 \$18.00 for each such vehicle.
87

88 At the discretion of the director, an applicant for registration
89 for a commercial motor-drawn vehicle may be provided the option
90 of registering such vehicle for a period of four years. In the event
91 that the applicant for registration exercises the four-year option,
92 a fee of \$64.00 for each such vehicle shall be paid to the director in
93 advance.

94 If any commercial motor-drawn vehicle registered for a four-year
95 period is sold or withdrawn from use on the highways, the director
96 may, upon surrender of the vehicle registration and plate, refund
97 \$16.00 for each full year of unused prepaid registration.

98 e. It shall be unlawful for any vehicle or combination of vehicles
99 registered under this act having a gross weight, *including load or*
100 *contents*, in excess of the gross weight provided on the registration
101 certificate to be operated on the highways of this State.

102 [In the event that a commercial motor vehicle registered under
103 this act is found on a highway in combination with a commercial
104 motor-drawn vehicle properly registered in any other state, federal district or Canadian province which imposes registration
105

106 weight fees on such commercial motor-drawn vehicles, the drawing
107 vehicle registered under this act shall have a gross weight regis-
108 tration equal to at least one-half of the gross weight of the com-
109 bination of vehicles. If it does not, the operation of said vehicles
110 on the highways of this State shall be unlawful.

111 The 5% allowance provided by section 5 of P. L. 1950, c. 142
112 (C. 39:3-84.3) shall be applicable as heretofore to all registered
113 weight limitations provided in this section, except that in no event
114 shall the gross weight of any vehicle or combination of vehicles
115 exceed the federal maximum as such may be amended from time
116 to time established for vehicles operated on the National System
117 of Interstate and Defense Highways. In the case of a commercial
118 motor vehicle registered under this act in combination with a
119 commercial motor-drawn vehicle properly registered in any other
120 state, federal district or Canadian province which imposes regis-
121 tration weight fees on such commercial motor-drawn vehicles, the
122 5% allowance shall be applied and added to the registered weight
123 of the drawing vehicle registered under this act. If the resulting
124 sum is equal at least to one-half of the combined gross weight of the
125 mixed combination, then the mixed combination shall be in com-
126 pliance with the registration requirements of this section.】

127 *The owner, lessee, bailee or any one of the aforesaid of a vehicle*
128 *or combination of vehicles, including load or contents, found or*
129 *operated on any public road, street or highway or on any public or*
130 *quasi-public property in this State with a gross weight of that*
131 *vehicle or combination of vehicles, including load or contents, in*
132 *excess of the weight limitation permitted by the certificate of reg-*
133 *istration for the vehicle or combination of vehicles, pursuant to the*
134 *provisions of this section shall be *【fined】* *assessed a penalty of**
135 *\$50.00 plus an amount equal to \$8.50 for each 1,000 pounds or frac-*
136 *tional portion of 1,000 pounds of weight in excess of the weight*
137 *limitation permitted by the certificate of registration for that vehi-*
138 *cle or combination of vehicles. A vehicle or combination of vehicles*
139 *for which there is no valid certificate of registration is deemed to*
140 *have been registered for zero pounds for the purposes of the en-*
141 *forcement of this act in addition to any other violation of this Title,*
142 *but is not deemed to be lawfully or validly registered pursuant to*
143 *the provisions of this Title.*

144 Moneys realized from the increase of the fees for registrations
145 issued pursuant to the provisions of this act shall be paid into the
146 State Treasury and credited to the General State Fund and avail-
147 able for general State purposes.

148 This section shall not be construed to supersede or repeal the
149 provisions of sections 39:3-84, 39:4-75, or 39:4-76 of this Title.

1 2. R. S. 39:3-84 is amended to read as follows:

2 39:3-84. *a. The following constitute the maximum dimensional*
3 *limits for width, height and ***[overall]*** length for any vehicle or*
3A *combination of vehicles, including load or contents *or any part or*
3B *portion thereof*, found or operated on any public road, street or*
3C *highway or any public or quasi-public property in this State. Vio-*
3D *lations shall be enforced pursuant to subsection ***[h.]*** *(i)* of*
3E *section ***[4 of this 1983 amendatory act]*** *5 of P. L. 1950, c. 142*
4 *(C. 39:3-84.3)*.*

5 **The dimensional limitations set forth in this subsection are ex-*
5A *clusive of safety and energy conservation devices necessary for*
5B *safe and efficient operation of a vehicle or combination of vehicles,*
5C *including load or contents, except that no device excluded herein*
5D *shall have by its design or use the capability to carry, transport or*
5E *otherwise be utilized for cargo.*

5F *Any rules and regulations authorized to be promulgated pursuant*
5G *to this subsection shall be consistent with any rules and regulations*
6 *promulgated by the Secretary of Transportation of the United*
6A *States of America, and shall be in accordance with the provisions*
6B *of the "Administrative Procedure Act," P. L. 1968, c. 410*
6C *(C. 52:14B-1 et seq.). In addition to the other requirements of*
6D *this subsection and notwithstanding any other provision of this*
6E *Title, no vehicle or combination of vehicles, including load or con-*
6F *tents or any part or portion thereof, except as otherwise pro-*
6G *vided by this subsection shall be operated in this State, unless by*
7 *special permit authorized by subsection d. of this section with a*
7A *dimension the allowance of which would disqualify the State of New*
7B *Jersey or any department, agency or governmental subdivision*
7C *thereof for the purpose of receiving federal highway funds.*

7D *As used herein and pursuant to R. S. 39:1-1, the term "vehicle"*
7E *includes, but is not limited to, commercial motor vehicles, trucks,*
7F *truck tractors, tractors, road tractors, or omnibuses. As used*
7G *herein and pursuant to R. S. 39:1-1, the term "combination of ve-*
7H *hicles" includes, but is not limited to, vehicles as heretofore desig-*
7I *nated, when those vehicles are the drawing or power unit of a*
7J *combination of vehicles and motor-drawn vehicles such as, but not*
7K *limited to, trailers, semi-trailers, or other vehicles.**

8 ****[1]** No commercial motor vehicle, tractor, trailer or semitrailer*
9 *shall be operated on any highway in this State the outside width of*
10 *which is more than 96 inches, inclusive of load, or the height of*
11 *which exceeds 13½ feet, inclusive of load, and no commercial motor*

12 vehicle, tractor or trailer shall be operated on any highway in this
13 State, the extreme overall length of which exceeds 35 feet either
14 for a two-axle four-wheeled vehicle, inclusive of load, or 35 feet
15 either for a three-axle six-wheeled vehicle, inclusive of load, except
16 that a vehicle or vehicle inclusive of load exceeding the above
17 limitations may be operated when a special permit so to operate is
18 secured in advance from the director. The application for such
19 permit shall be accompanied by a fee fixed by the director. A
20 special permit issued by the director shall be in the possession of
21 the operator of the vehicle for which such permit was issued. In
22 computing any dimensions of a vehicle, or vehicle and load, for the
23 purposes of this section, there shall not be included in the dimen-
24 sional limitations safety appliances such as mirrors or lights, or
25 chains or similar fasteners used for the securing of cargo, provided
26 such appliances or fasteners do not exceed the overall limitations
27 established by the director by rule or regulation.

28 (2) In the case of an omnibus the maximum width and length
29 dimensions shall be such as the Board of Public Utility Commis-
30 sioners prescribe, but no outside width in excess of 96 inches shall
31 be prescribed with respect to one or more highways specified or
32 otherwise described except upon certifications, (1) of the Division
33 of Motor Vehicles in the Department of Law and Public Safety
34 that the proposed width is not unsafe for use on the highways in
35 this State and (2) of the State Department of Transportation that
36 the proposed width, if in excess of 96 inches, is not in conflict with
37 the requirements of any agency of the United States having
38 jurisdiction over the National System of Interstate and Defense
39 Highways authorized by law. No outside width so prescribed shall
40 be valid if the allowance of use of the same would disqualify the
41 State of New Jersey or any department, agency or governmental
42 subdivision thereof for the purpose of receiving federal highway
43 funds.

44 (3) In the case of farm tractors and traction equipment and farm
45 machinery and implements, the maximum width and length shall
46 be such as the Director of the Division of Motor Vehicles shall
47 prescribe by uniform rules and regulations but the operation of
48 such vehicles shall be subject to the provisions of section 39:3-24
49 of this Title and any such vehicle shall not be operated on any
50 highway which is part of the National System of Interstate and
51 Defense Highways or on any highway which has been designated
52 a freeway or parkway as provided by law.

53 (4) In the case of commercial motor vehicles, trailers and semi-
54 trailers including farm trucks, while loaded with hay or straw the
55 maximum width of the load shall not exceed 105½ inches.

56 (5) No commercial motor vehicle drawing or having attached
57 thereto any other such vehicle, nor any combination of vehicles,
58 shall be operated on any highway in this State, in excess of a total
59 overall length, inclusive of load, of 55 feet except a vehicle or a
60 combination of vehicles transporting poles, pilings, structural units
61 or other articles incapable of dismemberment the total overall
62 length of which, inclusive of load, shall not exceed 70 feet, but the
63 provisions of this paragraph shall not apply to a vehicle nor to any
64 combination of vehicles, operated by a public utility as defined in
65 R. S. 48:2-13 which vehicle or combination of vehicles is used by
66 such public utility in the construction, reconstruction, repair or
67 maintenance of its property or facilities.

68 (6) Notwithstanding the above limitations, a combination of
69 vehicles designed, built and used to transport other motor vehicles
70 may carry a load which exceeds the 55 feet overall length, provided,
71 however, the total load overhang shall be limited to five feet and
72 may not exceed three feet at either the front or rear and that the
73 overhang shall be above the height of the average passenger car.]*

74 **(1) The maximum outside width of any vehicle or combination
74A of vehicles, including load or contents of any part or portion thereof,
74B except as otherwise provided by this subsection, shall be no more
74C than 102 inches; except that the Commissioner of Transportation,
74D after consultation with the Director of the Division of Motor Vehi-
74E cles and the Superintendent of State Police, may promulgate rules
74F and regulations for those public roads, streets or highways or public
74G quasi-public property in this State where it is determined that the
74H interest of public safety and welfare require the maximum outside
74I width be no more than 96 inches.*

74J *(2) The maximum height of any vehicle or combination of ve-
74K hicles, including load or contents of any part or portion thereof,
74L except as otherwise provided by this subsection, shall not exceed
74M 13 feet six inches.*

74N *(3) The maximum overall length of any vehicle, as set forth in
74O this subsection, including load or contents or any part or portion
74P thereof, except as otherwise provided by this subsection, shall not
74Q exceed 35 feet, except that the overall length of a vehicle, including
74R load or contents or any part or portion thereof, otherwise subject
74S to the provisions of this paragraph shall not exceed 50 feet when
74T transporting poles, pilings, structural units or other articles which
74U cannot be dismembered, dismantled or divided. When a vehicle,
74V subject to this paragraph, is the drawing or power unit of a com-
74W bination of vehicles, as set forth in this subsection, the overall
74X length of the combination of vehicles, including load or contents or*

74Y any part or portion thereof shall not exceed 62 feet. The provisions
74Z of this paragraph shall not apply to omnibuses or to vehicles which
74ZZ are not designed, built or otherwise capable of carrying cargo or
75 loads.

75A (4) The maximum overall length of a motor-drawn vehicle, as
75B set forth in this subsection, including load or contents or any part
75C or portion thereof, except as otherwise provided by this subsection,
75D shall not exceed 48 feet when operated as part of a combination of
75E vehicles consisting of one motor-drawn vehicle and a drawing or
75F power unit vehicle not designed, built or otherwise capable of
75G carrying cargo or loads, except that the overall length of a motor-
75H drawn vehicle, otherwise subject to the provisions of this paragraph
75I shall not exceed 63 feet when transporting poles, pilings, structural
75J units or other articles that cannot be dismembered, dismantled or
75K divided. The provisions of this paragraph shall not apply to any
75L vehicle or combination of vehicles designed, built and utilized solely
75M to transport other motor vehicles.

75N (5) No combination of vehicles, including load or contents, con-
75O sisting of more than two motor-drawn vehicles, as set forth in this
75P subsection, and any other vehicle, shall be found or operated on
75Q any public road, street or highway or any public or quasi-public
75R property in this State.

75S (6) The maximum overall length of a motor-drawn vehicle, as
75T set forth in this section, including load or contents or any part or
75U portion thereof, except as otherwise provided by this subsection,
75V when operated as part of a combination of vehicles consisting of
75W two motor-drawn vehicles and a drawing or power unit vehicle
75X which is not designed, built or otherwise capable of carrying cargo
75Y or loads, shall not exceed 28 feet six inches for each motor-drawn
75Z vehicle in the combination of vehicles. The provision of this para-
76 graph shall not apply to any vehicle or combination of vehicles
76A designed, built and utilized solely to transport other motor vehi-
76B cles. The Commissioner of Transportation after consultation with
76C the Director of the Division of Motor Vehicles and the Superin-
76D tendent of State Police, shall promulgate rules and regulations
76E specifying those portions or parts of the National System of In-
76F terstate and Defense Highways, Federal-aid Primary System High-
76G ways and public roads, streets, highways, toll roads, freeways or
76H parkways in this State where combinations of vehicles as described
76I in this paragraph may lawfully operate.

76J (7) The maximum length and outside width of an omnibus found
76K or operated in this State shall be established by rules and regula-
76L tions promulgated by the Commissioner of Transportation after
76M consultation with the Director of the Division of Motor Vehicles

76N and the Superintendent of State Police. Unless otherwise specified
76O in the aforesaid rules and regulations the maximum outside width
76P shall be 102 inches, any other dimension established for width in
76Q the aforesaid rules and regulations shall be based upon a determi-
76R nation that operation of an omnibus with a width of less than 102
76S inches, but no less than 96 inches is required in the interests of
76T public safety on those public roads, streets, highways, toll roads,
76U freeways, parkways or the National System of Interstate and De-
76V fense Highways in this State specified in the aforesaid rules and
76W regulations, or that operation of an omnibus with a width greater
76X than 102 inches is not unsafe on those public roads, streets, high-
76Y ways, toll roads, freeways, parkways or the National System of
76Z Interstate and Defense Highways in this State specified in the
77 aforesaid rules and regulations.

77A (8) The maximum width and length of farm tractors and trac-
77B tion equipment and farm machinery and implements shall be es-
77C tablished by rules and regulations promulgated by the Director of
77D the Division of Motor Vehicles. The operation of the aforesaid
77E vehicles shall be subject to the provisions of R. S. 39:3-24 and they
77F shall not be operated on any highway which is part of the National
77G System of Interstate and Defense Highways or on any highway
77H which has been designated a freeway or parkway as provided by
77I law.

77J (9) The maximum outside width of the cargo or load of a vehicle
77K or combination of vehicles, including farm trucks, loaded with hay
77L or straw shall not exceed 105 1/2 inches, but the maximum outside
77M width of the vehicle or combination of vehicles including farm
77N trucks shall otherwise comply with the provisions of paragraph
77O (1) of this subsection. The Commissioner of Transportation after
77P consultation with the Director of the Division of Motor Vehicles
77Q and the Superintendent of State Police may promulgate rules and
77R regulations establishing a maximum outside width of 102 inches
77S for the aforesaid cargo or load when operating on those highways
77T where a greater width is prohibited by operation of law.

77U (10) Notwithstanding the provisions of paragraphs 4 and 6 of
77V this subsection pertaining to length, the Director of the Division
77W of Motor Vehicles may adopt rules and regulations specifying
77X maximum length dimensions for any vehicle or combination of
77Y vehicles designed, built and utilized solely to transport other motor
77Z vehicles.

78 (11) The provisions of this subsection pertaining to length shall
78A not apply to a vehicle or combination of vehicles or special mobile
78B equipment operated by a public utility, as defined in R. S. 48:2-13,

78C when that vehicle or combination of vehicles or special mobile
78D equipment is used by the public utility in the construction, recon-
78E struction, repair or maintenance of its property or facilities.*

78F b. No vehicle or combination of vehicles, including load or con-
78G tents, found or operated on any public road, street or highway or
78H any public or quasi-public property in this State shall exceed the
78I weight limitations set forth in this Title. Violations shall be en-
78J forced pursuant to subsection **[i.]* *j.** of section **[4 of this 1983*
79 *amendatory act]* *5 of P. L. 1950, c. 142 (C. 39:3-84.3)*.*

80 Where enforcement of a weight limit provision of this Title
81 requires a measurement of length between axle centers, **[th]**
82 **the** distance between axle centers shall be measured to the nearest
83 whole foot or whole inch, whichever is applicable, and when the
84 measurement includes a fractional part of a foot equalling six
85 inches or more or a fractional part of an inch equalling one-half
86 inch or more, the next larger whole foot or whole inch, whichever
87 is applicable, shall be utilized. The term "tandem axle" as used in
88 this act is defined as a combination of consecutive axles, consisting
89 of only two axles, where the distance between axle centers is 40
90 inches or more but no more than 96 inches.

90A **In addition to the other requirements of this section and not-*
90B *withstanding any other provision of this Title, no vehicle or com-*
90C *bination of vehicles, including load or contents, shall be operated*
90D *in this State, unless by special permit authorized by this Title, with*
90E *a gross weight, single or multiple axle weight, or gross weight of*
90F *two or more consecutive axles, the allowance of which would dis-*
90G *qualify the State of New Jersey or any department, agency or*
90H *governmental subdivision thereof for the purpose of receiving*
90I *federal highway funds.**

91 (1) The gross weight imposed on the highway or other surface
92 by the wheels of any one axle of a vehicle or combination of vehicles,
93 including load or contents, shall not exceed 22,400 pounds.

94 For the purpose of this Title the combined gross weight imposed
95 on the highway or other surface by all the wheels of any one axle of
96 a vehicle or combination of vehicles, including load or contents, shall
97 be deemed to mean the total [load transmitted to the road by]
98 gross weight of all wheels whose axle centers are spaced [included
99 between two parallel transverse vertical planes] less than 40 inches
100 apart[, extending across the full width of the vehicle].

101 (2) The [combined] gross weight imposed on the highway or
102 other surface by all the wheels of all consecutive axles of a vehicle
103 or combination of vehicles, including load or contents, [whose

104 centers are on or between two parallel transverse vertical planes
105 spaced] shall not exceed 34,000 pounds where the distance between
106 consecutive axle centers is 40 inches or more, but [less] no more
107 than 96 inches apart[, extending across the full width of the vehicle,
108 shall not exceed 34,000 pounds].

109 (3) The combined gross weight imposed on the highway or other
110 surface by all the wheels of consecutive axles of a vehicle or com-
111 bination of vehicles, including load or contents, shall not exceed
112 22,400 pounds for each single axle where the distance between con-
113 secutive axle centers is more than 96 inches; except that on any
114 highway in this State which is part of, or designated as part of, the
115 National Interstate System, as provided at 23 U. S. C. § 103 (e), this
116 single axle limitation shall not apply and in those instances the
117 provisions of this Title as set forth at R. S. 39:3-84 b. (5) shall
118 apply.

119 (4) The maximum total gross weight imposed on the highway or
120 other surface by a vehicle or combination of vehicles, including load
121 or contents, shall not exceed 80,000 pounds.

122 (5) On any highway in this State which is part of, or designated
123 as part of, the National Interstate System as provided at 23 U. S. C.
124 § 103 (e), the total gross weight, in pounds, imposed on the highway
125 or other surface by any group of two or more consecutive axles of
126 a vehicle or combination of vehicles, including load or contents,
127 shall not exceed that listed in the following TABLE OF MAXI-
128 MUM GROSS WEIGHTS, for the respective distance, in feet,
129 between the axle centers of the first and last axles of the group of
130 two or more consecutive axles under consideration; except that in
131 addition to the weights specified in that Table, two consecutive sets
132 of tandem axles may carry a gross weight of 34,000 pounds each if
133 the overall distance between the first and last axles of the consecu-
134 tive sets of tandem axles is thirty-six feet or more. The gross weight
135 of each set of tandem axles shall not exceed 34,000 pounds and the
136 combined gross weight of the two consecutive sets of tandem axles
137 shall not exceed 68,000 pounds.

138 In all cases the combined gross weight for a vehicle or combina-
139 tion of vehicles, including load or contents, or the maximum gross
140 weight for any axle or combination of axles of the vehicle or com-
141 bination of vehicles, including load or contents, shall not exceed
142 that which is permitted pursuant to this paragraph or R. S.
143 39:3-84 b. (2); R. S. 39:3-84 b. (3); or R. S. 39:3-84 b. (4) of this
144 act, whichever is the lesser allowable gross weight.

TABLE OF MAXIMUM GROSS WEIGHTS

<i>Distance in feet between axle centers of first and last axles of any group of two or more con- secutive axles</i>		<i>2 axles</i>	<i>3 axles</i>	<i>4 axles</i>	<i>5 axles</i>	<i>6 axles</i>	<i>7 axles</i>
145	3	22400	22400	22400	22400	22400	22400
146	4	34000	34000	34000	34000	34000	34000
147	5	34000	34000	34000	34000	34000	34000
148	6	34000	34000	34000	34000	34000	34000
149	7	34000	34000	34000	34000	34000	34000
150	8	34000	34000	34000	34000	34000	34000
151	9	39000	42500	42500	42500	42500	42500
152	10	40000	43500	43500	43500	43500	43500
153	11	41000	44000	44000	44000	44000	44000
154	12	42000	45000	50000	50000	50000	50000
155	13	43000	45500	50500	50500	50500	50500
156	14	44000	46500	51500	51500	51500	51500
157	15	44800	47000	52000	52000	52000	52000
158	16	44800	48000	52500	58000	58000	58000
159	17	44800	48500	53500	58500	58500	58500
160	18	44800	49500	54000	59000	59000	59000
161	19	44800	50000	54500	60000	60000	60000
162	20	44800	51000	55500	60500	66000	66000
163	21	44800	51500	56000	61000	66500	66500
164	22	44800	52500	56500	61500	67000	67000
165	23	44800	53000	57500	62500	68000	68000
166	24	44800	54000	58000	63000	68500	74000
167	25	44800	54500	58500	63500	69000	74500
168	26	44800	55500	59500	64000	69500	75000
169	27	44800	56000	60000	65000	70000	75500
170	28	44800	57000	60500	65500	71000	76500
171	29	44800	57500	61500	66000	71500	77000
172	30	44800	58500	62000	66500	72000	77500
173	31	44800	59000	62500	67500	72500	78000
174	32	44800	60000	63500	68000	73000	78500
175	33	44800	60500	64000	68500	74000	79000
176	34	44800	61500	64500	69000	74500	80000
177	35	44800	62000	65500	70000	75000	80000
178	36	44800	63000	66000	70500	75500	80000
179	37	44800	63500	66500	71000	76000	80000
180	38	44800	64500	67500	71500	77000	80000
181	39	44800	65000	68000	72500	77500	80000

TABLE OF MAXIMUM GROSS WEIGHTS (Continued)

<i>Distance in feet between axle centers of first and last axles of any group of two or more con- secutive axles</i>		<i>2 axles</i>	<i>3 axles</i>	<i>4 axles</i>	<i>5 axles</i>	<i>6 axles</i>	<i>7 axles</i>
182	40	44800	66000	68500	73000	78000	80000
183	41	44800	66500	69500	73500	78500	80000
184	42	44800	67200	70000	74000	79000	80000
185	43	44800	67200	70500	75000	80000	80000
186	44	44800	67200	71500	75500	80000	80000
187	45	44800	67200	72000	76000	80000	80000
188	46	44800	67200	72500	76500	80000	80000
189	47	44800	67200	73500	77500	80000	80000
190	48	44800	67200	74000	78000	80000	80000
191	49	44800	67200	74500	78500	80000	80000
192	50	44800	67200	75500	79000	80000	80000
193	51	44800	67200	76000	80000	80000	80000
194	52	44800	67200	76500	80000	80000	80000
195	53	44800	67200	77500	80000	80000	80000
196	54	44800	67200	78000	80000	80000	80000
197	55	44800	67200	78500	80000	80000	80000
198	56	44800	67200	79500	80000	80000	80000
199	57	44800	67200	80000	80000	80000	80000
200	58	44800	67200	80000	80000	80000	80000
201	59	44800	67200	80000	80000	80000	80000
202	60	44800	67200	80000	80000	80000	80000
203	61	44800	67200	80000	80000	80000	80000
204	62	44800	67200	80000	80000	80000	80000
205	63	44800	67200	80000	80000	80000	80000
206	64	44800	67200	80000	80000	80000	80000
207	65	44800	67200	80000	80000	80000	80000
208	66	44800	67200	80000	80000	80000	80000
209	67	44800	67200	80000	80000	80000	80000
210	68	44800	67200	80000	80000	80000	80000
211	69	44800	67200	80000	80000	80000	80000
212	70	44800	67200	80000	80000	80000	80000

213 *[(6) In addition to the other requirements of this section and
 214 notwithstanding any other provision of this Title, no vehicle or
 215 combination of vehicles, including load or contents,]* [commercial
 216 motor vehicle, tractor, trailer or semitrailer] * [shall be operated]*
 217 [on any highway] * [in this State, unless by special permit autho-

218 *ized by this Title, with a combined weight of vehicle and load, an*
 219 *axle weight or a vehicle dimension the allowance of which would*
 220 *disqualify the State of New Jersey or any department, agency or*
 221 *governmental subdivision thereof for the purpose of receiving*
 222 *federal highway funds.】**

223 *c. The dimensional and weight restrictions set forth herein shall*
 224 *not apply to a combination of vehicles which includes a disabled*
 225 *vehicle or a combination of vehicles being removed from a highway*
 226 *in this State, provided that such oversize or overweight vehicle*
 227 *combination may not travel on the public highways more than five*
 228 *miles from the point where such disablement occurred. If the dis-*
 229 *ablement occurred on a limited access highway, the distance to the*
 230 *nearest exit of such highway shall be added to the five-mile limitation.*

231 *d. The Director of the Division of Motor Vehicles may promul-*
 232 *gate rules and regulations, including the establishment of fees, for*
 233 *the issuance, at his discretion and if good cause appears, of a special*
 234 *written permit authorizing the applicant:*

235 *(1) To operate or move a vehicle or combination of vehicles or*
 236 *special mobile equipment, transporting one piece loads that cannot*
 237 *be dismembered*, dismantled or divided* in order to comply with*
 238 *the weight limitations set forth in this act. The special written*
 239 *permit issued by the director shall be in the possession of the driver*
 240 *or operator of the vehicle or combination of vehicles or special*
 241 *mobile equipment for which said permit was issued; and*

242 **(2) To operate or move a vehicle or combination of vehicles or*
 243 *specialized mobile equipment, transporting a load or cargo that*
 244 *cannot be dismembered, dismantled or divided in order to comply*
 245 *with the dimensional limitations set forth in this act. The special*
 246 *written permit shall be in the possession of the driver or operator*
 247 *of the vehicle or combination of vehicles or special mobile equip-*
 248 *ment for which the permit was issued; and**

249 **[(2)]* *(3)* Under emergency conditions, to operate or move*
 250 *a type of vehicle or combination of vehicles or special mobile equip-*
 251 *ment of a size or weight, including load or contents, which exceeds*
 252 *the maximum size or weight limitations specified in this act.*

1 3. Section 3 of P. L. 1950, c. 142 (C. 39:3-84.1) is amended to
 2 read as follows:

3 3. The axle weight limitations **[of]** *as provided at R. S. 39:3-84b.*
 4 *shall apply to all vehicles registered in New Jersey subsequent to*
 5 *March 1, 1950, which have not been registered therein or contracted*
 6 *for purchase by New Jersey residents prior to that date. The*
 7 **[gross]** *weight [and axle load] limitations provided [in] at R. S.*
 8 *39:3-84 b. (1); R. S. 39:3-84 b. (2); and R. S. 39:3-84 b. (3) relative*

9 *to maximum gross axle weights*; shall not apply to vehicles regis-
 10 *tered as "constructor" or "solid waste" vehicles or to a combina-*
 11 *tion of vehicles of which the "constructor" or "solid waste" vehicle*
 12 *is the drawing vehicle [or to vehicles registered as "solid waste"]*
 13 *as provided [in] at R. S. 39:3-20, except that said limitations shall*
 14 *apply to vehicles registered as "solid waste" [registered vehicles]*
 15 *when operated on any highway which is part of the National System*
 16 *of Interstate and Defense Highways, as provided at 23 U. S. C.*
 17 *§ 103 (e). The provisions of R. S. 39:3-84 b. (5) shall apply to*
 18 *vehicles registered as "constructor" or "solid waste" or to a*
 19 *combination of vehicles of which the "constructor" or "solid*
 20 *waste" vehicle is the drawing vehicle as provided in R. S. 39:3-20*,*
 21 *except that for any vehicle registered as a "constructor" or any*
 22 *combination of vehicles of which the drawing vehicle is registered*
 23 *as a "constructor," the provisions of R. S. 39:3-84b.(5) shall not*
 24 *apply provided the vehicle or combination of vehicles is the point*
 25 *established as a headquarters for the particular construction op-*
 26 *eration*. Vehicles registered as "constructor" or "solid waste"*
 27 *or a combination of vehicles of which the "constructor" or "solid*
 28 *waste" vehicle is the drawing vehicle shall be limited [as] to a*
 29 *maximum gross vehicle weight, including load or contents, [by the*
 30 *allowable gross weight] as shown on the registration certificate*
 31 *of that vehicle.*

1 4. Section 5 of P. L. 1950, c. 142 (C. 39:3-84.3) is amended to
 2 read as follows:

3 5. a. Any State Police officer or motor vehicle inspector [having
 4 reason to believe that the size or weight of a vehicle and load is un-
 5 lawful] is authorized to require the driver, operator, owner, lessee
 6 or bailee of any vehicle or combination of vehicles found on any
 7 public road, street or highway or on any public or quasi-public prop-
 8 erty in this State to stop and submit the vehicle or combination of
 9 vehicles, including load or contents, to [a] measurement or weigh-
 10 ing [of the same] to determine whether the size or weight of the
 11 vehicle or combination of vehicles, including load or contents, is in
 12 excess of that permitted in this Title, by means of [either portable
 13 or stationary scales] measuring or weighing devices or scales ap-
 14 proved and certified by the State Superintendent of Weights and
 15 Measures or his agent. Copies of documents displaying the seal or
 16 certification of the State Superintendent of Weights and Measures
 17 shall be prima facie evidence of the reliability and accuracy of the
 18 measuring or weighing devices or scales utilized in the enforcement
 19 of this Title. The driver, operator, owner, lessee or bailee of a vehi-
 20 cle or combination of vehicles, including load or contents, that is to

21 *be measured or weighed may be required to drive or otherwise move*
22 *the vehicle or combination of vehicles to a location, as directed by*
23 *the officer or inspector, where the vehicle or combination of vehicles,*
24 *including load or contents, can be measured or weighed as described*
25 *in this section [and may require that such vehicle be driven to the*
26 *nearest public scales in the event such scales are within two miles].*

27 *b. Whenever [an] the officer or inspector upon measuring or*
28 *weighing a vehicle or combination of vehicles, including load or*
29 *contents, [and load, as above provided,] determines that the size*
30 *or weight is [unlawful] in excess of the limits permitted in this*
31 *Title, [such] the officer or inspector shall require the driver,*
32 *operator, owner, lessee or bailee to stop the vehicle or combination*
33 *of vehicles in a suitable place and remain [standing] in that place*
34 *until [such] a portion of the load or contents of the vehicle or*
35 *combination of vehicles is removed by the driver, operator, owner,*
36 *lessee, bailee or duly appointed agent thereof, as may be necessary*
37 *to conform or reduce the size or [gross] weight of [such] the vehi-*
38 *cle or combination of vehicles, including load or contents, to [such]*
39 *those [limit] limits as permitted under this act, or permitted by*
40 *the certificate of registration for the vehicle or combination of*
41 *vehicles, whichever may be lower. All materials so unloaded or*
42 *removed shall be cared for by the driver, owner, [or] operator,*
43 *lessee or bailee of [such] the vehicle or combination of vehicles, or*
44 *duly appointed agent thereof, at the risk, responsibility and liability*
45 *of [such] the driver, owner, [or] operator, lessee, bailee or duly*
46 *appointed agent thereof.*

47 *c. No vehicle or combination of vehicles shall be deemed to be in*
48 *violation of the [overweight] weight limitation provision of this*
49 *act when, upon examination by [an] the officer or inspector, the*
50 *[vehicle's] dispatch papers for the vehicle or combination of*
51 *vehicles, including load or contents, show it is proceeding from its*
52 *last preceding freight pickup point within the State of New Jersey*
53 *by a reasonably expeditious route to the nearest available scales or*
54 *to the first available scales in the general direction towards which*
55 *the vehicle or combination of vehicles has been dispatched, or is*
56 *returning from such scales after weighing-in to the last preceding*
57 *pickup point.*

58 *d. When [an] the officer or inspector determines that a vehicle*
59 *or combination of vehicles, including load or contents, is in violation*
60 *of the [axle] weight limitations of this [act] Title as provided at*
61 *R. S. 39:3-84 b. (1); R. S. 39:3-84 b. (2); R. S. 39:3-84 b. (3); or*
62 *R. S. 39:3-84 b. (5) relative to maximum gross axle weights, but is*
63 *within the [legal] permissible maximum gross vehicle [maximum]*

64 weight of this Title as provided at R. S. 39:3-84 b, (4) or R. S.
 65 39:3-84 b. (5), whichever is applicable, the driver, operator, owner,
 66 lessee, bailee or duly appointed agent thereof, shall be permitted,
 67 before proceeding, to redistribute the weight of the [vehicle's]
 68 vehicle or combination of vehicles or the load or contents of the
 69 vehicle or combination of vehicles so that no axle [is overweight]
 70 or combination of consecutive axles are in excess of the limits set
 71 by this act, in which event there is no violation.

72 e. When [an] the officer or inspector determines that a vehicle
 73 or combination of vehicles, including load or contents, [or vehicle
 74 and load] is in violation of the height, width or length [restrictions]
 75 limits of this Title as provided at R. S. 39:3-84a., the driver,
 76 operator, owner, lessee or bailee of [such] the vehicle or combina-
 77 tion of vehicles or duly appointed agent thereof, shall be permitted,
 78 before proceeding, to adjust, reduce or conform the vehicle or
 79 combination of vehicles, including load or contents, so that the
 80 vehicle or combination of vehicles, including [vehicle and] load
 81 or contents, are [is] not in excess of [within such] the height,
 82 [weight] width, or length [restrictions] limits set by this act, in
 83 which event there is no violation.

84 [No arrest shall be made in cases where weight limitations pro-
 85 vided in this section are not exceeded by more than 5%, except that
 86 arrests may be made where the gross weight of any vehicle or
 87 combination of vehicles, including load, exceeds the federal maxi-
 88 mum of 80,000 pounds, or as such may be amended from time to
 89 time.]

89A *f. The provisions of this subsection shall not apply to a vehicle
 89B or combination of vehicles, including load or contents, found or
 89C operated on any highway in this State which is part of or desig-
 89D nated as part of the National Interstate System as provided at 23
 89E U. S. C. § 103(e). No arrest shall be made or summons issued for
 89F a violation of the weight limitations provided in this act at R. S.
 89G 39:3-84b. where the excess weight is no more than 5% of the weight
 89H permitted, provided the gross weight of the vehicle or combination
 89I of vehicles, including load or contents, does not exceed the maxi-
 89J mum gross weight of 80,000 pounds as set forth at R. S. 39:3-84b.
 89K (4)*.

90 *[f.]* *g.* Any person who [prepares,] presents to [an] the
 91 officer or inspector, or has in his possession, or who prepares false
 92 dispatch papers, that is to say, dispatch papers which do not cor-
 93 respond to the cargo carried, shall be subject to a fine not [exceed-
 94 ing] to exceed \$100.00.

95 *[g.]* *h.* Any driver of a vehicle or combination of vehicles

96 who fails or refuses to stop and submit the vehicle or combination
 97 of vehicles, including [and] load or contents, to [a] measurement
 98 or weighing, as provided in this Title or [who fails or refuses when
 99 directed by an officer upon a measurement or weighing of the ve-
 100 hicle to stop the vehicle and] otherwise fails to comply with the
 101 provisions of this section, [shall be subject to a fine not exceeding
 102 \$100.00] *[is a disorderly person and shall be subject to arrest
 103 pursuant to the provisions of subsection b. of N. J. S. 2C:29-2.]*
 103A *shall be subject to a fine not exceeding \$200.00.*

104 *[h.]* *i.* The owner, lessee, [and] bailee or any one of the
 105 aforesaid of any vehicle or combination of vehicles [commercial
 106 motor vehicle, tractor, trailer or semi-trailer] found or operated
 107 on [a] any public road, street or highway or on any public or
 108 quasi-public property in this State in violation of the [dimensional
 109 restrictions] height, width or length limits as set forth in subsec-
 110 tion a. of R. S. 39:3-84 shall be fined not less than *[\$150.00]*
 110A *\$150.00* nor more than \$500.00.

111 *[i.]* *j.* The owner, lessee, [and] bailee or any one of the
 112 aforesaid of any vehicle or combination of vehicles [commercial
 113 motor vehicle, tractor, trailer or semitrailer] found or operated on
 114 [a] any public road, street or highway or on any public or quasi-
 115 public property in this State with a gross weight of the vehicle
 116 [and] or combination of vehicles, including load or contents, [in
 117 excess of the weight limitation permitted by the certificate of reg-
 118 istration for the vehicle or] in excess of the [gross] weight limita-
 119 tions [imposed] as provided at subsection b. of R. S. 39:3-84 or
 120 section 3 of P. L. 1950, c. 142 (C. 39:3-84.1) [by this Title for ve-
 121 hicle and load or an axle weight in excess of the axle weight limita-
 122 tion imposed by this Title,] shall be fined an amount equal to \$0.02
 123 per pound for each pound of the total excess weight [if the excess
 124 does not exceed] provided the total excess weight is 10,000 pounds
 125 or less, [and] or shall be fined an amount equal to \$0.03 per pound
 126 for each pound of the total excess weight [if the excess weight
 127 exceeds] provided the total excess weight is more than 10,000
 128 pounds, but in no event shall the fine be less than \$50.00.

129 [The owner, lessee and bailee of a truck, road tractor or truck
 130 tractor registered under this act and found on a highway in com-
 131 bination with a trailer or semitrailer duly registered in any other
 132 state or federal district which imposes registration weight fees
 133 on such trailers or semitrailers and in violation of the weight
 134 limitations of R. S. 39:3-20 shall be fined an amount equal to \$0.02
 135 for each pound by which one-half of the combined gross weight of
 136 all vehicles in the combination, including load, shall exceed the

137 gross weight registration of the drawing vehicle registered under
138 this act, if the excess is not greater than 10,000 pounds, and \$0.03
139 for each pound of the excess if it is greater than 10,000 pounds,
140 but in no event less than \$50,00.]

141 ***[j.]*** *k.* Whenever **[it]** a vehicle or combination of vehicles,
142 including load or contents, is found **[that there is a weight in ex-**
143 cess of] to be in violation of any two or more of **[said]** the weight
144 limitations as provided at subsection b. of R. S. 39:3-84 or section 3
145 of P. L. 1950, c. 142 (C. 39:3-84.1), the fine **[shall be]** levied shall
146 be only for the violation involving the greater or greatest excess
147 weight.

1 5. P. L. 1973, c. 273 (C. 39:3-84a) is repealed.

1 6. This act shall take effect on April **[1]*** *6*, 1983.

MONDAY, SEPTEMBER 26, 1983

Governor Thomas H. Kean has signed the following bills:

A-3003, sponsored by Assemblyman John W. Markert, R-Bergen, which amends statutes governing size and weight regulations for trucks. The amendments establishes maximum allowable weights, brings State requirements into line with Federal law and restructures the statutes for greater clarity. The bill was originally the subject of a conditional veto.

A-867, sponsored by Assemblyman Elliott F. Smith, R-Somerset, which creates a rebuttable presumption that when litter is dropped or thrown from a vehicle, where there are two or more occupants and it cannot be determined which occupant threw the litter, the registered owner of the vehicle, or the driver if the owner is not present, is presumed to be responsible. The bill originally called for penalty points to be assessed for littering violations. That provision was the subject of a conditional veto recommendation.

A-1536, sponsored by Assemblyman Christopher J. Jackman, D-Hudson, which allows licensed lenders under the Small Loan Act and the Secondary Mortgage Loan Act to make property insurance available to the borrower for or personal property which is security for the loan.

A-218, sponsored by Assemblyman Byron M. Baer, D-Bergen, which amends the Radiation Protection Act by prohibiting the transportation or transit storage of high-level radioactive materials in Essex, Bergen, Hudson, Middlesex, Union, Camden, Passaic, Mercer and Monmouth counties, which have population densities of more than 1,000 persons per square mile. The bill was originally the subject of a conditional veto. The bill recommended changes in a provision that would have inadvertently prohibited the transportation of scientific equipment and materials. He also recommended a change to require transporters to use all available modes, as well as modes of transport, and alternatives to the shipment itself.

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SENATE TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO
SENATE, No. 3015

STATE OF NEW JERSEY

DATED: JANUARY 31, 1983

This bill, released by the committee without recommendation, proposes to amend Title 39 of the Revised Statutes in order to conform to the requirements of the federal government concerning weight limits of certain motor vehicles, such as trucks. A table of maximum gross weights is established for this purpose. The bill also provides for other changes in statutory language.

Existing law is amended in Section 4 by deleting the requirement that an officer or inspector must have reason to believe that the size or weight of a vehicle and load is unlawful before requiring it to stop. Also, the operator, owner, lessee or bailee of the vehicle, in addition to the driver, may be required to stop. Other requirements are also imposed on the driver or owner by Section 4 amendments.

In addition, Section 4 amends existing law by deleting the maximum fine of \$100.00 for violation of Section 5 of P. L. 1950, c. 142 (C. 39:3-84.3) and provides for a disorderly persons offense for which the maximum fine is \$1,000.00 and for which a term of imprisonment not exceeding six months is provided.