

39:3-20; 39:3-84.3

LEGISLATIVE HISTORY CHECKLIST

NJSA 39:3-20; 39:3-84.3

Laws of 1975 Chapter 92

Bill No. S 1088

Sponsor(s) Horn & McDonough

Date Introduced April 16, 1974

Committee: Assembly Transportation & Communications

Senate Transportation & Communications

Amended during passage Yes

Amendments during passage denoted by asterisks

Date of passage: Assembly April 7, 1975

Senate Feb. 13, 1975

Date of approval May 8, 1975

Following statements are attached if available:

Sponsor statement Yes

Committee Statement: Assembly Yes

Senate Yes

Fiscal Note No

Veto message No

Message on signing No

Following were printed:

Reports No

Hearings No

Do Not Remove From Library  
DEPOSITORY COPY

10/4/76

MAR 1977

92  
APPROVED 5-8-75

[OFFICIAL COPY REPRINT]  
**SENATE, No. 1088**

**STATE OF NEW JERSEY**

INTRODUCED APRIL 16, 1974

By Senators HORN and McDONOUGH

Referred to Committee on Transportation and Communications

AN ACT concerning commercial motor vehicle sizes and weights  
and amending P. L. 1950, c. 142 \*and R. S. 39:3-20\*.

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

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

3 5. Any State Police officer or motor vehicle inspector having  
4 reason to believe that the size or weight of a vehicle and load is  
5 unlawful is authorized to require the driver to stop and submit to  
6 a measurement or weighing of the same by means of either portable  
7 or stationary scales and may require that such vehicle be driven  
8 to the nearest public scales in the event such scales are within  
9 2 miles.

10 Whenever an officer or inspector upon measuring or weighing  
11 a vehicle and load, as above provided, determines that the size or  
12 weight is unlawful, such officer shall require the driver to stop the  
13 vehicle in a suitable place and remain standing until such portion  
14 of the load is removed as may be necessary to reduce the size or  
15 gross weight of such vehicle to such limit as permitted under this  
16 act, or permitted by the certificate of registration for the vehicle,  
17 whichever may be lower. All material so unloaded shall be cared  
18 for by the owner or operator of such vehicle at the risk of such  
19 owner or operator.

20 No vehicle shall be deemed to be in violation of the overweight  
21 provision of this act when, upon examination by an officer or in-  
22 spector, the vehicle's dispatch papers show it is proceeding from  
23 its last preceding freight pickup point within the State of New  
24 Jersey by a reasonably expeditious route to the nearest available  
25 scales or to the first available scales in the general direction towards

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

26 which the vehicle has been dispatched, or is returning from such  
27 scales after weighing-in to the last preceding pickup point.

28 When an officer or inspector determines that a vehicle is in viola-  
29 tion of the axle weight limitations of this act but is within the  
30 legal gross maximum weight, the driver shall be permitted before  
31 proceeding to redistribute the weight of the vehicle's contents so  
32 that no axle is overweight, in which event there is no violation.

32A *\*When an officer or inspector determines that a vehicle or vehicle*  
32B *and load is in violation of the height, width or length restrictions*  
32C *of R. S. 39:3-84, the driver of such vehicle shall be permitted before*  
32D *proceeding to adjust the vehicle or load so that the vehicle or ve-*  
32E *hicle and load is within such height, weight or length restrictions,*  
32F *in which event there is no violation.\**

33 No arrest shall be made in cases where weight limitations pro-  
34 vided in this section are not exceeded by more than 5%**],** except  
35 that arrests may be made where the gross weight of any vehicle  
36 or combination of vehicles, including load, exceeds the Federal  
37 maximum of 73,280 pounds, or as such may be amended from time  
38 to time**]\*,** *except that arrests may be made where the gross weight*  
38A *of any vehicle or combination of vehicles, including load, exceeds*  
38B *the Federal maximum of 80,000 pounds, or as such may be amended*  
38C *from time to time\*. \***[**The maximum gross weight limitation of*  
39 *any vehicle or combination of vehicles is as follows:*

40 *a. In the case of a tractor with two trailers or a tractor with*  
41 *two semitrailers or a tractor with one trailer and one semitrailer*  
42 *that produced by application of the following formula:*

$$43 \quad W = 500 \frac{(LN + 12N + 36)}{N-1}$$

44 *where W=overall gross weight on any group of two or more*  
45 *consecutive axles, L=distance in feet between the extreme of any*  
46 *group of two or more consecutive axles, and N=number of axles*  
47 *in the group under consideration;*

48 *b. In the case of a tractor with one trailer or a tractor with one*  
49 *semitrailer 76,000 pounds.**]\****

50 Any person who prepares, presents to an officer or has in his  
51 possession false dispatch papers, that is to say, dispatch papers  
52 which do not correspond to the cargo carried, shall be subject to a  
53 fine not exceeding \$100.00.

54 Any driver of a vehicle who fails or refuses to stop and submit  
55 the vehicle and load to a measurement or weighing, or who fails  
56 or refuses when directed by an officer upon a measurement or

57 weighing of the vehicle to stop the vehicle and otherwise comply  
 58 with the provisions of this section, shall be subject to a fine not  
 59 exceeding \$100.00.

60 The owner, lessee and bailee of any commercial motor vehicle,  
 61 tractor, trailer or semitrailer found on a highway in violation of  
 62 the dimensional restrictions of R. S. 39:3-84 shall be fined not less  
 63 than ~~[\$200.00]~~ \*~~[\$50.00]~~\* \*\$150.00\* nor more than \$500.00. The  
 64 owner, lessee and bailee of any commercial motor vehicle, tractor,  
 65 trailer or semitrailer found on a highway with a gross weight of  
 66 vehicle and load in excess of the weight limitation permitted by the  
 67 certificate of registration for the vehicle or in excess of the gross  
 68 weight limitations imposed by this Title for vehicle and load or an  
 69 axle weight in excess of the axle weight limitations imposed by this  
 70 Title, shall be fined an amount equal to \$0.02 per pound for each  
 71 pound of excess weight if the excess does not exceed 10,000 pounds,  
 72 and \$0.03 per pound for each pound of excess weight if the excess  
 73 weight exceeds 10,000 pounds, but in no event less than \$50.00.

74 The owner, lessee and bailee of a truck, road tractor or truck  
 75 tractor registered under this act and found on a highway in com-  
 76 bination with a trailer or semitrailer duly registered in any other  
 77 state or Federal district which imposes registration weight fees  
 78 on such trailers or semitrailers and in violation of the weight  
 79 limitations of R. S. 39:3-20 shall be fined an amount equal to \$0.02  
 80 for each pound by which one-half of the combined gross weight of  
 81 all vehicles in the combination, including load, shall exceed the  
 82 gross weight registration of the drawing vehicle registered under  
 83 this act, if the excess is not greater than 10,000 pounds, and \$0.03  
 84 for each pound of the excess if it is greater than 10,000 pounds,  
 85 but in no event less than \$50.00. Whenever it is found that there  
 86 is a weight in excess of any two or more of said weight limitations,  
 87 the fine shall be levied only for the violation involving the greater  
 88 or greatest excess weight.

89 \**[In addition to the other requirements of this section and not-  
 90 withstanding any other provision of this Title, no commercial  
 91 motor vehicle, tractor, trailer or semitrailer shall be operated on  
 92 any highway in this State with a combined weight of vehicle and  
 93 load, an axle weight or a vehicle dimension the allowance of which  
 94 would disqualify the State of New Jersey or any department,  
 95 agency or governmental subdivision thereof for the purpose of  
 96 receiving Federal highway funds.]*\*

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

2 39:3-20. An applicant for registration for trucks, road tractors

3 and truck tractors shall pay to the director a fee based on the gross  
4 weight of the vehicle and load including the gross weight of all  
5 vehicles and load of any combination of vehicles of which the truck,  
6 road tractor or truck tractor is the drawing vehicle in such com-  
7 bination of vehicles. The plates to be used for commercial motor  
8 vehicles shall display the word "commercial," and the numerals  
9 shall be prefixed by the letter "X" or "Z." Trailer plates shall  
10 have the letter "T." The fee for trucks, road tractors and truck  
11 tractors shall be paid in accordance with the following:

12 When the gross weight of vehicle and load, including the gross  
13 weight of all vehicles and load of any combination of vehicles of  
14 which the truck, road tractor or truck tractor is the drawing vehicle  
15 in such combination of vehicles, is 5,000 pounds or less, the mini-  
16 mum registration fee shall be \$40.00 and where greater than 5,000  
17 pounds, the registration fee shall be \$40.00 for the first 5,000 pounds  
18 and \$7.30 for each additional 1,000 pounds or portion thereof [up  
19 to a maximum of 72,000 pounds].

20 An applicant for registration for trailers and semitrailers shall  
21 pay to the director a fee of \$15.00 for each such vehicle.

22 In addition to the registrations authorized to be issued pursuant  
23 to the aforesaid provisions of this section, the director shall issue  
24 registrations for automobile commercial vehicles, trailers, semi-  
25 trailers, and tractors providing for the gross weight of vehicle  
26 and load over 40,000 pounds but not exceeding 70,000 pounds, upon  
27 application therefor and proof to the satisfaction of the director  
28 that the applicant is actually engaged in construction work or in the  
29 business of supplying material, transporting material, or using  
30 such registered vehicle for construction work. The license plate so  
31 issued shall be marked "constructor" and shall be placed upon the  
32 vehicle or vehicles registered under this section. In no event shall  
33 a vehicle or combination of vehicles, operating as a unit, registered  
34 under this section and using "constructor" registration plates ex-  
35 ceed a maximum gross weight, inclusive of load, of 70,000 pounds.

36 In addition to the registrations authorized to be issued pursuant  
37 to the aforesaid provisions of this section, the director shall issue  
38 registrations for tandem three-axle vehicles having a weight and  
39 load not exceeding 60,000 pounds, upon application to the director  
40 and proof to his satisfaction that the applicant is actually engaged  
41 in the performance of solid waste disposal or collection functions  
42 and holds a certificate of convenience and necessity therefor issued  
43 by the Board of Public Utility Commissioners.

44 The applicants for "constructor" registration plates and regis-  
45 tration plates for vehicles performing solid waste disposal or  
46 collection functions authorized herein shall pay therefor on each  
47 vehicle at the rate of \$16.00 per thousand pounds of gross weight  
48 of vehicle and load.

49 Vehicles registered and using "constructor" registration plates  
50 may not be operated at a distance greater than 30 miles from the  
51 point established as a headquarters for the particular construction  
52 operation and such vehicles, except as hereafter provided, must  
53 comply with the speed limitations of Title 39 of the Revised Stat-  
54 utes. Such vehicles when carrying a gross weight of vehicle and  
55 load less than 50% of the certificate of registration shall comply  
56 with applicable speed laws and shall not move along a highway at  
57 a speed greater than 40 miles per hour. When carrying a gross  
58 weight of vehicle and load in excess of 50% of the certificate of  
59 registration, such vehicle shall comply with applicable speed laws  
60 and shall not move along a highway at a speed greater than 30  
61 miles per hour.

62 Vehicles performing solid waste disposal or collection functions  
63 and registered therefor pursuant to the provisions of this section,  
64 may not be operated on any highway which is part of the National  
65 System of Interstate and Defense Highways or on any highway  
66 which has been designated a freeway or parkway as provided by  
67 law, and no such vehicle shall be driven over any bridge in this  
68 State or over any interstate bridge owned or maintained in whole  
69 or in part by this State, upon which or immediately adjacent  
70 thereto there is posted in a conspicuous place a sign stating the  
71 gross weight the bridge will carry, if the gross weight of any such  
72 vehicle and the load is greater than the gross weight stated on  
73 the sign.

74 It shall be unlawful for any vehicle registered under this act  
75 having gross weight of load and vehicle including the gross weight  
76 of all vehicles and load in any combination of vehicles in excess of  
77 the gross weight provided on the registration certificate to be  
78 operated on the highways of this State.

79 In the event that a truck, road tractor or truck tractor registered  
80 under this act is found on a highway in combination with a trailer  
81 or semitrailer duly registered in any other State or Federal district  
82 which imposes registration weight fees on such trailers or semi-  
83 trailers, the drawing vehicle of the combination registered under  
84 this act shall have a gross weight registration equal to at least one-  
85 half of the combined gross weight of all the vehicles and load in the

86 combination of vehicles. If it does not, the operation of said com-  
87 bination of vehicles on the highways of this State shall be unlawful.

88 The 5% allowance provided by section 5 of P. L. 1950, c. 142  
89 (C. 39:3-84.3) shall be applicable as heretofore to all registered  
90 weight limitations provided in this section, except that in no event  
91 shall the gross weight of any vehicle or combination of vehicles,  
92 including load, exceed the Federal maximum of [73,280] 80,000  
93 pounds or as such may be amended from time to time. In the case  
94 of a truck, road tractor or truck tractor registered under this act  
95 in combination with a trailer or semitrailer duly registered in any  
96 other State or Federal district which imposes registration weight  
97 fees on such trailers or semitrailers, known as a mixed combina-  
98 tion, the 5% allowance shall be applied by adding to the registered  
99 weight of the drawing vehicle registered under this act 5% of said  
100 registered weight. If the resulting sum is equal at least to one-half  
101 of the combined gross weight of the mixed combination, then the  
102 mixed combination shall be in compliance with the registration  
103 requirements of this section.

104 Moneys realized from the increase of the fees for registrations  
105 issued pursuant to the provisions of this act shall be paid into the  
106 State treasury and credited to the General State Fund and avail-  
107 able for general State purposes.

108 This section shall not be construed to supersede or repeal the  
109 provisions of either section 39:3-84 or 39:4-75 of this Title.\*

1 \***[2.]**\* \*3.\* This act shall take effect immediately.

SENATE, No. 1088

---

STATE OF NEW JERSEY

---

INTRODUCED APRIL 16, 1974

By Senators HORN and McDONOUGH

Referred to Committee on Transportation and Communications

AN ACT concerning commercial motor vehicle sizes and weights  
and amending P. L. 1950, c. 142.

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

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

3 5. Any State Police officer or motor vehicle inspector having  
4 reason to believe that the size or weight of a vehicle and load is  
5 unlawful is authorized to require the driver to stop and submit to  
6 a measurement or weighing of the same by means of either portable  
7 or stationary scales and may require that such vehicle be driven  
8 to the nearest public scales in the event such scales are within  
9 2 miles.

10 Whenever an officer or inspector upon measuring or weighing  
11 a vehicle and load, as above provided, determines that the size or  
12 weight is unlawful, such officer shall require the driver to stop the  
13 vehicle in a suitable place and remain standing until such portion  
14 of the load is removed as may be necessary to reduce the size or  
15 gross weight of such vehicle to such limit as permitted under this  
16 act, or permitted by the certificate of registration for the vehicle,  
17 whichever may be lower. All material so unloaded shall be cared  
18 for by the owner or operator of such vehicle at the risk of such  
19 owner or operator.

20 No vehicle shall be deemed to be in violation of the overweight  
21 provision of this act when, upon examination by an officer or in-  
22 spector, the vehicle's dispatch papers show it is proceeding from  
23 its last preceding freight pickup point within the State of New  
24 Jersey by a reasonably expeditious route to the nearest available  
25 scales or to the first available scales in the general direction towards

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



26 which the vehicle has been dispatched, or is returning from such  
27 scales after weighing-in to the last preceding pickup point.

28 When an officer or inspector determines that a vehicle is in viola-  
29 tion of the axle weight limitations of this act but is within the  
30 legal gross maximum weight, the driver shall be permitted before  
31 proceeding to redistribute the weight of the vehicle's contents so  
32 that no axle is overweight, in which event there is no violation.

33 No arrest shall be made in cases where weight limitations pro-  
34 vided in this section are not exceeded by more than 5% [ , except  
35 that arrests may be made where the gross weight of any vehicle  
36 or combination of vehicles, including load, exceeds the Federal  
37 maximum of 73,280 pounds, or as such may be amended from time  
38 to time ] . *The maximum gross weight limitation of any vehicle or*  
39 *combination of vehicles is as follows:*

40 *a. In the case of a tractor with two trailers or a tractor with*  
41 *two semitrailers or a tractor with one trailer and one semitrailer*  
42 *that produced by application of the following formula:*

$$43 \quad W = 500 \frac{(LN + 12N + 36)}{N-1}$$

44 *where W=overall gross weight on any group of two or more*  
45 *consecutive axles, L=distance in feet between the extreme of any*  
46 *group of two or more consecutive axles, and N=number of axles*  
47 *in the group under consideration;*

48 *b. In the case of a tractor with one trailer or a tractor with one*  
49 *semitrailer 76,000 pounds.*

50 Any person who prepares, presents to an officer or has in his  
51 possession false dispatch papers, that is to say, dispatch papers  
52 which do not correspond to the cargo carried, shall be subject to a  
53 fine not exceeding \$100.00.

54 Any driver of a vehicle who fails or refuses to stop and submit  
55 the vehicle and load to a measurement or weighing, or who fails  
56 or refuses when directed by an officer upon a measurement or  
57 weighing of the vehicle to stop the vehicle and otherwise comply  
58 with the provisions of this section, shall be subject to a fine not  
59 exceeding \$100.00.

60 The owner, lessee and bailee of any commercial motor vehicle,  
61 tractor, trailer or semitrailer found on a highway in violation of  
62 the dimensional restrictions of R. S. 39:3-84 shall be fined not less  
63 than [ \$200.00 ] \$50.00 nor more than \$500.00. The owner, lessee  
64 and bailee of any commercial motor vehicle, tractor, trailer or semi-  
65 trailer found on a highway with a gross weight of vehicle and load  
66 in excess of the weight limitation permitted by the certificate of

67 registration for the vehicle or in excess of the gross weight limita-  
68 tions imposed by this Title for vehicle and load or an axle weight  
69 in excess of the axle weight limitations imposed by this Title,  
70 shall be fined an amount equal to \$0.02 per pound for each pound  
71 of excess weight if the excess does not exceed 10,000 pounds, and  
72 \$0.03 per pound for each pound of excess weight if the excess weight  
73 exceeds 10,000 pounds, but in no event less than \$50.00.

74 The owner, lessee and bailee of a truck, road tractor or truck  
75 tractor registered under this act and found on a highway in com-  
76 bination with a trailer or semitrailer duly registered in any other  
77 state or Federal district which imposes registration weight fees  
78 on such trailers or semitrailers and in violation of the weight  
79 limitations of R. S. 39:3-20 shall be fined an amount equal to \$0.02  
80 for each pound by which one-half of the combined gross weight of  
81 all vehicles in the combination, including load, shall exceed the  
82 gross weight registration of the drawing vehicle registered under  
83 this act, if the excess is not greater than 10,000 pounds, and \$0.03  
84 for each pound of the excess if it is greater than 10,000 pounds,  
85 but in no event less than \$50.00. Whenever it is found that there  
86 is a weight in excess of any two or more of said weight limitations,  
87 the fine shall be levied only for the violation involving the greater  
88 or greatest excess weight.

89 *In addition to the other requirements of this section and not-*  
90 *withstanding any other provision of this Title, no commercial*  
91 *motor vehicle, tractor, trailer or semitrailer shall be operated on*  
92 *any highway in this State with a combined weight of vehicle and*  
93 *load, an axle weight or a vehicle dimension the allowance of which*  
94 *would disqualify the State of New Jersey or any department,*  
95 *agency or governmental subdivision thereof for the purpose of*  
96 *receiving Federal highway funds.*

1 2. This act shall take effect immediately.

---

#### STATEMENT

To reduce energy requirements and improve environmental air quality by permitting more efficient use of highway transportation this bill will:

1. Increase the gross weight allowance of a tractor-trailer combination by 2,720 pounds from 73,280 pounds to 76,000 pounds. (5 axles - 544 pounds per axle.)

2. Make applicable the Federally-recommended "B" formula to determine gross weight allowable for a tractor-two trailer combination.

3. Set dimensional violation fines at not less than \$50.00 (is now \$200.00) nor more than \$500.00.

SENATE TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO  
**SENATE, No. 1088**

---

**STATE OF NEW JERSEY**

---

DATED: FEBRUARY 4, 1975

The maximum gross weight for trucks permitted on the Interstate Highway System was recently increased by Federal law from 72,000 to 80,000 pounds. Since New Jersey law provides that the gross weight limits in this State shall conform to the Federal limits, the 80,000 pound maximum is now applicable in New Jersey. However, the present registration rates provide fees only for weights up to the former 72,000 pound limit. This bill, as amended by the committee, provides for registration of trucks with gross weights up to the new legal maximum. The new registration fee would allow the existing formula of \$7.30 for each additional 1,000 pounds.

The bill, as amended, also provides that a driver shall be permitted to rearrange his load so as not to be in violation of the height, width or length limitations of R. S. 39:3-84. In certain cases, a vehicle may be unintentionally oversized due to the shifting and protruding of cargo. This provision is similar to the existing language which allows the driver to redistribute the load to avoid violation of the axle weight limitations.

The bill also reduces the minimum fine for violation of weight and dimension laws from \$200.00 to \$150.00.

The committee deleted the proposal for gross weight limits for trucks with tandem trailers, inasmuch as the new 80,000 pound maximum make the formula unnecessary.

The committee also deleted the language providing that no truck shall operate with a weight or dimension which would disqualify the State from receiving Federal highway funds, since this exact language already appears in New Jersey law under R. S. 39:3-84.

SENATE COMMITTEE AMENDMENTS TO

**SENATE, No. 1088**

**STATE OF NEW JERSEY**

ADOPTED FEBRUARY 4, 1975

Amend page 1, title, after "c. 142", insert "and R. S. 39:3-20.

Amend page 2, section 1, line 32, after "violation.", insert new paragraph as follows:

"When an officer or inspector determines that a vehicle or vehicle and load is in violation of the height, width or length restrictions of R. S. 39:3-84, the driver of such vehicle shall be permitted before proceeding to adjust the vehicle or load so that the vehicle or vehicle and load is within such height, weight or length restrictions, in which event there is no violation."

Amend page 2, section 1, line 38, after "time<sup>]</sup>", insert ", except that arrests may be made where the gross weight of any vehicle or combination of vehicles, including load, exceeds the Federal maximum of 80,000 pounds, or as such may be amended from time to time".

Amend page 2, section 1, lines 38-49, after "time<sup>]</sup>.", delete rest of line 38 and lines 39 through 49.

Amend page 2, section 1, line 63, omit "\$50.00", insert "\$150.00".

Amend page 3, section 1, lines 89-96, delete lines 89 through 96.

Amend page 3, section 2, line 1, insert new section 2 as follows:

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

39:3-20. An applicant for registration for trucks, road tractors and truck tractors shall pay to the director a fee based on the gross weight of the vehicle and load including the gross weight of all vehicles and load of any combination of vehicles of which the truck, road tractor or truck tractor is the drawing vehicle in such combination of vehicles. The plates to be used for commercial motor vehicles shall display the word "commercial," and the numerals shall be prefixed by the letter "X" or "Z." Trailer plates shall have the letter "T." The fee for trucks, road tractors and truck tractors shall be paid in accordance with the following:

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

When the gross weight of vehicle and load, including the gross weight of all vehicles and load of any combination of vehicles of which the truck, road tractor or truck tractor is the drawing vehicle in such combination of vehicles, is 5,000 pounds or less, the minimum registration fee shall be \$40.00 and where greater than 5,000 pounds, the registration fee shall be \$40.00 for the first 5,000 pounds and \$7.30 for each additional 1,000 pounds or portion thereof [up to a maximum of 72,000 pounds].

An applicant for registration for trailers and semitrailers shall pay to the director a fee of \$15.00 for each such vehicle.

In addition to the registrations authorized to be issued pursuant to the aforesaid provisions of this section, the director shall issue registrations for automobile commercial vehicles, trailers, semitrailers, and tractors providing for the gross weight of vehicle and load over 40,000 pounds but not exceeding 70,000 pounds, upon application therefor and proof to the satisfaction of the director that the applicant is actually engaged in construction work or in the business of supplying material, transporting material, or using such registered vehicle for construction work. The license plate so issued shall be marked "constructor" and shall be placed upon the vehicle or vehicles registered under this section. In no event shall a vehicle or combination of vehicles, operating as a unit, registered under this section and using "constructor" registration plates exceed a maximum gross weight, inclusive of load, of 70,000 pounds.

In addition to the registrations authorized to be issued pursuant to the aforesaid provisions of this section, the director shall issue registrations for tandem three-axle vehicles having a weight and load not exceeding 60,000 pounds, upon application to the director and proof to his satisfaction that the applicant is actually engaged in the performance of solid waste disposal or collection functions and holds a certificate of convenience and necessity therefor issued by the Board of Public Utility Commissioners.

The applicants for "constructor" registration plates and registration plates for vehicles performing solid waste disposal or collection functions authorized herein shall pay therefor on each vehicle at the rate of \$16.00 per thousand pounds of gross weight of vehicle and load.

Vehicles registered and using "constructor" registration plates may not be operated at a distance greater than 30 miles from the point established as a headquarters for the particular construction operation and such vehicles, except as hereafter provided, must comply with the speed limitations of Title 39 of the Revised Statutes. Such vehicles when carrying a gross weight of vehicle and load less than 50% of the certificate of registration shall comply with applicable speed laws and

shall not move along a highway at a speed greater than 40 miles per hour. When carrying a gross weight of vehicle and load in excess of 50% of the certificate of registration, such vehicle shall comply with applicable speed laws and shall not move along a highway at a speed greater than 30 miles per hour.

Vehicles performing solid waste disposal or collection functions and registered therefor pursuant to the provisions of this section, may not be operated on any highway which is part of the National System of Interstate and Defense Highways or on any highway which has been designated a freeway or parkway as provided by law, and no such vehicle shall be driven over any bridge in this State or over any interstate bridge owned or maintained in whole or in part by this State, upon which or immediately adjacent thereto there is posted in a conspicuous place a sign stating the gross weight the bridge will carry, if the gross weight of any such vehicle and the load is greater than the gross weight stated on the sign.

It shall be unlawful for any vehicle registered under this act having gross weight of load and vehicle including the gross weight of all vehicles and load in any combination of vehicles in excess of the gross weight provided on the registration certificate to be operated on the highways of this State.

In the event that a truck, road tractor or truck tractor registered under this act is found on a highway in combination with a trailer or semitrailer duly registered in any other State or Federal district which imposes registration weight fees on such trailers or semitrailers, the drawing vehicle of the combination registered under this act shall have a gross weight registration equal to at least one-half of the combined gross weight of all the vehicles and load in the combination of vehicles. If it does not, the operation of said combination of vehicles on the highways of this State shall be unlawful.

The 5% allowance provided by section 5 of P. L. 1950, c. 142 (C. 39:3-84.3) shall be applicable as heretofore to all registered weight limitations provided in this section, except that in no event shall the gross weight of any vehicle or combination of vehicles, including load, exceed the Federal maximum of **[73,280]** 80,000 pounds or as such may be amended from time to time. In the case of a truck, road tractor or truck tractor registered under this act in combination with a trailer or semitrailer duly registered in any other State or Federal district which imposes registration weight fees on such trailers or semitrailers, known as a mixed combination, the 5% allowance shall be applied by adding to the registered weight of the drawing vehicle registered under this act 5% of said registered weight. If the resulting sum is equal at

least to one-half the combined weight of the mixed combined gross weight of the mixed combination, then the mixed combination shall be in compliance with the registration requirements of this section.

Moneys realized from the increase of the fees for registrations issued pursuant to the provisions of this act shall be paid into the State treasury and credited to the General State Fund and available for general State purposes.

This section shall not be construed to supersede or repeal the provisions of either section 39:3-84 or 39:4-75 of this Title.”.

Amend page 3, section 2, line 1, omit “2.”, insert “3.”.

ASSEMBLY TRANSPORTATION AND  
COMMUNICATIONS COMMITTEE

STATEMENT TO  
**SENATE, No. 1088**

---

**STATE OF NEW JERSEY**

---

DATED: FEBRUARY 27, 1975

The maximum gross weight for trucks permitted on the Interstate Highway System was recently increased by Federal law from 72,000 to 80,000 pounds. Since New Jersey law provides that the gross weight limits in this State shall conform to the Federal limits, the 80,000 pound maximum is now applicable in New Jersey. However, the present registration rates provide fees only for weights up to the former 72,000 pound limit. This bill provides for registration of trucks with gross weights up to the new legal maximum. The new registration fee would allow the existing formula of \$7.30 for each additional 1,000 pounds.

The bill also provides that a driver shall be permitted to rearrange his load so as not to be in violation of the height, width or length limitations of R. S. 39:3-84. In certain cases, a vehicle may be unintentionally oversized due to the shifting and protruding of cargo. This provision is similar to the existing language which allows the driver to redistribute the load to avoid violation of the axle weight limitations.

The bill also reduces the minimum fine for violation of weight and dimension laws from \$200.00 to \$150.00.