



**H.B. 673**

123rd General Assembly  
(As Introduced)

**Reps. Peterson, Allen, Austria, Buehrer, Cates, Harris, Hartnett, Hollister, Krupinski, Pringle, Redfern, Schuler, Taylor, Tiberi**

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**BILL SUMMARY**

- Allows a board of county commissioners, upon the request of a board of township trustees, to reduce the maximum vehicle weight limits on a county or township road or a section of a road within its jurisdiction.

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**CONTENT AND OPERATION**

**Background law--classifying roads by weight and speed limits**

Under current law, a board of county commissioners classifies improved county and township roads in the county (except for state highways) based upon the maximum weights and speeds permitted on the roads. In classifying these roads, the board must consider the nature of the roadbed and its construction and may consider other "material factors." Maximum weight classifications apply *only* to vehicles weighing over five tons. (Sec. 5577.08--not in the bill.)

**Lowering maximum weight limits on county and township roads**

The bill permits a board of township trustees, by resolution, to request the board of county commissioners to reduce, and permits the board of county commissioners to grant that request to reduce, the maximum weight of vehicle and load permitted on a county or township road or a section of a road located within that township and outside the limits of a municipal corporation, other than a state highway.<sup>1</sup> In considering whether to so reduce a maximum weight, the board of

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<sup>1</sup> *Interstate highways are generally designated to be "state highways," not "roads," and thus would most likely not be subject to the bill's provisions for maximum weight limit reduction. But, it is unclear whether a reduction of a maximum weight limit under the bill could apply to vehicles weighing five tons or less. Current law does not permit maximum weight limits to affect those vehicles; the bill's provisions do not address this point.*

county commissioners must consult the county engineer and may consider, among other factors, (1) the condition of the road or section of road, (2) local safety hazards, (3) the character of the territory fronting the road or section of road, and (4) the availability of alternative routes for vehicles in excess of the proposed weight limit. (Sec. 5577.081(A), (B), and (D).)

If the board of county commissioners decides to reduce a maximum weight, it must adopt "rules governing the weight of vehicle and load permitted" at a regular board meeting by a majority vote. At least two days before the rule reflecting the change becomes effective, the board must have signs that conspicuously indicate the reduced weight limit placed on the road or portion of the road affected "at both ends and at any points of intersection." The expense for the purchase and erection of these signs comes from county funds for the maintenance and repair of highways, bridges, and culverts. (Secs. 5577.081(C) and 5577.09.)

**Violations of reduced maximum weight limits**

A person who violates a lowered maximum weight limit provided for in the bill commits an offense and generally will be *fin*ed upon conviction of the offense. (Secs. 5577.09 and 5577.99(B).) The fine moneys will be deposited, after their collection and disbursement by the court clerk, in the county's treasury to the credit of the fund for the maintenance and repair of roads, highways, bridges, or culverts. For violations involving overloads of more than 5,000 pounds, an indefinite term of *imprisonment of up to 30 days* may be imposed either alone or together with a fine. The fine and imprisonment are based on the amount of the overload as follows (sec. 5577.99(B)):

Amount of overload in pounds	Fine/imprisonment
Overload of 2,000 lbs. or less	\$80
Overload over 2,000 lbs., but less than or equal to 5,000 lbs.	\$100 plus \$1 for each 100 lbs. of overload
Overload over 5,000 lbs., but less than or equal to 10,000 lbs.	\$130 plus \$2 for each 100 lbs. of overload, imprisonment of not more than 30 days, or both
Overloads in excess of 10,000 lbs.	\$160 plus \$3 for each 100 lbs. of overload, imprisonment of not more than 30 days, or both

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	04-26-00	p. 1843

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