
SENATE BILL No. 351

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-20-4.

Synopsis: Vehicle maximum weight scale tolerances. Provides that a penalty may not be imposed upon an overweight vehicle unless the scale weight of the vehicle exceeds the registered weight by more than 5%. (Current law provides an allowance of 1.5%.) Provides that a penalty may not be imposed for an overweighted axle unless the axle weight exceeds the allowable axle weight by more than 5%.

Effective: July 1, 2003.

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January 16, 2003, read first time and referred to Committee on Transportation and Homeland Security.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

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SENATE BILL No. 351



A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-20-4-3 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) The gross weight declared by
3 an applicant in an application for registration under this title
4 determines and fixes the limit of the load, including the unladen weight
5 of the vehicle or combination of vehicles fully equipped for service,
6 that may be transported by a vehicle or combination of vehicles on the
7 highways for the period for which the registration or license is granted.
8 Except as provided in ~~subsection (b)~~, **section 5 of this chapter**, the
9 transportation of a load on a registered and licensed vehicle or
10 combination of vehicles in excess of the limit fixed in the application
11 for registration subjects the person violating a provision of this title to
12 the penalty provisions in this title or to the revocation of the license for
13 the vehicle, or both.

14 (b) Because of the various types of scales used and the variance in
15 scale weights, a penalty may not be assessed if the actual scale weight
16 of a vehicle or combination of vehicles with load does not exceed one
17 and one-half percent (1 1/2%) of the registered weight of the vehicle or



1 combination of vehicles, including load.

2 (c) (b) A person who violates this section commits a Class C
3 infraction. In addition, the person shall pay the difference between the
4 fee paid for registration of the vehicle and the fee for the registration
5 of the vehicle plus a maximum load of a weight equal to the excess
6 load being transported. Until the fee is paid, the person transporting the
7 excess load is not permitted to move the transporting vehicle.

8 SECTION 2. IC 9-20-4-5 IS ADDED TO THE INDIANA CODE
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2003]: **Sec. 5. The maximum weights set forth in section 1(a) and
11 1(c) of this chapter are inclusive of all tolerances, enforcement or
12 otherwise. However, because of the various types of scales used and
13 the variance in scale weights, a penalty may not be assessed under
14 this chapter unless:**

- 15 (1) the actual scale weight of the vehicle, including load,
16 exceeds the registered (gross) weight of the vehicle or
17 combination of vehicles by more than five percent (5%); or
18 (2) the single or tandem axle weight, including load, exceeds
19 the allowable axle weight set forth in section 1 of this chapter
20 by more than five percent (5%).

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