
HOUSE BILL No. 1084

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2; IC 9-20-4-1.

Synopsis: Heavy duty vehicle weight limits. Provides that the maximum weight limitation for a heavy duty vehicle that is equipped with an auxiliary power unit for climate control or electrical purposes is increased by 400 pounds. Deletes a cross-reference to a repealed section.

Effective: July 1, 2010.

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January 5, 2010, read first time and referred to Committee on Roads and Transportation.

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Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1084



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

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

- 1 SECTION 1. IC 9-13-2-10.2 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2010]: **Sec. 10.2. "Auxiliary power unit", for purposes of**
- 4 **IC 9-20-4-1(b), means an integrated system that:**
 - 5 (1) provides heat, air conditioning, engine warming, or
 - 6 electricity to components on a heavy duty vehicle; and
 - 7 (2) is certified by the administrator of the United States
 - 8 Environmental Protection Agency under 40 CFR 89 as
 - 9 meeting applicable emission standards.
- 10 SECTION 2. IC 9-13-2-72.5 IS ADDED TO THE INDIANA CODE
- 11 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 12 1, 2010]: **Sec. 72.5. "Heavy duty vehicle", for purposes of**
- 13 **IC 9-20-4-1(b), means a vehicle that:**
 - 14 (1) has a gross vehicle weight rating greater than eight
 - 15 thousand five hundred (8,500) pounds; and
 - 16 (2) is powered by a diesel engine.
- 17 SECTION 3. IC 9-20-4-1 IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2010]: Sec. 1. (a) Except as provided in
 2 subsections (b) and (c), a person may not operate or cause to be
 3 operated upon an Indiana highway a vehicle or combination of vehicles
 4 having weight in excess of one (1) or more of the following limitations:

5 (1) The total gross weight, with load, in pounds of any vehicle or
 6 combination of vehicles may not exceed an overall gross weight
 7 on a group of two (2) or more consecutive axles produced by
 8 application of the following formula:

$$9 \quad W = 500 \{ [(LN) \div (N-1)] + 12N + 36 \}$$

10 where W equals the overall gross weight on any group of two (2)
 11 or more consecutive axles to the nearest five hundred (500)
 12 pounds, L equals the distance in feet between the extreme of any
 13 group of two (2) or more consecutive axles, and N equals the
 14 number of axles in the group under consideration, except that two
 15 (2) consecutive sets of tandem axles may carry a gross load of
 16 thirty-four thousand (34,000) pounds each, providing the overall
 17 distance between the first and last axles of the consecutive sets of
 18 tandem axles is thirty-six (36) feet or more. The overall gross
 19 weight limit, calculated under this subdivision, may not exceed
 20 eighty thousand (80,000) pounds.

21 (2) The weight concentrated on the roadway surface from any
 22 tandem axle group may not exceed the following:

23 (A) Thirty-four thousand (34,000) pounds total weight.

24 (B) Twenty thousand (20,000) pounds on an individual axle in
 25 a tandem group.

26 (3) A vehicle may not have a maximum wheel weight, unladen or
 27 with load, in excess of eight hundred (800) pounds per inch width
 28 of tire, measured between the flanges of the rim or an axle weight
 29 in excess of twenty thousand (20,000) pounds.

30 (b) The enforcement of weight limits under this section is subject to
 31 the following:

32 (1) It is lawful to operate within the scope of a permit, under
 33 weight limitations established by the Indiana department of
 34 transportation and in effect on July 1, 1956, as provided in
 35 IC 9-20-6.

36 (2) It is lawful to operate or cause to be operated a vehicle or
 37 combination of vehicles on a heavy duty highway or an extra
 38 heavy duty highway designated by the Indiana department of
 39 transportation if operated within the imposed limitations.

40 (3) Whenever any of the weight limitations provided in subsection
 41 (a) are utilized on any interstate highway in Indiana, the reference
 42 to weight tolerance in IC 9-20-18-2 does not apply.

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1 ~~(4)~~ (3) Subsection (a) does not apply to any highway, road, street,
2 or bridge for which a lesser weight limit is imposed by local
3 authorities under IC 9-20-1-4 or IC 9-20-7-2. However, the local
4 authority may by appropriate action establish and designate a
5 county or city highway, road, or street or part of a highway, road,
6 or street as a heavy duty highway subject to the weight limitations
7 established under IC 9-20-5.

8 ~~(5)~~ (4) Vehicles operated on toll road facilities are subject to rules
9 of weight adopted for toll road facilities by the Indiana
10 department of transportation under IC 8-15-2 and are not subject
11 to subsection (a) when operated on a toll road facility.

12 **(5) For purposes of a heavy duty vehicle that is equipped with**
13 **an auxiliary power unit, the weight limitations provided in**
14 **subsection (a) are increased by four hundred (400) pounds.**

15 (c) The greater of the weight limits imposed under subsection (a) or
16 this subsection applies to vehicles operated upon an Indiana highway.
17 The weight limits in effect on January 4, 1975, for any highway that is
18 not designated as a heavy duty highway under IC 9-20-5 are the
19 following:

20 (1) The total gross weight, with load, in pounds of a vehicle or
21 combination of vehicles may not exceed seventy-three thousand
22 two hundred eighty (73,280) pounds.

23 (2) The total weight concentrated on the roadway surface from a
24 tandem axle group may not exceed sixteen thousand (16,000)
25 pounds for each axle of a tandem assembly.

26 (3) A vehicle may not have a maximum wheel weight, unladen or
27 with load, in excess of eight hundred (800) pounds per inch width
28 of tire, measured between the flanges of the rim, or an axle weight
29 greater than eighteen thousand (18,000) pounds.

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