

2022 -- S 2770

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- SIZE, WEIGHT, AND LOAD LIMITS

Introduced By: Senators Lombardo, and Ciccone

Date Introduced: March 24, 2022

Referred To: Senate Housing & Municipal Government

(Dept. of Transportation)

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 31-25-2, 31-25-3, 31-25-4, 31-25-5, 31-25-6, 31-25-7, 31-25-13,
2 31-25-14, 31-25-16, 31-25-18, 31-25-21, 31-25-22, 31-25-23, 31-25-24, 31-25-28 and 31-25-29 of
3 the General Laws in Chapter 31-25 entitled "Size, Weight, and Load Limits" are hereby amended
4 to read as follows:

5 **31-25-2. Vehicles exempt from limitations.**

6 (a) The provisions of this chapter governing size, weight, and load shall not apply to:

7 (1) Road machinery;

8 (2) Farm vehicles, including farm tractors, temporarily moved upon a highway;

9 (3) Any vehicle owned and operated by the Rhode Island public transit authority that is
10 designed for carrying passengers and is comprised of two (2) sections permanently joined by a
11 hinge mechanism or an articulated joint that allows vertical and horizontal movement and a passage
12 for riders moving from one section to the other;

13 (4) A vehicle operated under the terms of a special permit issued as provided in this chapter;

14 (5) Covered heavy-duty tow and recovery vehicles;

15 (6) Emergency vehicles with a weight limit of up to a maximum gross vehicle weight of
16 eighty-six thousand pounds (86,000 lbs.) or less than twenty-four thousand pounds (24,000 lbs.) on
17 a single steering axle; thirty-three thousand five hundred pounds (33,500 lbs.) on a single-drive
18 axle; sixty-two thousand pounds (62,000 lbs.) on a tandem axle; or fifty-two thousand pounds
19 (52,000 lbs.) on a tandem rear drive steer axle; or

1 (7) Natural gas vehicles up to a maximum gross vehicle weight of eighty-two thousand
2 pounds (82,000 lbs.) by an amount that is equal to the difference between the weight of the vehicle
3 attributable to the natural gas tank and fueling system carried by that vehicle; and the weight of a
4 comparable diesel tank and fueling system.

5 (b) The provisions of this chapter governing size, weight, and load shall not apply to fire
6 apparatus acquired by a city or town within this state prior to July 1, 1999.

7 (c) Nothing in this section shall permit these vehicles to travel over any structure, highway,
8 or portion of highway which is weight restricted for the vehicle load.

9 **31-25-3. Maximum width.**

10 (a) The total outside width of any vehicle or the load on it shall not exceed one hundred
11 two inches (102") excluding any safety and noncargo carrying appurtenances on either motorized
12 campers or camping recreational vehicles. ~~Violations of this section are subject to fines enumerated~~
13 ~~in § 31-41.1-4.~~

14 (b) Any carrier or persons operating a vehicle that exceeds the maximum width, as
15 permitted or as defined in this section, shall be fined one hundred dollars (\$100) per inch over width
16 or portion of it

17 **31-25-4. Maximum height.**

18 (a) No vehicle including any load on it shall exceed a height of one hundred sixty-two
19 inches (162"). ~~Violations of this section are subject to fines enumerated in § 31-41.1-4.~~

20 (b) Any carrier or persons operating a vehicle that exceeds the maximum height, as
21 permitted or as defined in this section, shall be fined five hundred dollars (\$500) per inch over
22 height or portion of it.

23 **31-25-5. Maximum length of single vehicle and load.**

24 (a) No vehicle, including any load on it, except Rhode Island public transit authority
25 articulated buses, shall exceed a length of forty feet (40') extreme overall dimension inclusive of
26 front and rear bumpers, or in the case of a motor bus, motorized camper or camping recreational
27 vehicle forty-five feet (45').

28 (b) Any carrier or persons operating a vehicle that exceeds the maximum length, as
29 permitted or as defined in this section, shall be fined two hundred dollars (\$200) per foot over
30 length or portion of it.

31 **31-25-6. Maximum number and length of coupled vehicles.**

32 (a) No combination of vehicles coupled together shall consist of more than three (3) units,
33 a truck-tractor, semi-trailer, and trailer. The combination of vehicles shall not be restricted in
34 overall length, except that when a truck-tractor, semi-trailer, and a trailer are used in combination,

1 the trailer or semi-trailer each shall not exceed twenty-eight and one-half feet (28' 6"), excluding
2 bumpers and accessories. Provided, however, that combinations of vehicles consisting of three (3)
3 units shall be permitted to operate only on the interstate highway system and on those highways,
4 streets, and roads designated by the director of the department of transportation.

5 (b) Combinations of vehicles consisting of truck-tractor and semi-trailer coupled together
6 shall not be restricted in overall length, and semi-trailers shall not exceed fifty-three feet (53') in
7 length, excluding bumpers and accessories. Towaway trailer transporter combinations shall not be
8 restricted to an overall length limitation of less than eighty-two feet (82'). Semi-trailers exceeding
9 forty-eight and one-half feet (48' 6") shall be permitted to operate only on the interstate highway
10 system and on those highways, streets, and roads designated by the director of the department of
11 transportation. Exceptions to the requirements of this section include the use of a pole trailer and
12 combinations designed to transport motor vehicles and/or automobiles as authorized in §§ 31-25-7
13 and 31-25-8. The provision that no combination of vehicles coupled together shall consist of more
14 than three (3) units shall not apply to vehicles coupled together by a saddle mount device used to
15 transport motor vehicles in a drive-away service when no more than three (3) saddle mounts are
16 used, and equipment used in the combination is approved by Part 393.71 of the federal motor carrier
17 safety regulations, 49 C.F.R. § 393.71, and safety regulations of the division of motor vehicles of
18 the department of revenue of the state of Rhode Island as this federal and/or state legislation may
19 be amended or revised from time to time. Any owner or operator found deviating from the ~~approval~~
20 approved permitted routes shall be fined a minimum mandatory fine of five hundred dollars (\$500),
21 but not more than one thousand dollars (\$1,000).

22 (c) The distance from the kingpin of the trailer to the center of the rear axle may not exceed
23 forty-one feet (41').

24 (d) Fifty-three foot (53') trailers shall be equipped with a rear-end protection device of
25 substantial construction consisting of a continuous lateral beam extending to within four inches
26 (4") of the lateral extremities of the trailer, and located not more than twenty-two inches (22") from
27 the surface of the road as measured with the vehicle empty and on level surface.

28 ~~(e) Violations of this section are subject to fines enumerated in § 31-41.1-4. Any carrier or~~
29 persons operating a vehicle or combination of vehicles that exceeds the maximum number or length
30 of coupled vehicles, as permitted or as defined in this section, shall be fined two hundred dollars
31 (\$200) per foot over length or portion of it.

32 **31-25-7. Front and rear extensions of load.**

33 (a) Subject to the provisions of this chapter limiting the length of vehicles and loads, the
34 load upon any vehicle, operated alone or the load upon the front vehicle of a combination of

1 vehicles, shall not extend more than three feet (3') beyond the foremost part of the vehicle, and the
2 load upon any vehicle, operated alone or the load upon the rear vehicle of a combination of vehicles,
3 shall not extend more than six feet (6') beyond the rear of the bed or body of the vehicle. ~~Violations~~
4 ~~of this section are subject to fines enumerated in § 31-41.1-4.~~

5 (b) Any carrier or persons operating a vehicle that exceeds the maximum extensions of
6 load, as permitted or as defined in this section, shall be fined two hundred dollars (\$200) per foot
7 over length or portion of it.

8 **31-25-13. Axle load limit.**

9 (a) The gross weight imposed on the highway by the wheels of any one axle of a vehicle
10 shall not exceed twenty-two thousand four hundred pounds (22,400 lbs.).

11 (b) For the purposes of this chapter, "axle load" is defined as the total load transmitted to
12 the road by all wheels whose centers are included between two (2) parallel transverse vertical planes
13 forty inches (40") apart, extending across the full width of the vehicle.

14 (c) Violations of this section are subject to fines enumerated in ~~§ 31-41.1-4~~ § 31-25-14.

15 **31-25-14. Maximum weight and tandem axles.**

16 (a) It shall be unlawful to transport or operate over or upon any public highway in this state
17 any vehicle equipped with tandem axles, should the gross weight of the axles exceed thirty-six
18 thousand pounds (36,000 lbs.) if the axle spacing does not exceed eight feet (8').

19 (b) With respect to all public highways, the overall gross weight on a group of two (2) or
20 more consecutive axles of a vehicle or combination of vehicles, shall be determined by the
21 following bridge gross weight formula:

22
$$W = 500 [(LN)/(N-1)] + 12N + 36]$$

23 where W = the overall gross weight on any group of two or more consecutive axles to the
24 nearest five hundred pounds (500 lbs.); L = the distance in feet between the extremes of any group
25 of two (2) or more consecutive axles; and N = the number of axles in the group under consideration.
26 This overall gross weight of any vehicle or combination of vehicles may not exceed eighty thousand
27 pounds (80,000 lbs.) except as specified in §§ 31-25-1, 31-25-2, and 31-25-21.

28 (c) In any calculation using the formula in subsection (b) of this section in which the tandem
29 axle limit is less than thirty-six thousand pounds (36,000 lbs.), thirty-six thousand pounds (36,000
30 lbs.) shall be considered the legal limit. Single axle limits shall be as defined in § 31-25-13. Nothing
31 in this chapter shall be construed to abrogate any of the "grandfather rights" in existence as of April
32 1, 1989.

33 (d) Penalties.

34 (1) Any carrier, ~~as defined in § 31-25-16,~~ or persons operating a vehicle or combination of

1 vehicles that exceeds the weight limits of tandem-axle vehicles, as defined in this section, shall be
2 fined one hundred twenty-five dollars (\$125) per one hundred pounds (100 lbs.) overweight or
3 portion of it.

4 (2) Any carrier, ~~as defined in § 31-25-16,~~ or persons operating a vehicle or combination of
5 vehicles that exceeds the weight limits of twenty-two thousand four hundred pounds (22,400 lbs.)
6 single axle limits as cited in § 31-25-13, shall be fined one hundred twenty-five dollars (\$125) per
7 one hundred pounds (100 lbs.) overweight or portion of it.

8 (3) Any carrier, ~~as defined in § 31-25-16,~~ or persons operating a vehicle or combination
9 of vehicles that exceeds the bridge gross weight formula, as defined in this section, ~~shall be fined~~
10 ~~one hundred twenty-five dollars (\$125)~~ are subject to fines enumerated in § 31-25-16(c)(2) through
11 (c)(4).

12 **31-25-16. Authorized weight shown in registration -- Exceeding limit.**

13 (a) The administrator of the division of motor vehicles shall insert in the registration card
14 issued for a vehicle the gross weight for which it is registered. If it is a truck tractor to be used for
15 propelling semi-trailers, he or she shall separately insert the total permissible gross weight of the
16 truck tractor and semi-trailers to be propelled by it. It shall be unlawful for any carrier to operate
17 or permit to be operated any vehicle or combination of vehicles of a gross weight in excess of that
18 registered ~~or permitted~~ by the administrator of the division of motor vehicles, permitted by the
19 department of transportation, or in excess of the limitations set forth in this chapter.

20 (b) For the purposes of ~~this section~~ chapter 25 of title 31, "carrier" means and includes any
21 company or person who furthers their commercial or private enterprise by use of the vehicle.

22 (c)(1) Penalties for violations of this section will be calculated on the ~~registered or~~
23 ~~permitted~~ legal weight in comparison to the actual weight and shall be heard and adjudicated at the
24 traffic tribunal.

25 (2) The overweight penalties for vehicles with ten thousand pounds (10,000 lbs.) gross
26 vehicle weight or less shall be eighty-five dollars (\$85.00) per thousand pounds overweight or
27 portion of it.

28 (3) The overweight penalties for vehicles exceeding ten thousand pounds (10,000 lbs.)
29 gross vehicle weight shall be one hundred twenty-five dollars (\$125.00) per ~~thousand~~ five hundred
30 pounds (500 lbs.) overweight or portion of it.

31 (4) The overweight penalty for vehicles being operated in excess of one hundred four
32 thousand, eight hundred pounds (104,800 lbs.) gross vehicle weight shall be one thousand twenty-
33 five dollars (\$1,025) in addition to the penalties enumerated in subsection ~~(b)(2)~~ (c)(3) of this
34 section.

1 (5) The overweight penalty for vehicles being operated in excess of one hundred thirty
2 thousand pounds (130,000 lbs.) gross vehicle weight shall be two thousand five hundred dollars
3 (\$2,500) in addition to the penalties enumerated in subsection (c)(3) of this section.

4 **31-25-18. Weighing of suspected overweight vehicles.**

5 Any proper officer having reason to believe that the weight of a vehicle and load is unlawful
6 is authorized to require the driver to stop and submit to a weighing of the vehicle and load by means
7 of either portable or stationary scales, and may require that the vehicle be driven to the nearest
8 available stationary scales. Any carrier or persons found to be operating in excess of their
9 registered, permitted, and/or legal weight limits may be fined and released, required to reduce
10 weight or dimensions to legal, and/or required to pursue a legal permit at the officer's discretion.
11 Any carrier or persons found to have pending motor vehicle fines in excess of ten thousand dollars
12 (\$10,000) may have their permit privileges suspended until pending fines are paid.

13 **31-25-21. Power to permit excess size or weight of loads.**

14 (a) The department of transportation, with respect to highways under its jurisdiction, may,
15 in its discretion, upon application in writing and good cause being shown for it, approve the
16 issuance of a special permit in writing ~~by the division of motor vehicles~~ authorizing the applicant
17 to operate or move a vehicle, or combination of vehicles, of a size or weight of vehicle or load
18 exceeding eighty thousand pounds (80,000 lbs.) or otherwise not in conformity with the provisions
19 of chapters 1 -- 27 of this title upon any highway under the jurisdiction of the party granting the
20 permit and for the maintenance of which the party is responsible. Permits that have been issued for
21 a full year shall not be required to be renewed for the period of time for which payment has been
22 made and the application and other required documentation has been completed and filed. Provided,
23 that neither the department of transportation nor the local authorities may approve the issuance of
24 permits for divisible loads weighing in excess of ~~one hundred four thousand eight hundred pounds~~
25 ~~(104,800 lbs.), gross vehicle weight, for five axle (5) vehicles and seventy six thousand six hundred~~
26 ~~fifty pounds (76,650 lbs.), gross vehicle weight, for three axle (3) vehicles~~ the limits set by the
27 director of the department of transportation by and through the rules and regulations promulgated
28 by the department of transportation entitled "rules and regulations regarding overweight and
29 oversize vehicle permits".

30 (1) Provided, however, that for milk products, any vehicle carrying fluid milk products
31 shall be considered a load that cannot be easily dismantled or divided.

32 (b) The director of the department of transportation may enter into agreements with other
33 states, the District of Columbia, and Canadian provinces providing for the reciprocal enforcement
34 of the overweight or over-dimensional vehicle permit laws of those jurisdictions entering into the

1 agreement.

2 (c) ~~Trip permit fee~~ Single trip non-divisible permit fee. A fee of forty dollars (\$40.00) shall
3 be paid to the ~~division of motor vehicles~~ department of transportation for the issuance of each ~~non-~~
4 ~~reducible vehicle or load~~ non-divisible single trip permit; ~~provided, however, applicants seeking a~~
5 ~~permit for a non-divisible load exceeding one hundred thirty thousand pounds (130,000 lbs.) shall~~
6 ~~pay a fee of three hundred dollars (\$300.00) to the division of motor vehicles for consideration of~~
7 ~~a special trip permit approved by the department of transportation pursuant to subsection (e).~~ Upon
8 approval of the application, the department of transportation shall provide the approved permit.
9 The driver must possess the permit and documentation as required by the permit at all times.

10 (d) ~~Annual fee~~ Annual construction equipment blanket permit fee. An annual fee of four
11 hundred dollars (\$400) paid to the ~~division of motor vehicles~~ department of transportation shall
12 exempt the payor from the necessity of paying single trip permit fees for non-divisible construction
13 equipment loads of less than one hundred thirty thousand pounds (130,000 lbs.) as found in
14 subsection (c). However, payment of the fee shall not be deemed to authorize non-compliance with
15 the rules and regulations promulgated by the department of transportation entitled "~~State of Rhode~~
16 ~~Island Manual for Overweight and Oversize Vehicle Permits.~~" rules and regulations regarding
17 overweight and oversize vehicle permits".

18 (e) Blanket construction equipment permits may be issued, as determined by the
19 department of transportation, for intrastate movement of ~~non-reducible~~ non-divisible construction
20 equipment loads upon payment of the fee set forth in subsection (d). If used in conjunction with an
21 annual divisible load permit, the limits and requirements of the blanket construction equipment
22 permit shall supersede the requirements of the divisible load permit. The driver must possess both
23 permits and all required documentation The duration of the blanket permit may not exceed one
24 year; ~~The~~ and the construction equipment permit load shall be limited to a minimum overall length
25 of fifty-five feet (55'), a maximum overall length of eighty feet (80'), ~~and~~ a maximum width of
26 twelve feet four inches (12' 4"), ~~provided that neither the division of motor vehicles nor local~~
27 ~~authorities may issue blanket permits for non-divisible loads weighing in excess~~ a maximum gross
28 weight of one hundred thirty thousand pounds (130,000 lbs.) ~~on less than six (6) axles, with~~
29 ~~individual axle weights exceeding~~ and a maximum axle weight of twenty-five thousand pounds
30 (25,000 lbs.); provided, ~~further,~~ that the department of transportation, with respect to highways
31 under its jurisdiction, may, in its discretion and upon application and for good cause shown,
32 approve the issuance of a ~~special~~ single trip non-divisible permit authorizing the applicant to exceed
33 one hundred thirty thousand pounds (130,000 lbs.) for non-divisible loads. A flashing amber light
34 shall be in operation above the highest point of the vehicle and shall be visible from both the front

1 and rear of the vehicle; and signs and red warning flags shall be affixed to all extremities. All
2 blanket permits issued in accordance with this section shall be effective during daylight and night-
3 time hours for all over-dimensional moves made and travel shall be allowed on state highways.

4 (f) Permission to travel is always subject to weather and road conditions. The following
5 restrictions on travel times shall apply to all vehicles over eight feet six inches (8'6") wide, over
6 eighty feet (80') long, or over one hundred thirty thousand pounds (130,000 lbs.):

7 (1) Freeways ~~—in general~~ and arterial roadways.

8 No travel will be allowed between the hours of 7:00 am and 9:00 am or between 3:00 pm
9 and 7:00 pm, Monday through Friday ~~on any day of the week.~~

10 ~~(2) Arterial roadways.~~

11 ~~No travel will be allowed between the hours of 7:00 am and 9:00 am or between 3:00 pm~~
12 ~~and 7:00 pm, Monday through Friday.~~

13 ~~(3)~~(2) Holidays.

14 Memorial Day, Victory Day, Labor Day, Dr. Martin Luther King Jr. Day, and Columbus
15 Day -- No Saturday, Sunday, or Monday day or night travel.

16 Thanksgiving Day -- ~~No Wednesday night or Thursday day or night travel.~~ No travel on
17 Wednesday through Sunday of Thanksgiving week in any calendar year.

18 Independence Day, Veterans Day, Christmas Day, New Year's Day -- No day or night
19 travel and no travel the previous night.

20 Easter Sunday. No Saturday night or Sunday travel.

21 (3) Violations of this section are subject to fines enumerated in § 31-25-24.

22 ~~(g)~~(g) Construction equipment blanket permits shall not be granted for travel over the
23 following bridges:

24 Blackstone River Viaduct 750 carrying I-295 northbound and southbound over the
25 Blackstone River;

26 Kingston Road Bridge No. 403 carrying I-95 northbound and southbound over Kingston
27 Road.

28 ~~(g)~~(h) Travel of blanket permitted construction equipment through zones with reductions
29 in lane width such as construction zones will not be allowed. Prior to travel, blanket permit holders
30 are responsible to verify the location of construction zones and lane width reductions. Locations of
31 lane width reduction zones are available through the state department of transportation's
32 construction office.

33 (i) Upon approval of the annual construction equipment blanket permit application, the
34 department of transportation shall provide the approved permit. The driver must possess the permit

1 and documentation as required by the permit at all times.

2 (j) Any carrier or persons found to be operating without a required permit, or in excess of
3 their permit limits, three (3) times within a one year period shall be revoked of their ability to use
4 and receive permits within the state for up to thirty (30) days. Additional violations shall result in
5 revocation of up to ninety (90) days.

6 (k) Operation of any vehicle in excess of the requirements of any permit shall void that
7 permit and result in the imposition of fines as provided in this chapter.

8 **31-25-22. Application for excess load permit.**

9 (a) The application for an ~~excess load permit~~ annual divisible load permit pursuant to § 31-
10 25-21 shall specifically describe the vehicle or vehicles and load to be operated or moved, and the
11 particular highways for which the permit to operate is requested ~~and whether the permit is requested~~
12 ~~for a single trip or for continuous operation.~~

13 (b) For ~~continuous operation of~~ divisible ~~loads~~ load permits, the specifically described
14 vehicle ~~or vehicles~~ must be certified originally by the manufacturer ~~of them~~ to possess the braking
15 and carrying capacity for the weight specified on the application.

16 (c) Upon approval of the application or renewal of divisible load permits, the department
17 of ~~revenue~~ transportation shall provide ~~identification devices to be placed on the lower left corner~~
18 ~~of the driver's side of the windshield for trucks and tractors and on the front left corner of the driver's~~
19 ~~side for trailers~~ the approved permit. The driver must possess the permit and documentation as
20 required by the permit at all times.

21 ~~(d) Any motor carrier that has been granted a divisible load permit and has not displayed a~~
22 ~~sticker as required in subsection (c) of this section shall be subject to a fine not exceeding fifty~~
23 ~~dollars (\$50.00) for the first offense or not exceeding one hundred dollars (\$100) for subsequent~~
24 ~~offenses.~~

25 ~~(e)~~(d) Divisible load permit fees for Rhode Island registered vehicles are reflected in the
26 registration fee as enumerated in § 31-6-1(a)(2)

27 ~~(f)~~(e) Divisible load permit fees for out-of-state registered vehicles are as follows:

28 Trailers	\$100 flat fee
29 2, 3, or 4 <u>Single-unit</u> axle trucks	\$50.00 per 1,000 pounds over legal limit
30	maximum \$1,500 for 76,650 pounds

31 Maximum permissible loads for single unit trucks:

32 2 axle - legal weight only per § 31-25-14 (b), (c).

33 3+ axle - 76,650 lbs.

34 Not to exceed Manufacturer GVWR.

1 Tractors \$50.00 per 1,000 over legal limit
2 maximum \$1,250 ~~for 104,800 pounds.~~

3 Tractors may acquire a permit for up to 104,800 lbs. however the allowable gross weight depends
4 on the total number of axles of the tractor/semi-trailer/trailer configuration being used at the time.
5 Gross weight limits for tractor/semi-trailer/trailer configurations are as follows:

6 3 axle – 62,000 lbs.

7 4 axle – 87,000 lbs.

8 5+ axle – 104,800 lbs

9 Transfer fee \$10.00

10 (g) For the purpose of this section, the "legal limit" is defined as the maximum weight as
11 calculated by the Bridge Formula.

12 (h) Annual divisible load permits are issued for overweight only and not over-dimensional.

13 (i) If the annual divisible load permit is used in conjunction with an annual construction
14 equipment blanket permit, the limits and requirements of the blanket construction equipment permit
15 shall supersede the requirements of the divisible load permit. The driver must possess both permits
16 and all required documentation. This shall only apply when divisible load and trailered construction
17 equipment are carried simultaneously.

18 (j) Violations of this section are subject to fines enumerated in § 31-25-16.

19 **31-25-23. Conditions and restrictions on excess load permits.**

20 (a) The department of ~~revenue~~ transportation or local authority is authorized to issue or
21 withhold a permit at its discretion, or if the permit is issued, to limit the number of trips, or to
22 establish seasonal or other time limitations within which the described vehicles may be operated
23 on the indicated highways, or otherwise to limit or prescribe conditions of operation of the vehicle
24 or vehicles, when necessary to assure against undue damage to the road foundations, surfaces, or
25 structures, and may require any undertaking or other security that may be deemed necessary to
26 compensate for any injury to any roadway or road structure.

27 (b) Whenever a permit is issued by the department of ~~revenue~~ transportation or local
28 authority for continuous operation, the permit shall not be issued for a period in excess of the
29 registration date of the subject vehicle.

30 (c) Upon re-registration of the subject vehicle, permits shall be issued by the department
31 of ~~revenue~~ transportation or local authority, upon the re-certification of the braking and carrying
32 capacity of the subject vehicle as specified on the expired permit.

33 **31-25-24. ~~Carrying and inspection of excess load permits~~ Carrying and inspection of**
34 **permits.**

1 Every permit, [including all documentation required by that permit](#), issued under §§ 31-25-
2 21 -- 31-25-23 shall be carried in the vehicle to which it refers and shall be open to inspection by
3 any proper officer or authorized agent of any authority granting the permit. No person shall violate
4 any of the terms or conditions of the special permit. Violations of this section are subject to fines
5 enumerated in § 31-41.1-4.

6 **31-25-28. ~~Liability for damages from excess weight~~ Liability for damages from**
7 **oversize or overweight.**

8 (a) Any person driving any vehicle, object, or contrivance upon any highway or highway
9 structure shall be liable for all damage which the highway or structure may sustain as a result of
10 any illegal operation, driving, or moving of the vehicle, object, or contrivance, or as a result of
11 operating, driving, or moving any vehicle, object, or contrivance weighing in excess of the
12 maximum weight, [or over the maximum dimensions](#) in this chapter but authorized by a special
13 permit issued as provided in this chapter.

14 (b) Whenever the driver is not the owner of a vehicle, object, or contrivance, but is so
15 operating, driving, or moving it with the express or implied permission of the owner, then the owner
16 and driver shall be jointly and severally liable for the damage.

17 (c) Damage may be recovered in a civil action brought by the authorities in control of the
18 highway or highway structure.

19 **31-25-29. Refuse-hauling vehicles -- Exemption from permit.**

20 Notwithstanding any contrary provisions of this chapter, a motor vehicle designed and used
21 for the hauling of refuse shall not be subject to state axle weight restrictions when hauling refuse.
22 Nothing in this provision shall waive or modify existing state gross weight restrictions for refuse
23 vehicles or other size and weight restrictions. To the extent that application of this section to
24 highways which are part of the national system of interstate and defense highways would cause this
25 state to be deprived of any federal funds for highway purposes, this section shall not be applicable
26 to highways which are part of the system. [Nothing in this section shall permit these vehicles to](#)
27 [travel over any structure, highway, or portion of highway which is weight restricted for the vehicle](#)
28 [load.](#)

29 SECTION 2. Section 31-41.1-4 of the General Laws in Chapter 31-41.1 entitled
30 "Adjudication of Traffic Offenses" is hereby amended to read as follows:

31 **31-41.1-4. Schedule of violations.**

32 (a) The penalties for violations of the enumerated sections, listed in numerical order,
33 correspond to the fines described. However, those offenses for which punishments may vary
34 according to the severity of the offense, or punishment that requires the violator to perform a

1 service, shall be heard and decided by the traffic tribunal or municipal court. The following
 2 violations may be handled administratively through the method prescribed in this chapter. This list
 3 is not exclusive and jurisdiction may be conferred on the traffic tribunal with regard to other
 4 violations.

5 VIOLATIONS SCHEDULE

6	Sections of		Total
7	General Laws		Fine
8	8-8.2-2	DOT, DEM, or other agency and department violations	\$85.00
9	24-10-17	Soliciting rides in motor vehicles	85.00
10	24-10-18	Backing up prohibited	85.00
11	24-10-19	Advertising motor vehicle for sale on state highways	100.00
12	24-10-20	Park and ride lots	85.00
13	24-12-37	Nonpayment of toll	100.00
14	31-3-12	Visibility of plates	85.00
15	31-3-18	Display of plates	85.00
16	31-3-32	Driving with expired registration	85.00
17	31-3-34	Failure to notify division of change of address	85.00
18	31-3-35	Notice of change of name	85.00
19	31-3-40	Temporary plates – dealer issued	85.00
20	31-4-3	Temporary registration – twenty-day (20) bill of sale	85.00
21	31-10-10	Rules as to armed forces license	85.00
22	31-10-30	Driving on expired license	85.00
23	31-10-32	Notice of change of address	85.00
24	31-10.1-4	No motorcycle helmet (operator)	85.00
25	31-10.1-5	Motorcycle handlebar violation	85.00
26	31-10.1-6	No motorcycle helmet (passenger)	85.00
27	31-10.1-7	Inspection of motorcycle required	85.00
28	31-12-12	Local motor vehicle ordinance	85.00
29	31-13-4	Obedience to devices	85.00
30	31-13-6(3)(i)	Eluding traffic light	85.00
31	31-13-9	Flashing signals	85.00
32	31-13-11	Injury to signs or devices	85.00
33	31-14-1	Reasonable and prudent speed	95.00
34	31-14-3	Condition requiring reduced speed	95.00

1	31-14-9	Below minimum speed	95.00
2	31-14-12	Speed limit on bridges and structures	95.00
3	31-15-1	Leaving lane of travel	85.00
4	31-15-2	Slow traffic to right	85.00
5	31-15-3	Operator left of center	85.00
6	31-15-4	Overtaking on left	85.00
7	31-15-5(a)	Overtaking on right	85.00
8	31-15-6	Clearance for overtaking	85.00
9	31-15-7	Places where overtaking prohibited	85.00
10	31-15-8	No passing zone	85.00
11	31-15-9	One way highways	85.00
12	31-15-10	Rotary traffic islands	85.00
13	31-15-11	Laned roadway violation	85.00
14	31-15-12	Following too closely	85.00
15	31-15-12.1	Entering intersection	100.00
16	31-15-13	Crossing center section of divided highway	85.00
17	31-15-14	Entering or leaving limited access roadways	85.00
18	31-15-16	Use of emergency break-down lane for travel	85.00
19	31-15-17	Crossing bicycle lane	85.00
20	31-15-18	Unsafe passing of person operating a bicycle	85.00
21	31-16-1	Care in starting from stop	85.00
22	31-16-2	Manner of turning at intersection	85.00
23	31-16-4	U turn where prohibited	85.00
24	31-16-5	Turn signal required	85.00
25	31-16-6	Time of signaling turn	85.00
26	31-16-7	Failure to give stop signal	85.00
27	31-16-8	Method of giving signals	85.00
28	31-16.1-3	Diesel vehicle idling rules first offense not to exceed	100.00
29		second and subsequent offense not to exceed	500.00
30	31-17-1	Failure to yield right of way	85.00
31	31-17-2	Vehicle turning left	85.00
32	31-17-3	Yield right of way (intersection)	85.00
33	31-17-4	Obedience to stop signs	85.00
34	31-17-5	Entering from private road or driveway	85.00

1	31-17-8	Vehicle within right of way, rotary	85.00
2	31-17-9	Yielding to bicycles on bicycle lane	85.00
3	31-18-3	Right of way in crosswalks first violation	85.00
4		second violation or any subsequent violation	\$100.00
5	31-18-5	Crossing other than at crosswalks	85.00
6	31-18-8	Due care by drivers	85.00
7	31-18-12	Hitchhiking	85.00
8	31-18-18	Right of way on sidewalks	85.00
9	31-19-3	Traffic laws applied to bicycles	85.00
10	31-19-20	Sale of new bicycles	85.00
11	31-19-21	Sale of used bicycles	85.00
12	31-19.1-2	Operating motorized bicycle on an interstate highway	85.00
13	31-19.2-2	Operating motorized tricycle on an interstate highway	85.00
14	31-20-1	Failure to stop at railroad crossing	85.00
15	31-20-2	Driving through railroad gate	85.00
16	31-20-9	Obedience to stop sign	85.00
17	31-21-4	Places where parking or stopping prohibited	85.00
18	31-21-14	Opening of vehicle doors	85.00
19	31-21-18	Electric vehicle charging station restriction	85.00
20	31-22-2	Improper backing up	85.00
21	31-22-4	Overloading vehicle	85.00
22	31-22-5	Violation of safety zone	85.00
23	31-22-6	Coasting	85.00
24	31-22-7	Following fire apparatus	85.00
25	31-22-8	Crossing fire hose	85.00
26	31-22-9	Throwing debris on highway – snow removal	85.00
27	31-22-11.5	Improper use of school bus– not to exceed five hundred dollars	
28		for each day of improper use	(\$500)
29	31-22-22(a)	No child restraint	85.00
30	31-22-22(a)	Child restraint/seat belt but not in any rear seating position	85.00
31	31-22-22(b), (f)	No seat belt – passenger	40.00
32	31-22-22(g)	No seat belt – operator	40.00
33	31-22-23	Tow trucks – proper identification	275.00
34	31-22-24	Operation of interior lights	85.00

1	31-23-1(b)(2)	U.S. department of transportation motor carrier safety rules	
2		and regulations	Not less than \$85.00
3			or more than \$500.00
4	31-23-1(e)(6)	Removal of an "out of service vehicle" sticker	125.00
5	31-23-1(e)(7)	Operation of an "out of service vehicle"	100.00
6	31-23-2(b)	Installation or adjustment of unsafe or prohibited parts,	
7		equipment, or accessories:	
8		(first offense)	250.00
9		(second offense)	500.00
10		(third and subsequent offenses)	1,000.00
11	31-23-4	Brake equipment required	85.00
12	31-23-8	Horn required	85.00
13	31-23-10	Sirens prohibited	85.00
14	31-23-13	Muffler required	85.00
15	31-23-13.1	Altering height or operating a motor vehicle with an	
16		altered height	85.00
17	31-23-14	Prevention of excessive fumes or smoke	85.00
18	31-23-16	Windshield and window stickers (visibility)	85.00
19	31-23-17	Windshield wipers	85.00
20	31-23-19	Metal tires prohibited	85.00
21	31-23-20	Protuberances on tires	85.00
22	31-23-26	Fenders and wheel flaps required	85.00
23	31-23-27	Rear wheel flaps on buses, trucks, and trailers	85.00
24	31-23-29	Flares or red flag required over four thousand pounds	
25		(4,000 lbs.)	85.00
26	31-23-40	Approved types of seat belt requirements	85.00
27	31-23-42.1	Special mirror – school bus	85.00
28	31-23-43	Chocks required (1 pair) – over four thousand pounds	
29		(4,000 lbs.)	85.00
30	31-23-45	Tire treads – defective tires	85.00
31	31-23-47	Slow moving emblem required	85.00
32	31-23-49	Transportation of gasoline – passenger vehicle	85.00
33	31-23-51	Operating bike or motor vehicle wearing ear phones	
34		(first offense)	85.00

1		second offense	95.00
2		for the third and each subsequent offense	140.00
3	31-24-1 through 31-24-54	Times when lights required	85.00
4	31-25-3	Maximum width of one hundred and two inches (102")	
5		exceeded	85.00
6	31-25-4	Maximum height of one hundred sixty two inches (162")	
7		exceeded	85.00
8	31-25-6	Maximum number and length of coupled vehicles	500.00
9	31-25-7	Load extending three feet (3') front, six feet (6') rear	
10		exceeded	85.00
11	31-25-9	Leaking load	85.00
12	31-25-11	Connections between coupled vehicles	85.00
13	31-25-12	Towing chain, twelve-inch (12") square flag required	85.00
14	31-25-12.1	Tow truck – use of lanes	
15		(first offense)	85.00
16		second offense	95.00
17		for the third and each subsequent offense	100.00
18	31-25-14(d)(1)	Maximum weight and tandem axles	125.00
19	31-25-14(d)(2)	Maximum weight and tandem axles	125.00
20	31-25-14(d)(3)	Maximum weight and tandem axles	125.00
21	31-25-16(c)(2)	Maximum weight shown in registration per thousand lbs.	
22		overweight or portion thereof	85.00
23	31-25-16(c)(3)	Maximum weight shown in registration per thousand lbs.	
24		overweight or portion thereof.	125.00
25	31-25-16(c)(4)	Maximum weight shown in registration	1,025.00
26		plus per thousand pounds overweight or portion thereof	\$125.00
27	31-25-17	Identification of trucks and truck-tractors	
28		(first offense)	85.00
29		(second offense)	95.00
30		for the third and subsequent offenses	125.00
31	31-25-24	Carrying and inspection of excess load limit	175.00 <u>350.00</u>
32	31-25-27(c)	Maximum axle	
33		(first offense)	3,000.00
34		not to exceed	5,000.00

1		for each and every subsequent offense	
2	31-25-30	Maximum axle Pawtucket River Bridge and Sakonnet River	
3		Bridge	
4		(first offense)	3,000.00
5		not to exceed	5,000.00
6		for each and every subsequent offense	
7	31-27-2.3	Refusal to take preliminary breath test	85.00
8	31-28-7(d)	Wrongful use of handicapped parking placard	500.00
9	31-28-7(f)	Handicapped parking space violation:	
10		First offense	100.00
11		Second offense	175.00
12		Third offense and subsequent offenses	325.00
13	31-28-7.1(e)	Wrongful use of institutional handicapped parking	
14		placard	125.00
15	31-33-2	Failure to file accident report	85.00
16	31-34-2	Proof of insurance – motor vehicle rental	85.00
17	31-34-3	Operation by person other than lessee	85.00
18	31-36.1-17	No fuel tax stamp (out-of-state)	85.00
19		and not exceeding for subsequent offense	(\$100)
20	31-38-3	No inspection sticker	85.00
21	31-38-4	Violation of inspection laws	85.00
22	31-41.3-15	Automated school-zone-speed-enforcement system	50.00
23	31-47.2-6	Heavy-duty vehicle emission inspections:	
24		First offense	125.00
25		Second offense	525.00
26		Third and subsequent offenses	1,025.00
27	37-15-7	Littering	not less than 55.00
28		not more than five hundred dollars (\$500)	
29	39-12-26	Public carriers violation	300.00
30		SPEEDING	Fine
31	(A)	One to ten miles per hour (1-10 mph) in excess of posted speed limit	\$ 95.00
32	(B)	Eleven miles per hour (11 mph) in excess of posted speed limit with a fine	205.00
33		of ten dollars (\$10.00) per mile in excess of speed limit shall be assessed.	minimum
34		(b) In addition to any other penalties provided by law, a judge may impose the following	

1 penalties for speeding:

2 (1) For speeds up to and including ten miles per hour (10 m.p.h.) over the posted speed
3 limit on public highways, a fine as provided for in subsection (a) of this section for the first offense;
4 ten dollars (\$10.00) per mile for each mile in excess of the speed limit for the second offense if
5 within twelve (12) months of the first offense; and fifteen dollars (\$15.00) per mile for each mile
6 in excess of the speed limit for the third and any subsequent offense if within twelve (12) months
7 of the first offense. In addition, the license may be suspended up to thirty (30) days.

8 (2) For speeds in excess of ten miles per hour (10 m.p.h.) over the posted speed limit on
9 public highways, a mandatory fine of ten dollars (\$10.00) for each mile over the speed limit for the
10 first offense; fifteen dollars (\$15.00) per mile for each mile in excess of the speed limit for the
11 second offense if within twelve (12) months of the first offense; and twenty dollars (\$20.00) per
12 mile for each mile in excess of the speed limit for the third and subsequent offense if within twelve
13 (12) months of the first offense. In addition, the license may be suspended up to sixty (60) days.

14 (c) Except for a technology surcharge assessed in accordance with § 8-15-11, any person
15 charged with a violation who pays the fine administratively pursuant to this chapter shall not be
16 subject to any additional costs or assessments, including, but not limited to, the hearing fee
17 established in § 8-18-4.

18 SECTION 3. This act shall take effect upon passage.

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LC005107
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO MOTOR AND OTHER VEHICLES -- SIZE, WEIGHT, AND LOAD LIMITS

1 This act would transfer all responsibility for oversize/overweight permitting to Rhode
2 Island department of transportation from Rhode Island division of motor vehicles. It also changes
3 and increases fines for all oversize and overweight infractions to deter repetitive violations. This
4 act also clarifies several inconsistencies and improves road accessibility for permit vehicles while
5 maintaining safety.

6 This act would take effect upon passage.

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LC005107
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