CHAPTER 74
HB 1523 - FINAL VERSION

2018 SESSION

18-2483
03/06

HOUSE BILL ***1523***

AN ACT **relative to heavy duty recovery vehicles.**

SPONSORS: **Rep. Steven Smith, Sull. 11; Rep. T. Walsh, Merr. 24; Rep. Soucy, Merr. 16; Rep. Rollins, Sull. 6; Rep. Cleaver, Hills. 35; Rep. Grenier, Sull. 7**

COMMITTEE: **Transportation**

ANALYSIS

This bill establishes weight limits for heavy duty recovery vehicles.

This bill was requested by the department of safety.

Explanation: **Matter added to current law appears in *bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 74
HB 1523 - FINAL VERSION

18-2483
03/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eighteen

AN ACT relative to heavy duty recovery vehicles.

Be it Enacted by the Senate and House of Representatives in General Court convened:

74:1 New Section; Words and Phrases Defined; Heavy Duty Recovery Vehicle. Amend RSA 259 by inserting after section 40-a the following new section:

259:40-b Heavy Duty Recovery Vehicle. "Heavy duty recovery vehicle" shall mean a wrecker that:

I. Has been designed and manufactured for the specific purpose of recovering large vehicles that have a gross weight rating or actual gross weight in excess of 80,000 pounds;

II. Has either 4 or 5 axles;

III. Has a manufacturer's gross weight vehicle rating in excess of 70,000 pounds;

IV. Has a recovery boom with a rating of at least 70,000 pounds;

V. Has an air brake system with the capability to provide compressed air to the towed vehicle's braking and/or suspension system; and

VI. Has the capability to tow a combination vehicle with an actual gross weight of more than 99,000 pounds.

74:2 Weight on Interstate and Defense Highway System. Amend RSA 266:18, II to read as follows:

II. Maximum allowable vehicle gross weights:

(a) For 2-axle vehicles, 33,400 pounds.

(b) For single unit 3-axle vehicles, 47,500 pounds, or a gross weight not in excess of that produced by application of the weight formula as defined in subparagraph [~~(g)~~] *(h)*, whichever is greater, as shown in table III.

(c) For single unit 4-axle vehicles, *provided that such vehicles shall have drive on 2 rear axles, and the tridem may contain not more than one retractable axle and, if not factory installed and load equalizing, must provide a system of load equalization by hydraulic, pneumatic, or mechanical means, and be equipped with brakes:*

***(1)* 47,500 pounds, or a gross weight not in excess of that produced by application of the weight formula as defined in subparagraph [~~(g)~~] *(h)*, whichever is the greater[~~. Such vehicles shall have drive on 2 rear axles, and the tridem may contain not more than one retractable axle and, if not factory installed and load equalizing, must~~

~~provide a system of load equalization by hydraulic, pneumatic or mechanical means, and be equipped with brakes~~]***; or***

(2) If a heavy duty recovery vehicle, 75,000 pounds, or a gross weight not in excess of that produced by application of the weight formula as defined in subparagraph (h), whichever is the greater.

(d) ***For a single unit 5-axle heavy duty recovery vehicle, 80,000 pounds, or a gross weight not in excess of that produced by application of the weight formula as defined in subparagraph (h), whichever is the greater. Such vehicles shall have drive on 2 rear axles, and the tridem may contain not more than one retractable axle and, if not factory installed and load equalizing, must provide a system of load equalization by hydraulic, pneumatic, or mechanical means, and be equipped with brakes.***

(e) For a combination of truck-tractor and semi-trailer equipped with 3 axles, the gross weight shall not exceed that set forth in table I as follows:

Table I.

Distance Between Extreme Axles in Feet	Maximum Gross Weight in Pounds
25	54,500
26	55,500
27	56,000
28	57,000
29	57,500
30	58,500
31	59,000
32	60,000

Further provided that the maximum tire and axle gross weights as provided in paragraph I shall apply and the maximum load in pounds carried on any group of 2 or more consecutive axles shall not exceed that produced by application of the weight formula as defined in subparagraph [~~(g)~~] ***(h)***.

[~~(e)~~] ***(f)*** For a combination of truck-tractor and semi-trailer equipped with 4 axles, the gross weight shall not exceed that set forth in table II as follows:

Table II.

Distance Between Extreme Axles in Feet	Maximum Gross Weight in Pounds
28	60,500
29	61,500
30	62,000
31	62,500
32	63,500

33	64,000
34	64,500
35	65,500
36	66,000
37	66,500
38	67,500
39	68,000

Further provided that the maximum tire and axle gross weights as provided in paragraph I shall apply, and the maximum load in pounds carried on any group of 2 or more consecutive axles shall not exceed that produced by application of the weight formula as defined in subparagraph [~~(g)~~] *(h)*.

[~~(f)~~] *(g)* For a combination of truck-tractor and single semi-trailer with 5 or more axles with gross weight not in excess of 73,280 pounds, the weight on any single axle shall not exceed 22,400 pounds and the weight on any tandem axle shall not exceed 36,000 pounds.

[~~(g)~~] *(h)* For a combination of truck-tractor and single semi-trailer equipped with 5 or more axles with a gross weight in excess of 73,280 pounds or a combination of truck-tractor and more than one trailing unit, the total gross weight shall not exceed 80,000 pounds including all law enforcement tolerances, and the overall gross weight on a group of 2 or more consecutive axles shall not exceed that produced by application of the following formula, known as the weight formula:

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

(In which W equals overall gross weight on any group of 2 or more consecutive axles to the nearest 500 pounds; L equals the distance measured to the nearest foot between the extreme of any group of 2 or more consecutive axles; and N equals the number of axles in the group under consideration.) Except that 2 consecutive sets of tandem axles may carry a gross load of 34,000 pounds each, provided the overall distance between the first and last axles of such consecutive sets of tandem axles is 36 feet or more and provided that such gross weight shall not exceed 80,000 pounds, including all law enforcement tolerances.

The formula $W = 500 \left(\frac{LN}{N-1} + 12N + 36 \right)$ **when expressed in tabular form results in maximum allowable load in pounds carried on any group of 2 or more consecutive axles as follows in table III.**

Table III.

Distance *	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles
4	34,000					
5	34,000					
6	34,000					
7	34,000					
8 and less	34,000	34,000				
more than 8	38,000	42,000				
9	39,000	42,500				
10	40,000	43,500				
11		44,000				
12		45,000	50,000			
13		45,500	50,500			
14		46,500	51,500			
15		47,000	52,000			
16		48,000	52,500	58,000		
17		48,500	53,500	58,500		
18		49,500	54,000	59,000		
19		50,000	54,500	60,000		
20		51,000	55,500	60,500	66,000	
21		51,500	56,000	61,000	66,500	
22		52,500	56,500	61,500	67,000	
23		53,000	57,500	62,500	68,000	
24		54,000	58,000	63,000	68,500	74,000
25		54,500	58,500	63,500	69,000	74,500
26		55,500	59,500	64,000	69,500	75,000
27		56,000	60,000	65,000	70,000	75,500
28		57,000	60,500	65,500	71,000	76,500
29		57,500	61,500	66,000	71,500	77,000
30		58,500	62,000	66,500	72,000	77,500
31		59,000	62,500	67,500	72,500	78,000
32		60,000	63,500	68,000	73,000	78,500
33			64,000	68,500	74,000	79,000
34			64,500	69,000	74,500	80,000
35			65,500	70,000	75,000	
** 36			66,000	70,500	75,500	
** 37			66,500	71,000	76,000	

** 38	67,500	71,500	77,000
39	68,000	72,500	77,500
40	68,500	73,000	78,000
41	69,500	73,500	78,500
42	70,000	74,000	79,000
43	70,500	75,000	80,000
44	71,500	75,500	
45	72,000	76,000	
46	72,500	76,500	
47	73,500	77,500	
48	74,000	78,000	
49	74,500	78,500	
50	75,500	79,000	
51	76,000	80,000	
52	76,500		
53	77,500		
54	78,000		
55	78,500		
56	79,500		
57	80,000		

FN* Distance in feet between the extremes of any group of 2 or more consecutive axles.

FN** Distance in feet between the extremes of 4 axles. (2 sets of 2 axles) 68,000 gross weight exception.

The permissible loads are computed to the nearest 500 pounds.

[~~(h)~~] *(i)* The following loaded vehicles shall not be driven over H15-44 bridges:

(1) A combination vehicle equipped with 5 axles in the configuration of 3-axle truck-tractor and 2-axle semi-trailer with wheel base less than 38 feet or 2-axle truck-tractor with 1-axle semi-trailer and 2-axle full trailer with wheel base less than 45 feet.

(2) A loaded single unit vehicle with full trailer equipped with axles with wheel base less than 45 feet.

(3) Vehicles with 7, 8, or 9 axles.

[~~(i)~~] *(j)* Coupled vehicles consisting of a truck together with a trailer attached to the truck by a pintle hook or similar coupling device with adequate breakaway protection as provided in RSA 266:63 may be driven, provided the total combined gross weight of the vehicles does not exceed 80,000 pounds and provided that each unit of the coupled vehicles shall be limited to the maximum permissible axle weights and gross

weights of the individual units, and further provided that the weight of 2 or more consecutive axles of the coupled vehicle shall not be in excess of that produced by application of the weight formula as defined in subparagraph [~~(g)~~] *(h)* and shall be limited to a total combined gross weight not in excess of 80,000 pounds, a single axle limit of 20,000 pounds and a tandem axle limit of 34,000 pounds.

74:3 Weight on Non-Interstate and General Highway System. Amend RSA 266:18-a, II to read as follows:

II. Maximum allowable vehicle gross weight:

(a) For 2-axle vehicles, 33,400 pounds.

(b) For single unit 3-axle vehicles, 55,000 pounds, or a gross weight not in excess of that produced by application of the weight formula as defined in subparagraph [~~(g)~~] *(h)*, whichever is greater, as shown in table III in subparagraph [~~(g)~~] *(h)*.

(c) For single unit 4-axle vehicles, *provided that such vehicles shall have drive on 2 rear axles, and the tridem may contain not more than one retractable axle and, if not factory installed and load equalizing, must provide a system of load equalization by hydraulic, pneumatic, or mechanical means, and be equipped with brakes:*

(1)* 60,000 pounds, or a gross weight not in excess of that produced by application of the weight formula as defined in subparagraph [~~(g)~~] *(h)*, whichever is the greater[~~. Such vehicles shall have drive on 2 rear axles, and the tridem may contain not more than one retractable axle and, if not factory installed and load equalizing, must provide a system of load equalization by hydraulic, pneumatic, or mechanical means, and be equipped with brakes~~]*; or

(2) If a heavy duty recovery vehicle, 80,000 pounds, or a gross weight not in excess of that produced by application of the weight formula as defined in subparagraph (h), whichever is the greater.

(d) *For a single unit 5-axle heavy duty recovery vehicle, 84,000 pounds, or a gross weight not in excess of that produced by application of the weight formula as defined in subparagraph (h), whichever is the greater. Such vehicles shall have drive on 2 rear axles, and the tridem may contain not more than one retractable axle and, if not factory installed and load equalizing, must provide a system of load equalization by hydraulic, pneumatic, or mechanical means, and be equipped with brakes.*

***(e)* For a combination of truck-tractor and semi-trailer equipped with 3 axles, the gross weight shall not exceed that set forth in table I as follows:**

Table I.

Distance Between Extreme Axles in Feet	Maximum Gross Weight in Pounds
25	54,500

26	55,500
27	56,000
28	57,000
29	57,500
30	58,500
31	59,000
32	60,000

Further provided that the maximum tire and axle gross weights as provided in paragraph I shall apply, and the maximum load in pounds carried on any group of 2 or more consecutive axles shall not exceed that produced by application of the weight formula as defined in subparagraph [~~(g)~~] *(h)*.

[~~(e)~~] *(f)* For a combination of truck-tractor and semi-trailer equipped with 4 axles, the gross weight shall not exceed that set forth in table II as follows:

Table II.

Distance Between Extreme Axles in Feet	Maximum Gross Weight in Pounds
28	60,500
29	61,500
30	62,000
31	62,500
32	63,500
33	64,000
34	64,500
35	65,500
36	66,000
37	66,500
38	67,500
39	68,000

Further provided that the maximum tire and axle gross weights as provided in paragraph I shall apply, and the maximum load in pounds carried on any group of 2 or more consecutive axles shall not exceed that produced by application of the weight formula as defined in subparagraph [~~(g)~~] *(h)*.

[~~(f)~~] *(g)* For a combination of truck-tractor and single semi-trailer with 5 or more axles with gross weight not in excess of 73,280 pounds, the weight on any single axle shall not exceed 22,400 pounds and the weight on any tandem axle shall not exceed 36,000 pounds.

[~~(g)~~] *(h)* For a combination of truck-tractor and single semi-trailer equipped with 5 or more axles with a gross weight in excess of 73,280 pounds or a combination of

truck-tractor and more than one trailing unit, the total gross weight shall not exceed 80,000 pounds including all law enforcement tolerances, and the overall gross weight on a group of 2 or more consecutive axles shall not exceed that produced by application of the following formula, known as the weight formula.

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

(In which W equals overall gross weight on any group of 2 or more consecutive axles to the nearest 500 pounds; L equals the distance measured to the nearest foot between the extreme of any group of 2 or more consecutive axles; and N equals the number of axles in the group under consideration.) Except that 2 consecutive sets of tandem axles may carry a gross load of 34,000 pounds each, provided the overall distance between the first and last axles of such consecutive sets of tandem axles is 36 feet or more and provided that such gross weight shall not exceed 80,000 pounds, including all law enforcement tolerances.

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

when expressed in tabular form results in maximum allowable load in pounds carried on any group of 2 or more consecutive axles as follows in table III.

Table III.

Distance *	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles
4	34,000					
5	34,000					
6	34,000					
7	34,000					
8 and less	34,000	34,000				
more than 8	38,000	42,000				
9	39,000	42,500				
10	40,000	43,500				
11		44,000				
12		45,000	50,000			
13		45,500	50,500			
14		46,500	51,500			
15		47,000	52,000			
16		48,000	52,500	58,000		
17		48,500	53,500	58,500		

1	18	49,500	54,000	59,000		
2	19	50,000	54,500	60,000		
3	20	51,000	55,500	60,500	66,000	
4	21	51,500	56,000	61,000	66,500	
5	22	52,500	56,500	61,500	67,000	
6	23	53,000	57,500	62,500	68,000	
7	24	54,000	58,000	63,000	68,500	74,000
8	25	54,500	58,500	63,500	69,000	74,500
9	26	55,500	59,500	64,000	69,500	75,000
10	27	56,000	60,000	65,000	70,000	75,500
11	28	57,000	60,500	65,500	71,000	76,500
12	29	57,500	61,500	66,000	71,500	77,000
13	30	58,500	62,000	66,500	72,000	77,500
14	31	59,000	62,500	67,500	72,500	78,000
15	32	60,000	63,500	68,000	73,000	78,500
16	33		64,000	68,500	74,000	79,000
17	34		64,500	69,000	74,500	80,000
18	35		65,500	70,000	75,000	
19	** 36		66,000	70,500	75,500	
20	** 37		66,500	71,000	76,000	
21	** 38		67,500	71,500	77,000	
22	39		68,000	72,500	77,500	
23	40		68,500	73,000	78,000	
24	41		69,500	73,500	78,500	
25	42		70,000	74,000	79,000	
26	43		70,500	75,000	80,000	
27	44		71,500	75,500		
28	45		72,000	76,000		
29	46		72,500	76,500		
30	47		73,500	77,500		
31	48		74,000	78,000		
32	49		74,500	78,500		
33	50		75,500	79,000		
34	51		76,000	80,000		
35	52		76,500			
36	53		77,500			
37	54		78,000			

55	78,500
56	79,500
57	80,000

FN* Distance in feet between the extremes of any group of 2 or more consecutive axles.

FN** Distance in feet between the extremes of 4 axles. (2 sets of 2 axles) 68,000 gross weight exception.

The permissible loads are computed to the nearest 500 pounds.

[~~(h)~~] *(i)* The following loaded vehicles shall not be driven over H15-44 bridges:

(1) A combination vehicle equipped with 5 axles in the configuration of 3-axle truck-tractor and 2-axle semi-trailer with wheel base less than 38 feet or 2-axle truck-tractor with 1-axle semi-trailer and 2-axle full trailer with wheel base less than 45 feet.

(2) A loaded single unit vehicle with full trailer equipped with axles with wheel base less than 45 feet.

(3) Vehicles with 7, 8, or 9 axles.

[~~(i)~~] *(j)* Coupled vehicles consisting of a truck together with a trailer attached to the truck by a pintle hook or similar coupling device with adequate breakaway protection as provided in RSA 266:63 may be driven, provided the total combined gross weight of the vehicles does not exceed 80,000 pounds and provided that each unit of the coupled vehicles shall be limited to the maximum permissible axle weights and gross weights of the individual units, and further provided that the weight of 2 or more consecutive axles of the coupled vehicle shall not be in excess of that produced by application of the weight formula as defined in subparagraph [~~(g)~~] *(h)* and shall be limited to a total combined gross weight not in excess of 80,000 pounds, a single axle limit of 20,000 pounds and a tandem axle limit of 34,000 pounds.

74:4 Weight on Non-Interstate and General Highway System for Vehicles With Additional Registration. Amend RSA 266:18-b, III to read as follows:

III. Maximum allowable vehicle gross weights:

(a) For 2-axle vehicles, 37,400 pounds.

(b) For single unit 3-axle vehicles, 65,000 pounds.

(c) For single unit 4-axle vehicles, ***provided that such vehicles shall have drive on 2 rear axles, and the tridem may contain not more than one retractable axle and, if not factory installed and load equalizing, must provide a system of load equalization by hydraulic, pneumatic, or mechanical means, and be equipped with brakes:***

(1) 73,000 pounds[~~. Such vehicles shall have drive on 2 rear axles, and the tridem may contain not more than one retractable axle and, if not factory installed and~~

~~load equalizing, must provide a system of load equalization by hydraulic, pneumatic, or mechanical means, and be equipped with brakes~~]***; or***

(2) If a heavy duty recovery vehicle, 84,000 pounds.

(d) ***For a single unit 5-axle heavy duty recovery vehicle, 99,000 pounds, provided that such vehicles shall have drive on 2 rear axles, and the tridem may contain not more than one retractable axle and, if not factory installed and load equalizing, must provide a system of load equalization by hydraulic, pneumatic, or mechanical means, and be equipped with brakes.***

(e) **For a combination of truck-tractor and semi-trailer equipped with 3 axles, the gross weight shall not exceed that set forth in table I as follows:**

Table I.

Distance Between Extreme Axles in Feet	Maximum Gross Weight in Pounds
25	54,500
26	55,500
27	56,000
28	57,000
29	57,500
30	58,500
31	59,000
32	60,000

Further provided that the maximum tire and axle gross weights as provided in paragraph I shall apply, and the maximum load in pounds carried on any axle shall not exceed that provided in paragraph II.

[~~(e)~~] *(f)* For a combination of truck-tractor and semi-trailer equipped with 4 axles or more, the gross weight shall not exceed that set forth in the following table:

Distance *	Total Axles	Gross Wt.
8	4 or more	59,000
9		60,000
10		61,000
11		62,000
12		63,000
13		64,000
14		65,000
15		66,000
16		67,000
17		68,000
18		69,000

19	5 or more	70,000
20		72,000
21		74,000
22		76,000
23		78,000
24		80,000
25		80,000
26		80,000
27		80,000
28		82,000
29		84,000
30	6 or more	86,000
31		88,000
32		90,000
33		92,500
34		95,000
35		97,500
36		99,000

*** The distance in feet noted is that between extreme axles, excluding the steering axle. Further provided that the maximum tire and axle gross weights as provided in paragraphs I and II shall apply.**

[~~(f)~~] *(g)* For a combination of truck-tractor and single semi-trailer with 4 or more axles, the weight on any single axle shall not exceed 22,400 pounds and the weight on any tandem axle shall not exceed 36,000 pounds, and the weight of any tri-axle shall not exceed 54,000 pounds.

[~~(g)~~] *(h)* For a combination of truck-tractor and one or more trailing units being driven upon any way of this state, the total gross weight shall not exceed 99,000 pounds.

[~~(h)~~] *(i)* The commissioner of transportation may restrict at his *or her* discretion the crossing of certain bridges or other structures, which he *or she* determines to have insufficient strength to safely carry multiple legal loads, by limiting vehicles to a caution crossing, whereby the bridge is restricted to one vehicle certified under RSA 266:18-d exceeding 37,400 pounds on the bridge at any one time. When multiple vehicles of more than 2 axles are located on the designated bridge, all loaded certified vehicles shall be required to stop and wait until other traffic passes before crossing the bridge. A bridge so restricted shall be posted according to RSA 266:18-c.

[~~(i)~~] *(j)* The following loaded vehicles shall not be driven over H15-44 bridges

unless so authorized by the commissioner of transportation:

(1) A combination vehicle equipped with 5 axles in the configuration of 3-axle truck-tractor and 2-axle semi-trailer with wheel base less than 38 feet or 2-axle truck-tractor with one-axle semi-trailer and 2-axle full trailer with wheel base less than 45 feet.

(2) A loaded single unit vehicle with full trailer equipped with 6 axles with wheel base less than 45 feet.

(3) Vehicles with 7, 8, or 9 axles.

[~~(j)~~] *(k)* Coupled vehicles consisting of a truck together with a trailer attached to the truck by a pintle hook or similar coupling device with adequate breakaway protection as provided in RSA 266:63 may be driven, provided the total combined gross weight of the vehicles does not exceed 99,000 pounds and provided that each unit of the coupled vehicles shall be limited to the maximum permissible axle weights and gross weights of the individual units, and further provided that the weight of 2 or more consecutive axles of the coupled vehicle shall not be in excess of that produced by application of the weight formula as defined in RSA 266:18-b, [~~III(e)~~] *III(f)* and shall be limited to a total combined gross weight not in excess of 99,000 pounds, a single axle limit of 22,400 pounds, a tandem axle limit of 36,000 pounds, and a tri-axle limit of 54,000 pounds.

[~~(k)~~] *(l)* For a combination of truck-tractor and dump trailer equipped with 6 axles or more, the gross weight shall not exceed 99,000 pounds if the distance between the extreme axles, excluding the steering axle, is 28 feet or more. If the distance between the extreme axles is less than 28 feet, the maximum weight shall be determined under subparagraph [~~(e)~~] *(f)*.

74:5 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 25, 2018
Effective Date: July 24, 2018