

5375--A

2009-2010 Regular Sessions

I N   S E N A T E

April 27, 2009

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Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommended to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to dimension and weight limitations; and providing for the repeal of certain provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraphs (a), (b), (d) and (f) of subdivision 15 of  
2     section 385 of the vehicle and traffic law, paragraph (a) as amended by  
3     section 1, paragraph (b) as amended by section 2, paragraph (d) as  
4     amended by section 3 and paragraph (f) as amended by section 4 of part C  
5     of chapter 59 of the laws of 2004, are amended to read as follows:  
6     (a) The commissioner of transportation is hereby authorized to contin-  
7     ue to grant permits, and to charge fees therefor, for the operation or  
8     movement of a vehicle or combination of vehicles having weights or  
9     dimensions which exceed the limitations provided for in this section  
10    upon any highway under his or her jurisdiction except that such permit  
11    shall not be valid for the operation or movement of such vehicles on any  
12    state or other highway within any city not wholly included within one  
13    county, EXCEPT AND TO THE EXTENT OF ANY COOPERATIVE AGREEMENTS AS  
14    PROVIDED IN THIS SECTION. ANY PERSON WHO OPERATES OR MOVES, OR CAUSES  
15    OR KNOWINGLY PERMITS THE OPERATION OR MOVEMENT ON ANY HIGHWAY OR BRIDGE  
16    UNDER THE JURISDICTION OF THE COMMISSIONER OF TRANSPORTATION, ANY VEHI-  
17    CLE OR COMBINATION OF VEHICLES OF A SIZE OR WEIGHT EXCEEDING THE LIMITA-  
18    TIONS PROVIDED FOR IN THIS SECTION SHALL POSSESS AND COMPLY WITH THE  
19    TERMS OF SUCH A PERMIT ISSUED BY THE COMMISSIONER OF TRANSPORTATION AND  
20    COMPLY WITH THE REGULATIONS APPLICABLE THERETO. Such permits shall be  
21    issued in accordance with the terms and conditions contained in rules

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 and regulations governing special hauling permits which have been or  
2 shall be promulgated by the commissioner of transportation and which may  
3 include, but not be limited to, a requirement that a vehicle or combina-  
4 tion of vehicles being issued a permit shall be accompanied by one or  
5 more escort vehicles which is being operated by an individual having a  
6 valid escort certificate issued by the commissioner. The commissioner of  
7 transportation is authorized to promulgate rules and regulations govern-  
8 ing the operation, use and equipment of escort vehicles and the duties  
9 and responsibilities of the operator of an escort vehicle. Any finding  
10 by the commissioner of transportation that an individual has violated  
11 such rules and regulations shall be grounds for the cancellation of an  
12 individual's escort certificate and a penalty not to exceed five hundred  
13 dollars per occurrence for the first violation and not to exceed one  
14 thousand dollars per occurrence for each subsequent violation. Prior to  
15 issuing such a finding, the commissioner of transportation shall afford  
16 an individual the right to a hearing pursuant to section one hundred  
17 forty-five of the transportation law. Such rules and regulations shall  
18 take into consideration, but shall not be limited to, the safety of the  
19 traveling public and the protection of the highways and the environment.  
20 Such rules and regulations shall also contain a schedule of fees to be  
21 charged for the issuance of such permits which fees shall cover, but  
22 shall not be limited to, the costs to the department of transportation  
23 for the administration of the permit program, and shall permit the  
24 commissioner of transportation to levy a surcharge of up to twenty  
25 dollars for the issuance and distribution of special hauling permits at  
26 regional offices of the department of transportation. The annual vehicle  
27 fee for a permit issued pursuant to [subparagraphs (i), (ii), (ii-a) and  
28 (iii)] ITEMS (A), (B), (C) AND (D) OF SUBPARAGRAPH (II) of paragraph (f)  
29 of this subdivision shall be three hundred sixty dollars for vehicles  
30 with less than five axles, seven hundred fifty dollars for vehicles with  
31 five or six axles and nine hundred dollars for vehicles with seven or  
32 more axles. The annual vehicle fee for a permit issued pursuant to  
33 [subparagraphs (iv), (v), and (vi)] ITEMS (E), (F) AND (G) OF SUBPARA-  
34 GRAPH (II) of paragraph (f) of this subdivision shall be four hundred  
35 eighty dollars for vehicles with less than five axles and one thousand  
36 dollars for vehicles with five or more axles. Additionally, the commis-  
37 sioner shall establish a fee schedule for the permitting of extra non-  
38 power combination units that may not exceed twenty-five dollars per  
39 vehicle and may offer discounts for multi-trailer registrations. Such  
40 fees shall not be charged to municipalities in this state. If the permit  
41 has routing requirements, such rules and regulations shall provide that  
42 if the routing anticipates the use of highways not under the jurisdic-  
43 tion of the commissioner of transportation, then he or she shall imme-  
44 diately notify the municipality or municipalities, having jurisdiction  
45 over such highway that an application for a permit has been received and  
46 request comment thereon. Said municipality or municipalities shall not  
47 have less than fifteen days to comment. Such rules and regulations shall  
48 also contain any other requirements deemed necessary by the commissioner  
49 of transportation.

50 (b) Upon application in writing and good cause being shown, the  
51 department of transportation may issue a permit pursuant to this subdi-  
52 vision to operate or move a vehicle or a combination of vehicles, the  
53 weights or the dimensions of which exceed the limitations provided for  
54 in this section upon any highway under its jurisdiction except that such  
55 permit shall not be valid for the operation or movement of such vehicles  
56 on any state or other highway within any city not wholly included within

one county, EXCEPT AND TO THE EXTENT OF ANY COOPERATIVE AGREEMENTS AS PROVIDED IN THIS SECTION. For any other public highway in any county not wholly included within a city which is not on the state system of highways the authority having jurisdiction over same may issue a similar permit, provided that the fee charged for such permit shall not exceed ten dollars.

(d) Except during storms, floods, fires or other public emergencies, no such permit may be issued to include a towing operation involving more than two vehicles except three vehicle combinations consisting of a tractor, semitrailer and trailer or a tractor and two trailers within legal weight and width limits proceeding to or from any qualifying highway or access highway. Every such permit may designate the route to be traversed and contain any other restrictions or conditions deemed necessary by the issuing authority. Every such permit shall be carried on the vehicle to which it refers and shall be open to the inspection of any peace officer, acting pursuant to his special duties, or police officer, or any other officer or employee authorized to enforce this section. All permits issued shall be revocable by the authority issuing them at the discretion of the authority without a hearing or the necessity of showing cause. Except for a vehicle having a maximum gross weight not exceeding eighty thousand pounds without regard to any axle weight limitation set forth herein or the maximum gross weight established by the formula commonly referred to as the bridge formula as set forth in subdivision ten of this section and except for state or municipally-owned single vehicles engaged in snow and ice control operations, or designed or fitted for snow and ice control operations while engaged in other public works operations on public highways which do not exceed the weight limits contained in subdivision seventeen-a of this section, no permit shall be issued to allow operation or movement of any vehicle or combination of vehicles whose weight exceeds the limitations otherwise prescribed in this section other than an annual permit issued pursuant to paragraph (f) of this subdivision except upon a finding by the department of transportation or the appropriate authority, as the case may be, that the load proposed is of one piece or item or otherwise cannot be separated into units of less weight provided, however, that any such permit issued upon such finding shall not be valid for the operation or movement of such vehicles on any state or other highway within any city not wholly included within one county, EXCEPT AND TO THE EXTENT OF ANY COOPERATIVE AGREEMENTS AS PROVIDED IN THIS SECTION. Bulk milk may be considered one piece or item.

(f) (I)(A) The department of transportation, or other issuing authority, may issue an annual permit for a vehicle designed and constructed to carry loads that are not of one piece or item, which is registered in this state. Motor carriers having apportioned vehicles registered under the international registration plan must either have a currently valid permit at the time this provision becomes effective or shall have designated New York as its base state or one of the eligible jurisdictions of operation under the international registration plan in order to be eligible to receive a permit issued pursuant to [subparagraph (i), (ii) or (ii-a)] ITEMS (A), (B) AND (C) OF SUBPARAGRAPH (II) of this paragraph. No permit issued pursuant to this paragraph shall be valid for the operation or movement of vehicles on any state or other highway within any city not wholly included within one county unless such permit was issued by the city department of transportation of such city.

(B) NOTWITHSTANDING THE PROVISIONS OF ITEM (A) OF THIS SUBPARAGRAPH TO THE CONTRARY, THE DEPARTMENT OF TRANSPORTATION MAY ISSUE PERMITS PURSU-

1 ANT TO ITEMS (A) AND (B) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH FOR THE  
2 OPERATION OR MOVEMENT OF ANY VEHICLE OR COMBINATION OF VEHICLES ON ANY  
3 OF THE FOLLOWING PORTIONS OF STATE OR OTHER HIGHWAYS WITHIN ANY CITY NOT  
4 WHOLLY INCLUDED WITHIN ONE COUNTY, AND SUCH VEHICLES OR COMBINATION OF  
5 VEHICLES MAY OPERATE OR MOVE ON SUCH PORTIONS, AND ONLY SUCH PORTIONS,  
6 OF SUCH STATE OR OTHER HIGHWAYS WITHIN SUCH CITY WITHOUT A PERMIT ISSUED  
7 BY THE DEPARTMENT OF TRANSPORTATION OF SUCH CITY ON THAT PORTION OF  
8 INTERSTATE ROUTE NINETY-FIVE BETWEEN THE BRONX/WESTCHESTER COUNTY BORDER  
9 AND INTERSTATE ROUTE SIX HUNDRED NINETY-FIVE, THAT PORTION OF INTERSTATE  
10 ROUTE SIX HUNDRED NINETY-FIVE BETWEEN INTERSTATE ROUTE NINETY-FIVE AND  
11 INTERSTATE ROUTE TWO HUNDRED NINETY-FIVE, THAT PORTION OF INTERSTATE  
12 ROUTE TWO HUNDRED NINETY-FIVE BETWEEN INTERSTATE ROUTE SIX HUNDRED NINE-  
13 TY-FIVE AND INTERSTATE ROUTE FOUR HUNDRED NINETY-FIVE, AND THAT PORTION  
14 OF INTERSTATE ROUTE FOUR HUNDRED NINETY-FIVE AND THE QUEENS/NASSAU COUN-  
15 TY BORDER.

16 (II) Effective January first, two thousand five, no vehicle or combi-  
17 nation of vehicles issued a permit pursuant to this paragraph shall  
18 cross a bridge designated as an R-posted bridge by the commissioner of  
19 transportation or any other permit issuing authority absent a determi-  
20 nation by such commissioner or permit issuing authority that the permit  
21 applicant has demonstrated special circumstances warranting the crossing  
22 of such bridge or bridges and a determination by such commissioner or  
23 permit issuing authority that such bridge or bridges may be crossed  
24 safely, provided, however, that in no event shall a vehicle or combina-  
25 tion of vehicles issued a permit under this paragraph be permitted to  
26 cross a bridge designated as an R-posted bridge if such vehicle or  
27 combination of vehicles has a maximum gross weight exceeding one hundred  
28 two thousand pounds, and provided further, however, that nothing  
29 contained herein shall be deemed to authorize any vehicle or combination  
30 of vehicles to cross any such bridge within any city not wholly included  
31 within one county unless such vehicle or combination of vehicles has  
32 been issued a valid permit by the city department of transportation of  
33 such city pursuant to this subdivision.

34 No vehicle having a model year of two thousand six or newer shall be  
35 issued a permit pursuant to this paragraph unless each axle of such  
36 vehicle or combination of vehicles, other than steerable or trackable  
37 axles, is equipped with two tires on each side of the axle OR WITH WIDE  
38 BASED SINGLE TIRES ON EACH SIDE OF THE AXLE, any air pressure controls  
39 for lift axles are located outside the cab of the vehicle and are beyond  
40 the reach of occupants of the cab while the vehicle is in motion, the  
41 weight on any grouping of two or more axles is distributed such that no  
42 axle in the grouping carries less than eighty percent of any other axle  
43 in the grouping and any liftable axle is steerable or trackable; and,  
44 further provided, after December thirty-first, two thousand fourteen, no  
45 permit shall be issued pursuant to this paragraph to a vehicle of any  
46 model year that does not meet the requirements of this provision, except  
47 that such permits may be issued prior to January first, two thousand  
48 twenty to a vehicle that does not meet the requirement concerning axle  
49 grouping weight distribution, but meets all other requirements of this  
50 section.

51 A divisible load permit may only be transferred to a replacement vehi-  
52 cle by the same registrant or transferred with the permitted vehicle as  
53 part of the sale or transfer of the permit holder's business; or, if the  
54 divisible load permit is issued pursuant to [subparagraph (iv), (v) or  
55 (vi)] ITEM (E), (F) OR (G) of this [paragraph] SUBPARAGRAPH for use  
56 within the counties of Westchester, Rockland, Nassau, Suffolk, Putnam,

1 Orange and Dutchess and has been effective for the five years preceding  
2 a transfer of such permit, the permit may be transferred with the  
3 permitted vehicle in the sale of the permitted vehicle to the holder of  
4 a permit issued pursuant to [subparagraph (iv), (v) or (vi)] ITEM (E),  
5 (F) OR (G) of this [paragraph] SUBPARAGRAPH for use within the counties  
6 of Westchester, Rockland, Nassau, Suffolk, Putnam, Orange and Dutchess.

7 If a permit holder operates a vehicle or combination of vehicles in  
8 violation of any posted weight restriction, THE COMMISSIONER OF TRANS-  
9 PORTATION MAY IMPOSE A CIVIL PENALTY AS PROVIDED IN SECTION ONE HUNDRED  
10 FORTY-FIVE OF THE TRANSPORTATION LAW AND/OR CANCEL, SUSPEND OR REVOKE  
11 the permit [issued to such vehicle or combination of vehicles shall be  
12 deemed void as of the next day and shall not be reissued] for a period  
13 of twelve calendar months.

14 Until June thirtieth, nineteen hundred ninety-four, no more than  
15 sixteen thousand power units shall be issued annual permits by the  
16 department for any twelve-month period in accordance with this para-  
17 graph. After June thirtieth, nineteen hundred ninety-four, no more than  
18 sixteen thousand five hundred power units shall be issued annual permits  
19 by the department for any twelve-month period. After December thirty-  
20 first, nineteen hundred ninety-five, no more than seventeen thousand  
21 power units shall be issued annual permits by the department for any  
22 twelve-month period. After December thirty-first, two thousand three, no  
23 more than twenty-one thousand power units shall be issued annual permits  
24 by the department for any twelve-month period. After December thirty-  
25 first, two thousand five, no more than twenty-two thousand power units  
26 shall be issued annual permits by the department for any twelve-month  
27 period. After December thirty-first, two thousand six, no more than  
28 twenty-three thousand power units shall be issued annual permits by the  
29 department for any twelve-month period. After December thirty-first, two  
30 thousand seven, no more than twenty-four thousand power units shall be  
31 issued annual permits by the department for any twelve-month period.  
32 After December thirty-first, two thousand eight, no more than twenty-  
33 five thousand power units shall be issued annual permits by the depart-  
34 ment for any twelve-month period.

35 Whenever permit application requests exceed permit availability, the  
36 department shall renew annual permits that have been expired for less  
37 than four years which meet program requirements, and then shall issue  
38 permit applicants having less than three divisible load permits such  
39 additional permits as the applicant may request, providing that the  
40 total of existing and new permits does not exceed three. Remaining  
41 permits shall be allocated by lottery in accordance with procedures  
42 established by the commissioner in rules and regulations.

43 The department of transportation may issue a seasonal agricultural  
44 permit in accordance with [subparagraphs (i), (ii) and (iii)] ITEMS (A),  
45 (B) AND (D) of this [paragraph] SUBPARAGRAPH that will be valid for four  
46 consecutive months with a fee equal to one-half the annual permit fees  
47 established under this subdivision.

48 For a vehicle issued a permit in accordance with [subparagraphs (iii),  
49 (iv), (v) and (vi)] ITEMS (E), (F) AND (G) of this [paragraph] SUBPARA-  
50 GRAPH, such a vehicle must have been registered in this state prior to  
51 January first, nineteen hundred eighty-six or be a vehicle or combina-  
52 tion of vehicles which replace such type of vehicle which was registered  
53 in this state prior to such date provided that the manufacturer's recom-  
54 mended maximum gross weight of the replacement vehicle or combination of  
55 vehicles does not exceed the weight for which a permit may be issued and  
56 the maximum load to be carried on the replacement vehicle or combination

1 of vehicles does not exceed the maximum load which could have been  
2 carried on the vehicle being replaced or the registered weight of such  
3 vehicle, whichever is lower, in accordance with the following [subpara-  
4 graphs] ITEMS:

5 [(i)] (A) A permit may be issued for a vehicle having at least three  
6 axles and a wheelbase not less than sixteen feet and for a vehicle with  
7 a trailer not exceeding forty-eight feet. The maximum gross weight of  
8 such a vehicle shall not exceed forty-two thousand five hundred pounds  
9 plus one thousand two hundred fifty pounds for each foot and major frac-  
10 tion of a foot of the distance from the center of the foremost axle to  
11 the center of the rearmost axle, or one hundred two thousand pounds,  
12 whichever is more restrictive provided, however, that any four axle  
13 group weight shall not exceed sixty-two thousand pounds, any tridem axle  
14 group weight shall not exceed fifty-seven thousand pounds, any tandem  
15 axle weight does not exceed forty-seven thousand pounds and any single  
16 axle weight shall not exceed twenty-five thousand pounds.

17 Any additional special authorizations contained in a currently valid  
18 annual permit shall cease upon the expiration of such current annual  
19 permit.

20 [(ii)] (B) A permit may be issued subject to bridge restrictions for a  
21 vehicle or a combination of vehicles having at least six axles and a  
22 wheel base of at least thirty-six and one-half feet. The maximum gross  
23 weight of such vehicle or combination of vehicles shall not exceed one  
24 hundred seven thousand pounds and any tridem axle group weight shall not  
25 exceed fifty-eight thousand pounds and any tandem axle group weight  
26 shall not exceed forty-eight thousand pounds.

27 [(ii-a)] (C) A permit may be issued subject to bridge restrictions for  
28 a combination of vehicles having at least seven axles and a wheelbase of  
29 at least forty-three feet. The maximum gross weight of such combination  
30 of vehicles shall not exceed one hundred seventeen thousand pounds, any  
31 four axle group weight shall not exceed sixty-three thousand pounds, any  
32 tridem axle group weight shall not exceed fifty-eight thousand pounds,  
33 any tandem axle group weight shall not exceed forty-eight thousand  
34 pounds, and any single axle weight shall not exceed twenty-five thousand  
35 pounds.

36 Each axle of such combination of vehicles, other than steerable or  
37 trackable axles, shall be equipped with two tires on each side of the  
38 axle, any air pressure controls for lift axles shall be located outside  
39 the cab of the combination of vehicles and shall be beyond the reach of  
40 occupants of the cab while the combination of vehicles is in motion, the  
41 weight on any grouping of two or more axles shall be distributed such  
42 that no axle in the grouping carries less than eighty percent of any  
43 other axle in the grouping, and any liftable axle of such combination of  
44 vehicles shall be steerable or trackable.

45 [(iii)] (D) A permit may be issued for a vehicle having two axles and  
46 a wheelbase not less than ten feet, with the maximum gross weight not in  
47 excess of one hundred twenty-five percent of the total weight limitation  
48 as set forth in subdivision ten of this section. Furthermore, until  
49 December thirty-first, nineteen hundred ninety-four, any single rear  
50 axle weight shall not exceed twenty-eight thousand pounds. After Decem-  
51 ber thirty-first, nineteen hundred ninety-four, any axle weight shall  
52 not exceed twenty-seven thousand pounds.

53 [(iv)] (E) Within a city not wholly included within one county and the  
54 counties of Westchester, Rockland, Nassau, Suffolk, Putnam, Orange and  
55 Dutchess, a permit may be issued for a vehicle having at least three

1 axles and a wheelbase not exceeding forty-four feet nor less than seven-  
2 teen feet or for a vehicle with a trailer not exceeding forty feet.

3 Until December thirty-first, nineteen hundred ninety-four, a permit  
4 may only be issued for such a vehicle having a maximum gross weight not  
5 exceeding eighty-two thousand pounds and any tandem axle group weight  
6 shall not exceed sixty-two thousand pounds.

7 After January first, nineteen hundred ninety-five, the operation of  
8 such a vehicle shall be further limited and a permit may only be issued  
9 for such a vehicle having a maximum gross weight not exceeding seventy-  
10 nine thousand pounds and any tandem axle group weight shall not exceed  
11 fifty-nine thousand pounds, and any tridem shall not exceed sixty-four  
12 thousand pounds.

13 A permit may be issued only until December thirty-first, nineteen  
14 hundred ninety-four for a vehicle having at least three axles and a  
15 wheelbase between fifteen and seventeen feet. The maximum gross weight  
16 of such a vehicle shall not exceed seventy-three thousand two hundred  
17 eighty pounds and any tandem axle group weight shall not exceed fifty-  
18 four thousand pounds.

19 No vehicle having a model year of two thousand six or newer shall be  
20 issued a permit pursuant to this [subparagraph] ITEM for use within the  
21 counties of Westchester, Rockland, Nassau, Suffolk, Putnam, Orange and  
22 Dutchess unless it is equipped with at least four axles, and further  
23 provided, after December thirty-first, two thousand fourteen, no permit  
24 shall be issued pursuant to this subparagraph for use within the coun-  
25 ties of Westchester, Rockland, Nassau, Suffolk, Putnam, Orange and  
26 Dutchess to a vehicle of any model year unless the vehicle is equipped  
27 with at least four axles.

28 [(v)] (F) Within a city not wholly included within one county and the  
29 counties of Westchester, Rockland, Nassau, Suffolk, Putnam, Orange or  
30 Dutchess, a permit may be issued only until December thirty-first, nine-  
31 teen hundred ninety-nine for a vehicle or combination of vehicles that  
32 has been permitted within the past four years having five axles and a  
33 wheelbase of at least thirty-six and one-half feet. The maximum gross  
34 weight of such a vehicle or combination of vehicles shall not exceed one  
35 hundred five thousand pounds and any tandem axle group weight shall not  
36 exceed fifty-one thousand pounds.

37 Within a city not wholly included within one county and the counties  
38 of Westchester, Rockland, Nassau, Suffolk, Putnam, Orange and Dutchess,  
39 a permit may be issued for a vehicle or combination of vehicles having  
40 at least five axles and a wheelbase of at least thirty feet. The maximum  
41 gross weight of such vehicle or combination of vehicles shall not exceed  
42 ninety-three thousand pounds and any tridem axle group weight shall not  
43 exceed fifty-seven thousand pounds and any tandem axle group weight  
44 shall not exceed forty-five thousand pounds.

45 [(vi)] (G) Within a city not wholly included within one county and the  
46 counties of Westchester, Rockland, Nassau, Suffolk, Putnam, Orange and  
47 Dutchess, a permit may be issued for a vehicle or combination of vehi-  
48 cles having at least five axles or more and a wheelbase of at least  
49 thirty-six and one-half feet, provided such permit contains routing  
50 restrictions.

51 Until December thirty-first, nineteen hundred ninety-four, the maximum  
52 gross weight of a vehicle or combination of vehicles permitted under  
53 this [subparagraph] ITEM shall not exceed one hundred twenty thousand  
54 pounds and any tandem or tridem axle group weight shall not exceed  
55 sixty-nine thousand pounds, provided, however, that any replacement  
56 vehicle or combination of vehicles permitted ON OR after [the effective

1 date of this subparagraph] JANUARY FIRST, NINETEEN HUNDRED NINETY-FIVE  
2 shall have at least six axles, any tandem axle group shall not exceed  
3 fifty thousand pounds and any tridem axle group shall not exceed sixty-  
4 nine thousand pounds.

5 After December thirty-first, nineteen hundred ninety-four, the tridem  
6 axle group weight of any vehicle or combination of vehicles issued a  
7 permit under this [subparagraph] ITEM shall not exceed sixty-seven thou-  
8 sand pounds, any tandem axle group weight shall not exceed fifty thou-  
9 sand pounds and any single axle weight shall not exceed twenty-five  
10 thousand seven hundred fifty pounds.

11 After December thirty-first, nineteen hundred ninety-nine, all vehi-  
12 cles issued a permit under this [subparagraph] ITEM must have at least  
13 six axles.

14 After December thirty-first, two thousand fourteen, all combinations  
15 of vehicles issued a permit under this [subparagraph] ITEM for use with-  
16 in the counties of Westchester, Rockland, Nassau, Suffolk, Putnam,  
17 Orange and Dutchess must have at least seven axles and a wheelbase of at  
18 least forty-three feet.

19 After December thirty-first, two thousand six, no permits shall be  
20 issued under this [subparagraph] ITEM for use within the counties of  
21 Westchester, Rockland, Nassau, Suffolk, Putnam, Orange and Dutchess for  
22 a vehicle or combination of vehicles having less than seven axles or  
23 having a wheelbase of less than forty-three feet, provided, however,  
24 that permits may be issued for use within the counties of Westchester,  
25 Rockland, Nassau, Suffolk, Putnam, Orange and Dutchess for vehicles or  
26 combinations of vehicles where the permit applicant demonstrates that  
27 the applicant acquired the vehicle or combination of vehicles prior to  
28 December thirty-first, two thousand six, and that if the vehicle or  
29 combination of vehicles was acquired by the applicant after the effec-  
30 tive date of this provision, such vehicle or combination of vehicles is  
31 less than fifteen years old. In instances where the application is for a  
32 combination of vehicles, the applicant shall demonstrate that the power  
33 unit of such combination satisfies the conditions of this [subparagraph]  
34 ITEM. In no event shall a permit be issued under this [subparagraph]  
35 ITEM for use within the counties of Westchester, Rockland, Nassau,  
36 Suffolk, Putnam, Orange and Dutchess for a vehicle or combination of  
37 vehicles having less than seven axles or having a wheelbase of less than  
38 forty-three feet after December thirty-first, two thousand fourteen.

39 Except as otherwise provided by this [subparagraph] ITEM for the peri-  
40 od ending December thirty-first, two thousand fourteen, after December  
41 thirty-first, two thousand three, any combination of vehicles issued a  
42 permit under this [subparagraph] ITEM for use within the counties of  
43 Westchester, Rockland, Nassau, Suffolk, Putnam, Orange and Dutchess  
44 shall not exceed one hundred twenty thousand pounds, shall have at least  
45 seven axles, shall have a wheelbase of at least forty-three feet, and  
46 single axle weight shall not exceed twenty-five thousand seven hundred  
47 fifty pounds, any tandem axle group weight shall not exceed forty-eight  
48 thousand pounds, any tridem axle group weight shall not exceed sixty-  
49 three thousand pounds and any four axle group shall not exceed sixty-  
50 five thousand pounds.

51 [From the date of enactment] ON AND AFTER THE EFFECTIVE DATE of this  
52 paragraph, permit applications under [subparagraphs (i), (ii), (ii-a),  
53 (iii), (iv), (v) and (vi)] ITEMS (A), (B), (C), (D), (E), (F) AND (G) of  
54 this [paragraph] SUBPARAGRAPH for vehicles registered in this state may  
55 be honored by the commissioner of transportation or other appropriate  
56 authority. The commissioner of transportation and other appropriate



1 authorities may confer and develop a system through rules and regu-  
2 lations to assure compliance herewith.

3 S 2. Section 385 of the vehicle and traffic law is amended by adding  
4 four new subdivisions 15-b, 15-c, 15-d and 15-e to read as follows:

5 15-B. NOTWITHSTANDING ANY LIMITATIONS IMPOSED BY THIS SECTION, UPON  
6 THE ISSUANCE OF PERMITS BY THE COMMISSIONER OF TRANSPORTATION FOR MOVE-  
7 MENT ON ANY HIGHWAY LOCATED WITHIN A CITY NOT WHOLLY INCLUDED WITHIN ONE  
8 COUNTY, IN FURTHERANCE OF THE AUTHORITY TO ISSUE PERMITS PURSUANT TO  
9 SUBDIVISION FIFTEEN OF THIS SECTION, THE DEPARTMENT OF TRANSPORTATION  
10 AND THE CITY OF NEW YORK ARE AUTHORIZED TO ENTER INTO COOPERATIVE AGREE-  
11 MENTS RELATIVE TO PERMITS TO OPERATE OR MOVE VEHICLES OR COMBINATIONS OF  
12 VEHICLES THE WEIGHTS OR THE DIMENSIONS OF WHICH EXCEED THE LIMITATIONS  
13 OTHERWISE PROVIDED FOR IN THIS SECTION ALONG THE PORTIONS OF THE HIGHWAY  
14 SYSTEM THAT FALL UNDER THE JURISDICTION OF THE CITY OF NEW YORK. PERMITS  
15 ISSUED PURSUANT TO THIS SUBDIVISION MAY BE OF A JOINT OR RECIPROCAL TYPE  
16 FOR OPERATIONS OR MOVEMENTS ON SUCH HIGHWAY SYSTEMS AND SHALL NOT BE  
17 LIMITED TO LOADS PROPOSED AS ONE PIECE OR ITEM OR OTHERWISE CANNOT BE  
18 SEPARATED INTO UNITS OF LESS WEIGHT.

19 15-C. NOTWITHSTANDING ANY LIMITATIONS IMPOSED BY THIS SECTION, UPON  
20 THE ISSUANCE OF PERMITS BY THE COMMISSIONER OF TRANSPORTATION FOR MOVE-  
21 MENT ON ANY HIGHWAY LOCATED WITHIN A CITY NOT ENTIRELY WITHIN ONE COUNTY  
22 OR UPON FACILITIES OWNED AND OPERATED BY A BRIDGE AND TUNNEL AUTHORITY,  
23 IN FURTHERANCE OF THE AUTHORITY TO ISSUE PERMITS PURSUANT TO SUBDIVISION  
24 FIFTEEN OF THIS SECTION, THE DEPARTMENT OF TRANSPORTATION AND THE METRO-  
25 POLITAN TRANSPORTATION AUTHORITY, ITS AFFILIATES OR SUBSIDIARIES ARE  
26 AUTHORIZED TO ENTER INTO COOPERATIVE AGREEMENTS RELATIVE TO PERMITS TO  
27 OPERATE OR MOVE VEHICLES OR COMBINATIONS OF VEHICLES THE WEIGHTS OR THE  
28 DIMENSIONS OF WHICH EXCEED THE LIMITATIONS OTHERWISE PROVIDED FOR IN  
29 THIS SECTION ALONG THE PORTIONS OF THE STATE HIGHWAY SYSTEM THAT FALL  
30 UNDER THE JURISDICTION OF THE METROPOLITAN TRANSPORTATION AUTHORITY, ITS  
31 AFFILIATES OR SUBSIDIARIES, INCLUDING, BUT NOT LIMITED TO THE BRIDGES  
32 AND/OR TUNNELS THAT THEY CONTROL. PERMITS ISSUED PURSUANT TO THIS SUBDI-  
33 VISION MAY BE OF A JOINT OR RECIPROCAL TYPE FOR OPERATIONS OR MOVEMENTS  
34 ON SUCH HIGHWAY SYSTEMS AND SHALL NOT BE LIMITED TO LOADS PROPOSED AS  
35 ONE PIECE OR ITEM OR OTHERWISE CANNOT BE SEPARATED INTO UNITS OF LESS  
36 WEIGHT.

37 15-D. NOTWITHSTANDING ANY LIMITATIONS IMPOSED BY THIS SECTION, UPON  
38 THE ISSUANCE OF PERMITS BY THE COMMISSIONER OF TRANSPORTATION FOR MOVE-  
39 MENT ON ANY HIGHWAY LOCATED WITHIN A CITY NOT WHOLLY INCLUDED WITHIN ONE  
40 COUNTY, IN FURTHERANCE OF THE AUTHORITY TO ISSUE PERMITS PURSUANT TO  
41 SUBDIVISION FIFTEEN OF THIS SECTION, THE DEPARTMENT OF TRANSPORTATION  
42 AND THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY ARE AUTHORIZED TO  
43 ENTER INTO COOPERATIVE AGREEMENTS RELATIVE TO PERMITS TO OPERATE OR MOVE  
44 VEHICLES OR COMBINATIONS OF VEHICLES THE WEIGHTS OR THE DIMENSIONS OF  
45 WHICH EXCEED THE LIMITATIONS OTHERWISE PROVIDED FOR IN THIS SECTION  
46 ALONG THE PORTIONS OF THE STATE HIGHWAY SYSTEM THAT FALL UNDER THE  
47 JURISDICTION OF THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY OR ITS  
48 SUBSIDIARIES, INCLUDING, BUT NOT LIMITED TO THE BRIDGES THAT THEY  
49 CONTROL. PERMITS ISSUED PURSUANT TO THIS SUBDIVISION MAY BE OF A JOINT  
50 OR RECIPROCAL TYPE FOR OPERATIONS OR MOVEMENTS ON SUCH HIGHWAY SYSTEMS  
51 AND SHALL NOT BE LIMITED TO LOADS PROPOSED AS ONE PIECE OR ITEM OR  
52 OTHERWISE CANNOT BE SEPARATED INTO UNITS OF LESS WEIGHT.

53 15-E. IN FURTHERANCE OF THE AUTHORITY TO ISSUE PERMITS PURSUANT TO  
54 SUBDIVISION FIFTEEN OF THIS SECTION, THE DEPARTMENT OF TRANSPORTATION  
55 AND THE NEW YORK STATE BRIDGE AUTHORITY AND ITS SUBSIDIARIES ARE AUTHOR-  
56 IZED TO ENTER INTO COOPERATIVE AGREEMENTS RELATIVE TO PERMITS TO OPERATE

1 OR MOVE VEHICLES OR COMBINATIONS OF VEHICLES THE WEIGHTS OR THE DIMEN-  
2 SIONS OF WHICH EXCEED THE LIMITATIONS OTHERWISE PROVIDED FOR IN THIS  
3 SECTION ALONG THE PORTIONS OF THE STATE HIGHWAY SYSTEM THAT FALL UNDER  
4 THE JURISDICTION OF THE NEW YORK STATE BRIDGE AUTHORITY OR ITS SUBSID-  
5 IARIES, INCLUDING, BUT NOT LIMITED TO THE BRIDGES THAT THEY CONTROL.  
6 PERMITS ISSUED PURSUANT TO THIS SUBDIVISION MAY BE OF A JOINT OR RECIP-  
7 ROCAL TYPE FOR OPERATIONS OR MOVEMENTS ON SUCH HIGHWAY SYSTEMS AND SHALL  
8 NOT BE LIMITED TO LOADS PROPOSED AS ONE PIECE OR ITEM OR OTHERWISE  
9 CANNOT BE SEPARATED INTO UNITS OF LESS WEIGHT.

10 S 3. This act shall take effect on the sixtieth day after it shall  
11 have become a law, except that item (B) of subparagraph (i) of paragraph  
12 (f) of subdivision 15 of section 385 of the vehicle and traffic law, as  
13 added by section one of this act, shall take effect January 1, 2012 and  
14 shall expire and be deemed repealed December 31, 2014.