

BACKGROUND

[House Bill 189](#) was passed by the Georgia General Assembly on the evening of March 29, as one of the final pieces of legislation considered by legislators in the 2023 session. Several changes were made by the Conference Committee prior to its final passage. Below are the provisions included in the final version that is sent to Governor Brian P. Kemp for his consideration.

HOUSE BILL 189 PROVISIONS

- » Increase in the legal gross vehicle weight to 88,000 lbs. (or 80,000 lbs. base + 10% variance) for trucks hauling agricultural and forest products
- » Expansion of products to include finished agricultural goods (lumber, paper and wood chips) and recycled materials
- » 2-year sunset (ends July 1, 2025)
- » Allows for a 150-mile radius
- » Overweight penalty structure as follows:
 - 5 cents/lb. for loads between 88,001 – 93,000 lbs.
 - 10 cents/lb. for loads between 93,001 – 100,000 lbs.
 - 15 cents/lb. for loads over 100,000 lbs.
- » Bridge penalty structure as follows:
 - 5 cents/lb. for loads that cross posted bridges that are under 7,500 lbs. over the limit
 - 10 cents/lb. for load that cross posted bridges between 7,501 – 15,000 lbs. over the limit
 - 15 cents/lb. for loads that cross posted bridges and exceed the weight by +15,000 lbs.
- » We are still working to digest the interplay of the variance and the axle penalty structure. As written in the bill, the axle penalty structure is as follows:
 - 5 cents/lb. for a single axle between 24,150 - 25,520 lbs.
 - 10 cents/lb. for single axle between 25,520 - 27,450 lbs.
 - 15 cents/lb. for single axle greater than 27,450 lbs.
 - 5 cents/lb. for a tandem axle between 48,300 - 51,000 lbs.
 - 10 cents/lb. for tandem axle between 51,001 - 54,880 lbs.
 - 15 cents/lb. for tandem axle greater than +54,880 lbs
- » Note that all penalties are calculated on a base weight of 88,000 lbs.
- » If a truck has multiple violations, the penalty is the greatest of any single violation, but not the sum of a combination of penalties.
- » Allows local law enforcement to enforce weights on local roads only (not State or Federal highways) after receiving training equivalent to the training provided to the Motor Carrier Compliance Division (MCCD). Note that this also requires the local enforcement authority to purchase scales and a vehicle to transport them in. Also important to note, any fines levied go to the State and not to the local government.
- » Creates an exclusionary zone in metro-Atlanta counties as defined by the counties that are currently designated as non-attainment upon the enactment of the legislation. Trucks operating in this zone, must adhere to the prior law of 84,000 lbs.