



**"AN ACT TO ESTABLISH AN AXLE LOAD LAW TO PROTECT
PUBLIC ROADS AND BRIDGES FROM THE RAPID
DETERIORATION AND DESTRUCTION"**

APPROVED OCTOBER 23, 2015

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AN ACT TO ESTABLISH AN AXLE LOAD LAW TO PROTECT PUBLIC ROADS AND BRIDGES FROM RAPID DETERIORATION AND DESTRUCTION

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled:

SECTION I PRELIMINARY PROVISIONS

1.1 Short Title: This law may be cited in short title as the Axel Load Law 2014

1.2 Purpose:

To protect Public Roads and Bridges from rapid deterioration and destruction due to excessive weight of vehicles, set limits on laden weights to control overloading, and domesticate the ECOWAS Regional Agreement on Harmonized Rules of 2013.

SECTION II DEFINITIONS

In this Act except the context otherwise requires, the following words shall have the meaning(s) ascribed to them in this Section:

Authorized Officer-means a designated officer who is trained for surveillance and enforcement of this statute and other statutes governing road use and who, when exercising the powers of an Authorized officer, is wearing the distinctive uniform of such an officer and a badge of identification as evidence of his or her appointment by the Minister as an Authorized officer;

Check Post means a place which has been prepared and equipped for checking compliance of vehicles and combinations with this statute;

Combination- means a powered vehicle together with one or more trailers to which it is connected;

Compliance Certificate - means a document containing the measured weight for each axel or axel set issued to a specified vehicle or combination by an authorized officer attesting that the vehicle or combination was checked and is in conformity with this statute.

Consignor- means individual or corporate body owner or representative of cargo unit that is being transported.

Designated Officer- means a person trained to use weigh scales and check vehicles and combinations for compliance with this statute, and who is empowered to issue compliance certificates attesting compliance;

ECOWAS means the Economic Community of West African States;

ECOWAS Road Axis means a road route so defined by Convention A/P2/5/82 Regulating Inter-State Road Transportation between ECOWAS Member States, specifically Liberia (Monrovia) to Sierra Leone (Freetown), Liberia (Monrovia) to Guinea (Conakry) and Liberia (Monrovia) to Cote d'Ivoire (Abidjan);

ECOWAS Act-means Supplementary Act Relating to the Harmonization of Standards and Procedures for the Control of Dimensions, Weight and Axle Load of Goods Vehicle within Member States of the Economic Community of West African States;

Exceptional Vehicle- means a vehicle or a vehicle together with its payload that does not and cannot be required to comply with the weight requirements of this statute due to the characteristics of the vehicle or its payload;

Infringement- means a property of the vehicle or combination, including its payload if any that does not conform to the requirements of this statute;

Load- in relation to an axle or axle set means that part of the vehicle weight supported by the axle or axle set;

Mobile Patrol- means a unit equipped with portable weigh scales, which moves from place-to-place carrying out random inspections.

National Headquarters-means the office and officers in charge of enforcement of this statute and supervises the weigh stations and mobile patrols;

Offence - means a willful action by a person or entity responsible for a vehicle or combination that is dishonest or is contrary to the instructions of an authorized officer or sign at a posted bridge, including failure to stop at a weigh station and submit to checks, and also includes noncompliance of obligations by platforms and improper conduct by enforcement personnel;

Owner- in relation to a vehicle means a party that possesses the exclusive right to hold, use, benefit from, enjoy, convey, transfer and otherwise dispose of the vehicle.

Payload- in relation to a vehicle means cargo that is normally absent when the vehicle is idle;

Platform- means a legal entity that in each of the previous three years generated over 200,000 tons of cargo annually;

Posted Bridge- means a bridge not on an ECOWAS road axis, for which vehicles using the bridge are subject to more restrictive limits as notified in the Regulations on axel loads;

Public Check Post means a check post available for use by all trucks and combinations;

Regulations- mean a set of rules or order by an executive authority or regulatory agency of a government responsible to regulate axel loads and have the force of Law.

Road- means an area that is open to or used by the public and is developed for, or has as one of its main uses, the passage of motorized automobiles;

Tractor- means a short truck consisting of the driver's cab, designed to pull a large trailer.

Trailer- means a vehicle built to be towed and has no independent automotive power;

Transit Fee-means the fee specified by the road controlling authority for issuance of a transit permit;

Transit Permit-means a document issued by the road controlling authority giving permission for travel by an exceptional vehicle and specifying the vehicle, load, route and day or days of travel;

Truck means a powered vehicle with a tare weight of four tons or more and fitted with a dais or body for carriage of goods or materials;

Vehicle-refers to powered vehicles and trailers without distinction, including powered vehicles connected to trailers;

Weigh Scales-means equipment designed and manufactured for the purpose of weighing vehicles, combinations, or axles;

Weigh Station- means a place declared as such in the Regulations governing axel loads which has been prepared and equipped for checking and enforcing compliance of vehicles and combinations with this and other statutes governing road use and operates continuously;

SECTION III AXLE LOAD

3.1 AUTHORIZED WEIGHTS AND DIMENSIONS

3.1.1 General Limits

Every Heavy Duty Vehicle including truck, tractor and combination must comply with the weight and dimension limits set out in the Regulations promulgated by the Ministry of Transport.

3.1.2 Particular Limits for Bridges

The Ministry of Transport shall prescribe limits on the passage of vehicles on bridges within the National Road Network where the bridge is not on an ECOWAS road axis and can be affected unduly by uncontrolled vehicles. Limits for individual bridges may be prescribed by the Ministry of Public Works and published consistent with the statutes. The Ministry of Transport shall erect and maintain sign posts at each end of the bridge indicating the limits to be observed by vehicles using the bridge. Restrictions placed on vehicles using the bridge must be for the primary purpose of protecting the bridge and need not be limited to curbs on vehicle weights and dimensions.

- 3.1.3 The Ministry of Transport in collaboration with the Ministry of Public Works shall maintain a registry of Posted Bridges, defining bridge locations and the bridge restrictions posted, including maps showing their approximate locations, and shall make this publicly available at the office of the Ministry of Public Works and accessible on the websites of the Ministries of Transport and Public Works for download at no charge.

3.2 Transit Permits and fees for Exceptional Vehicles and Loads

- 3.2.1 The Ministry of Transport will issue a Transit Permit, to allow travel by an exceptional vehicle on the National Road Network. The permit shall identify the specified vehicle, the load to be carried, the route for the journey, and the date or dates of travel. Possession of a transit permit shall be evidence of payment of the transit fee.
- 3.2.2 In deciding whether or not to issue a transit permit the authorized government agency shall consider individually or in combination with other factors such as public safety, indivisibility of the load and water weight of the vehicle, and may place such restrictions on the journey as it considers warranted.
- 3.2.3 The Transit Fee set by regulation and published shall be the sum of two components:
- (a) A fixed amount for issuance of the transit permit; and

- (b) An amount according to a scale of charges, updated from time to time, representing the cost of the estimated extra wear to roads and bridges due to the weight and load distribution of the exceptional vehicle and the length of the route on the permit.
- 3.2.4 Provided the exceptional vehicle abides by the terms of its transit permit it shall not be liable for any damage to roads and bridges if such damage arises in the course of its journey except for negligence and wilful misconduct.
- 3.2.5 Exceptional vehicles travelling from other countries must obtain a Transit Permit from the Ministry of Transport for travel within the Republic of Liberia consistent with the provision set forth in 3.2.1.

SECTION IV DUTIES OF DRIVERS, VEHICLE OWNERS AND CARGO CONSIGNORS

4.1 Responsibility for Compliance

Responsibility for compliance with this statute rests jointly with the driver in charge of the vehicle and the vehicle's owner. They shall have the duty to

- (a) cooperate with Authorized officers responsible for checking and enforcing compliance;
- (b) have regards for safety and for avoidable concentration of weight on particular axles or axle sets when loading a vehicle;
- (c) take reasonable steps to ascertain the load distribution of indivisible loads, such as containers, if asymmetric load distribution may result in noncompliance with this statute; and
- (d) carry documentation relevant to compliance with this statute, including a compliance Certificate or Transit Permit if such have been issued, and present them if instructed to do so by an Authorized officer. or police in uniform.

4.2 Obligation to Stop and Submit to Inspections

- 4.2.1 Every Heavy Duty Vehicle and Combination must stop at every weigh station encountered on its journey, submit to inspection and obtain a compliance certificate before departure.

4.2.2 If signalled to do so by an Authorized Officer, a Heavy Duty Vehicle or Combination must stop at the road side, submit to inspection, and depart only when permitted to do so by the Authorized Officer. If so instructed, the vehicle must proceed directly to a weigh station specified by the Authorized Officer for additional inspection.

4.3 Obligations of Consignors

A consignor has the duty to provide any accurate information that may assist loading the cargo onto a Heavy Duty Vehicle and Combination in compliance with this statute. Issuance of misleading information in this regard shall be considered an offence punishable by fine. Where the consignor is not satisfied with the fine imposed, the consignor has the right to file for judicial review.

4.4 Crossing of Posted Bridges

A Heavy Duty Vehicle or Combination not on an ECOWAS road axis that is stopped by an Authorized Officer conducting random checks shall be deemed to have crossed such Posted Bridges as judged by the Authorized Officer after taking into account the direction of travel, the nature of the load, documents such as waybills, and any other information the Authorized Officer considers relevant. If crossing one or more of these Posted Bridges by the subject Heavy Duty Vehicle or Combination contravenes posted limits, the penalty for each violation shall be calculated and applied.

4.5 Payment of Fines

Fines shall be paid into Government of Liberia Revenue established account in keeping with the approved Public Finance Management Law.

4.6 Release from Immobilisation

If a compliant Heavy Duty Vehicle and Combination is formed (such as by offloading, by disconnecting a trailer or by rearranging vehicles in a combination) the compliant truck or combination may resume travel once all fines have been paid and a compliance certificate has been issued. Any disconnected trailer shall remain immobilized until incorporated into a new compliant combination.

4.7 Security of Immobilized Heavy Duty Vehicles and Offloaded Payloads

Weigh station staff shall be responsible for the protection and security of immobilized heavy duty vehicles and payloads for a cost to the owner, provided that the owner and weigh station staff jointly sign a form acknowledging the condition of the vehicle and its contents therein. To this end, Ministry of Transport shall promulgate the appropriate regulation that shall define the method of calculation for determining the fees for said protection and security.

SECTION V: SURVEILLANCE AND ENFORCEMENT

5.1 Authorized Officers

5.1.1 Surveillance and enforcement shall be carried out by authorized

Officers:

(a) On mobile patrols equipped with portable weigh scales which move from place-to-place carrying out random inspections.

5.1.2 Authorized Officers are empowered to enforce this statute as directed by the Ministry of Transport in a Regulation. Authorized Officers are also empowered to enforce other statutes governing road users and their means of locomotion such as, but not limited to, fitness of Heavy Duty Vehicles and their drivers.

5.1.3 Authorized Officers shall be trained in the enforcement of the statute, this training encompasses, the extent and limit of their powers, application of penalties for infringements and offences, operation of equipment, interpretation of measurement, and preparation of documentation; and must pass written and practical examinations, developed and-administered by the Ministries of Transport and Public Works.

5.1.4 To exercise his or her powers, an authorising officer must be wearing the distinctive uniform of an Authorized Officer with his or her badge of appointment prominently displayed showing family name and serial number

and be in possession of a photographic ID for verification of identity if requested.

5.1.5 As directed by the Ministry of Transport, for statistical purposes and to assist national transport planning, Authorized Officers at weigh stations are required to collect additional information such as, but not limited to, the vehicle's origin and destination and the type and quantity of payload.

5.2 Weigh Stations

5.2.1 A weigh station shall comprise an area of land and buildings accommodating:

- a. an entry point designed for combinations of maximum length entering from either side of the road;
- b. a holding area for Heavy Duty Vehicle and Combination waiting to be checked;
- c. an approach driveway to the weigh scales of sufficient length for maximum length combinations to be in a straight line on arrival at the scales;
- d. an area for Heavy Duty Vehicle and Combination that after weighing may wait pending completion of processing;
- e. a fenced and lockable compound for immobilized Heavy Duty Vehicle and Combination and offloaded payloads;
- f. an exit driveway designed for combinations of maximum length exiting to either side of the road;
- g. an office housing staff and equipment and providing staff amenities and sanitation; and
- h. a building or shelter with sanitation for public use; and night lighting for work and security.

5.2.2 In order to salvage domestic roads, weigh stations will be established at all major highways, connecting cities, counties and primary roads within counties and cities.

5.2.3 Weigh stations shall be located where road width and visibility are sufficient for safe operations.

5.2.4 On the approach to a weigh station the carriageway shall be widened to provide a holding lane 3.5 metres wide adjoining the road centerline for use by trucks and combinations making left-turn manoeuvres into the weigh station. Road markings designed to international standards shall: define the holding lane, which shall have a stopping line at its head; and demarcate the transition zone where the carriageway widens to divert through-traffic around the left-turn lane. For at least 100 metres prior to the start of the transition zone a centreline shall be marked together with a pavement edge line. The pavement edge line shall continue beyond the holding lane to the point at which the carriageway resumes its normal width. Weigh stations shall be responsible for ensuring these road markings are maintained in good condition to preserve visibility at night.

5.2.4 A weigh station shall be located where sight lines conform to international standards and approaching trucks and combinations have adequate visibility of the weigh station for vehicles manoeuvring into and out of the weigh station.

5.2.6 Weigh stations shall be designed for one-way operation and provide sufficient manoeuvring space for combinations of maximum length to enter from, and exit to, the opposite side of the road.

5.2.7 To give advance notification of weigh stations, reflectorized road signs conforming to international standards shall be positioned at prominent roadside locations. On each direction of approach, two "Weigh Station Ahead" signs shall be positioned approximately two kilometres and one kilometre in advance of the station. Prominent "Weigh Station Entry" signs shall be positioned near the station entrance to give vehicles approaching from each direction ample time to slow down and prepare for entry manoeuvres. At the exit point a "No Entry" sign shall be placed facing oncoming traffic on the opposite side of the road. Weigh stations shall be responsible for ensuring these road signs are kept clear of obstructions, such as vegetation, and are maintained in good condition to preserve visibility at night.

5.2.8 Weigh stations shall be brightly illuminated at night with flood lighting of the work area in the vicinity of the weigh scales but not such as to dazzle drivers of approaching vehicles.

5.2.9 Weigh stations shall at all times have a vehicle available that is suitable for pursuing and apprehending or at least identifying if apprehension is judged to be unsafe, a Heavy Duty Truck or Combination that fails to stop for weighing; or leaves without a clearance certificate and in a state considered hazardous to road users.

5.2.10 To enable collaboration with regard to enforcement and to verify payment of fines, weigh stations shall be equipped with voice and internet links enabling communications with neighbouring weigh stations, national headquarters and other agencies.

5.3 Mobile Patrols

5.3.1 A mobile patrol shall comprise at least two Authorized officers, a portable weigh scales, and a vehicle suitable for their conveyance and for pursuing Heavy Duty Vehicle or combinations.

5.4 Duty to Promote Safety and Limit Delay

5.4.1 In the interest of safety, a mobile patrol is not permitted to stop a truck or combination if it is already checking another truck or combination.

5.4.2 To limit delay at weigh stations, an unladen truck shall not be checked for compliance with weight limits. The compliance certificate shall record "unladen".

5.5 Established Platforms to have Check Posts

5.5.1 Platforms shall establish, or cause to be established, check posts to verify that departing Heavy Duty Vehicle and Combination comply with this statute and to issue compliance certificates. To this end, a platform has a duty to ensure that:

- (a) A check post is established with weigh scales subject to the same approval and calibration requirements as weigh scales at weigh stations, and with the certificate of calibration placed on public display;
- (b) Designated officers attend the check post at all times when trucks and combinations are permitted to depart from the platform;

- (c) A Heavy Duty Vehicle and Combination exiting the platform either has been checked at the check post or has been directed to the check post for checking, in which case procedures are to be used to determine whether such trucks or combinations do attend the check post;
- (d) Heavy Duty Vehicles and Combinations that leave the platform without a certificate of compliance are reported to the nearest weigh stations and to national headquarters and the check post using the voice and internet communication links.

5.5.2 Platforms shall be notified in writing by the Ministry of Transport of their obligation to establish, or cause to be established, check posts. A grace period of two years will be established following the passage into law of this Act in order for Platforms to comply with the check posts requirement, following which failure to comply will constitute an offence punishable pursuant with law.

5.6 Power to Charge a Fee

Whenever a Heavy Duty Vehicle or Combination is checked, a fee will be charged approved by the Ministry of Transport as being consistent with the prices that will be set on a commercial basis taking into consideration a competitive market for such services.

5.7 Use of Roads when in a Noncompliant State

5.7.1 Leaving a platform and travelling on a road in a noncompliant state is not an infringement if that travel is:

- (a) To reach the platform's check post by the most direct route; or
- (b) To return directly to where loading took place in order to rectify noncompliance.

5.8 Urban Agglomerations to have Weigh Stations

5.8.1 A public check post shall:

- (a) Be equipped with weigh scales subject to the same approval and calibration requirements as weigh scales at weigh stations;
- (b) Exhibit the certificate of calibration on public display;
- (c) Be attended by authorized officers at all times during approved opening hours.

5.8.2 The Ministry of Transport shall ensure the availability of a Weigh Station in the following ways:

- (a) Upon request of the Platform and if satisfied with the proposed opening hours, the Ministry of Transport may appoint it as a public check post .
- (b) Upon receipt of a proposal by the Platform for a public check post and, if satisfied that the proposed check post will be ready for opening in good time, the Platform may be accepted as a provider of a public check post and given assurance that once the facility is complete and has received all necessary approvals it will be noted as a public check post in the Regulations.
- (c) The Ministry of Transport in collaboration with the Ministry of Public Works may order the construction and operation of a check post within the administrative structure that is responsible for weigh stations.
- (d) The Ministry of Transport may appoint a weigh station as a public check post if the weigh station is sufficiently close to the urban agglomeration in need of a public check post.

5.9 Dual Operation of a Weigh Station and Public Check Post

A weigh station that is also a public check post shall undertake checks in its capacity as a weigh station unless it is established to the satisfaction of the authorized officer that the payload on the truck or combination being checked originated from the nearby urban agglomeration in which case the check shall be made in its capacity as public check post, and if the truck or combination is found to have committed an infringement requiring

immobilization then that infringement shall be waived and the Heavy Duty Vehicle and Combination allowed to travel directly back to its loading point for rectification without penalty or permanent record of noncompliance.

SECTION VI: TRANSITION

- 6.0 This law shall come into force upon its passage by the Liberian National Legislature and approval of the President of the Republic of Liberia. However, enforcement of the statute shall be contingent upon the designation, erection, construction, installation, and completion of the required equipment and infrastructure for its implementation.

ANY LAW TO THE CONTRARY NOTWITHSTANDING

-2015-

THIRD SESSION OF THE FIFTY-THIRD LEGISLATURE OF
THE REPUBLIC OF LIBERIA

HOUSE'S ENGROSSED BILL NO.46 ENTITLED:

"AN ACT TO ESTABLISH AN AXLE LOAD LAW TO
PROTECT PUBLIC ROADS AND BRIDGES FROM
RAPID DETERIORATION"

On motion, Bill read. On motion, the Bill was adopted on its first
reading and sent to Committee Room on Wednesday, December 10,
2014 @ 12:19 G.M.T.

On motion, the Bill was taken from Committee Room for its second
reading. On motion under the suspension of the rule, the second
reading of the Bill constituted its third and final reading, and the Bill
was adopted, passed into the full force of the law, and ordered
engrossed today, Tuesday, February 24, 2015 @ 12:42 G.M.T.


CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.

2015

FOURTH SESSION OF THE FIFTY-THIRD
LEGISLATURE OF THE REPUBLIC OF LIBERIA.

SENATE'S ENDORSEMENT TO HOUSE'S ENGROSSED
BILL NO. 46 ENTITLED:

"AN ACT TO ESTABLISH AN AXLE LOAD LAW TO
PROTECT PUBLIC ROADS AND BRIDGES FROM
RAPID DETERIORATION AND DESTRUCTION"

On motion, Bill read. On motion, the Bill was adopted on its
first reading and sent to Committee Room on Tuesday,
February 26, 2015 @ 13:45 G.M.T.


On motion, Bill taken from the Committee Room for its second
reading. On motion, under the suspension of the rule, the
second reading of the Bill constituted its third and final reading
and the Bill was adopted, passed into the full force of the law
and ordered engrossed today, Tuesday, September 22, 2015 @
15:40 G.M.T.


SECRETARY, LIBERIAN SENATE, R.L.


-2015-


ATTESTATION TO:

"AN ACT TO ESTABLISH AN AXLE LOAD LAW TO PROTECT PUBLIC
ROADS AND BRIDGES FROM THE RAPID DETERIORATION AND
DESTRUCTION"



VICE PRESIDENT OF THE REPUBLIC OF LIBERIA/
PRESIDENT OF THE SENATE

SECRETARY, LIBERIAN SENATE

SPEAKER, HOUSE OF REPRESENTATIVES, R.L.

CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.



THE HONORABLE HOUSE OF REPRESENTATIVES

Capitol Building
P. O. Box 9005
Monrovia, Liberia
Website: www.legislature.gov.lr



Office of the Chief Clerk

-2015-

FOURTH SESSION OF THE FIFTY-THIRD LEGISLATURE OF THE REPUBLIC OF
LIBERIA.

SCHEDULE OF House's ENROLLED BILL NO. 10 ENTITLED:

"AN ACT TO ESTABLISH AN AXLE LOAD LAW TO PROTECT PUBLIC ROADS AND BRIDGES FROM
THE RAPID DETERIORATION AND DESTRUCTION"

PRESENTED TO THE PRESIDENT OF THE REPUBLIC OF LIBERIA FOR EXECUTIVE
APPROVAL.

APPROVED THIS 23rd DAY OF OCTOBER A.D. 2015

AT THE HOUR OF 5:40 P.M.

THE PRESIDENT OF THE REPUBLIC OF LIBERIA