

MOTOR VEHICLES:
WHEELS:
WEIGHT COMPUTATION:

Truck operator may use as many sets of wheels on his truck as he desires so long as he keeps the vehicle within the dimensions of the law as to length, height, width, weight of load and the amount of weight on each wheel.

April 19, 1939

4-24



Mr. Herbert H. Douglas
Prosecuting Attorney
Newton County
Neosho, Missouri

Dear Sir:

This is in reply to yours of recent date wherein you ask the following question:

"Does a person by the use of the tandem have a right to load his truck according to the rubber space so created or is he limited to the amount of weight provided for by a truck of the same capacity which has no tandem. Or in other words, is this tandem for the purpose of weight computation to be used by the weight officer in entitling the truck owner to carry weight according to the rubber space created by the use of the said tandem."

One of the sections of the statute applicable to your question is found at subsection b of Section 7776, R. S. Missouri, 1929, which is as follows:

"* * * * (b) No motor vehicle except a combination of tractor and semi-trailer, the gross weight of which, including load, is more than 28,000 pounds, and no combination of tractor and semi-trailer, the gross weight of which, including load, is more than

42,000 pounds, and no motor vehicle having a greater weight than 22,400 pounds on one axle, and no motor vehicle having a load of over 800 pounds per inch width of tire upon any wheel concentrated upon the surface of the highway (said width in the case of rubber tires, both solid and pneumatic, to be measured between the flanges of the rim), shall be operated on the highways of this state: Provided a combination of tractor and semi-trailer shall be considered a vehicle of six (6) wheels for the purpose of computing the distribution of the load: Provided that in special cases motor vehicles whose weight, including loads, exceed those herein prescribed may be operated under special permits granted as hereinafter provided."

By the provisions of this section it will be seen that the limit of the load which may be carried on trucks or tractors and semi-trailer combination has been fixed.

The lawmakers have further restricted the load as it affects the highway by providing that the motor vehicle shall not have more than eight hundred pounds per inch width of tire upon any wheel concentrated upon the surface of the highway.

We also find in Laws of Missouri, 1931, page 265, Section 7787, another regulation of the truck load which has some application to your question. This section provides in part as follows:

"No motor drawn or propelled vehicle shall be operated on the highways of this state the width of which, including load, is greater than 96 inches, or the height of which, including load, is greater than $12\frac{1}{2}$ feet, or the length of which including load, is greater than 33 feet; and no combination of such vehicles coupled together of a total or combined length, including coupling, in excess of 40 feet shall be operated on said highways, and not to exceed two vehicles shall be operated in combination. * * *"

April 19, 1939

These two sections, when read together, reveal that the lawmakers have intended to regulate trucks in the following manner:

width of truck;
height of truck;
length of vehicle with
couplings;
weight which may be
transported on a truck or
tractor and trailer;
number of pounds per inch
of tire surface on the sur-
face of the highway.

Nothing has been stated in the law as to the number of sets of wheels that may be used on a motor vehicle on the highway and having failed to limit the number, we think a person may use as many sets of wheels on a vehicle as he desires so long as he keeps the vehicle within the bounds of the regulations as to length, height and weight, and the weight on each wheel as provided by the foregoing sections.

CONCLUSION.

From the foregoing it is the opinion of this department that a person may, by the use of a tandem with extra wheels, have a right to load his truck according to the rubber space so created by the extra wheels so long as he keeps within the dimensions of the law as it applies to height, weight, length and breadth.

Respectfully submitted,

TYRE W. BURTON
Assistant Attorney General

APPROVED:

J. E. TAYLOR
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