

ISSUE NUMBER

24-051-INFO

ISSUE NAME

392.2 Violation - Overweight Vehicles

STATUS

Open

Information Systems Committee

NAME

Sgt. Brady Johnson

AGENCY

Louisiana State Police

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EMAILbrady.johnson@la.gov**SUMMARY OF ISSUE**

LSP is currently in the process of switching from Aspen to SafeSpect and would like to utilize 392.2 with (LRS 32:386 Over Legal Gross Weight) in the additional description. We would like this violation to be a vehicle violation, not a driver violation. FMCSA has added the state violation, but stated it has to be a driver violation for uniformity. In Louisiana, overweight violations must be issued to the carrier, not the driver. FMCSA suggested using 390.9 as the violation, but it's not nearly as clear of a regulation to cite, in my opinion, which will cause us issues with our administrative law judges. John Smoot FMCSA stated CVSA would have to approve my request to have the overweight violations listed as vehicle violations in SafeSpect. I'm attaching my email to show the correspondence. Any assistance would be appreciated.

JUSTIFICATION OR NEED

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REQUEST FOR ACTION

See above.

SUPPORTING DOCUMENTS/PHOTOS

- [392.2-over-legal-gross-over-legal-axle-over-permitted-gross-Brady-Johnson-Outlook.pdf](#)