

**189.223 Measuring or weighing of vehicle by peace officer -- Unloading of excess weight.**

Any peace officer having reason to believe that the height, length, width or weight of any motor truck, semitrailer truck, or trailer, is in excess of the maximum limits prescribed by KRS 189.221 and subsection (1) of 189.222 or permitted by any special permit issued under KRS 189.270 and in the possession of the operator, may measure it or weigh it either by portable or stationary scales, and may require it to be driven to the nearest scales, if such scales are within a distance of five (5) miles from the point at which the vehicle is first directed to stop. If the officer shall determine that the operation of the motor truck, semitrailer, or trailer, was unlawful, he shall require the operator of said motor truck, semitrailer truck, or trailer to unload such portion of the load as may be necessary to decrease the gross weight of the vehicle to the maximum gross weight permitted under the terms of KRS 189.221 and subsection (1) of 189.222 or of KRS 189.270, or he may, at the election of the operator, permit the operator to move the vehicle with its load to the nearest city or nearest court having jurisdiction, at which place the excess load shall be unloaded. The excess load shall be unloaded at the sole risk of the owner. The refusal of the operator to permit his motor truck, semitrailer truck, or trailer to be measured or weighed, or to proceed to a scales, or to unload the excess load, shall constitute a violation of KRS 189.221 to 189.228.

**History:** Created 1950 Ky. Acts ch. 115, sec. 4.