

# Fines Related to Overweight Loads in Surrounding States

**Overall Notes:** MT, WY, and ND use a flat-fee fine based on weight schedules. SD uses a per-pound fine system based on weight schedules. ID, OR, and WA use a combination of the two.

## Montana

**State Law:** [61-10-145](#) - Penalties.

Excess Weight	Fine
1 – 2,000 lbs	\$30.00
2,001 – 4,000 lbs	\$75.00
4,001 – 6,000 lbs	\$125.00
6,001 – 8,000 lbs	\$175.00
8,001 – 10,000 lbs	\$250.00
10,001 – 12,000 lbs	\$275.00
12,001 – 14,000 lbs	\$300.00
14,001 – 16,000 lbs	\$400.00
16,001 – 18,000 lbs	\$500.00
18,001 – 20,000 lbs	\$600.00
20,001 – 25,000 lbs	\$1,000.00
Over 25,000 lbs	\$2,000.00

(2) If a motor vehicle is equipped with a retractable axle that is not fully extended and carrying its proportionate share of the load while the motor vehicle is operated upon the highways of this state, the weight penalties in subsection (1) apply to all weight over the legal maximum allowed by the fixed axles regardless of whether the axle is extended at the time of weighing. In addition to the penalties in subsection (1), the owner or operator shall be fined \$100 for failure to have the retractable axle fully extended while the gross weight of the vehicle exceeds the legal maximum allowed by the fixed axles.

## General Notes:

### Most Recent Update to State Law:

- En. Sec. 3(b), Ch. 123, L. 1947;
- amd. Sec. 3, Ch. 243, L. 1961;
- amd. Sec. 25, Ch. 316, L. 1974;
- R.C.M. 1947, 32-1125;
- amd. Sec. 78, Ch. 421, L. 1979;
- amd. Sec. 1, Ch. 100, L. 1981;
- amd. Sec. 1, Ch. 601, L. 1983;
- amd. Sec. 1, Ch. 380, L. 1985;
- amd. Sec. 1, Ch. 122, L. 1991;
- amd. Sec. 3, Ch. 70, L. 1993;
- amd. Sec. 12, Ch. 236, L. 1995;
- amd. Sec. 8, Ch. 232, L. 1997.

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## Idaho

**State Law:** [49-1013](#) - Idaho Oversize and Overweight Fines and Penalties

Excess Weight	Fine
1 – 1,000 lbs	\$5.00
1,001 – 2,000 lbs	\$15.00
2,001 – 4,000 lbs	\$25.00
4,001 – 15,000 lbs	\$25.00 plus \$0.1341/lb over 4,000 lbs
15,001 – 20,000 lbs	\$1,500.00 plus \$0.20/lb over 15,000 lbs
Over 20,000 lbs	\$2,500.00 plus \$0.30/lb over 20,000 lbs
(g) In addition to the penalties specified in this subsection, one hundred fifty dollars (\$150) for failure to deploy a variable load suspension axle which results in adjacent axles exceeding allowable weight by two thousand one (2,001) pounds or more.	

**General Notes:** These fines apply per violation, even if the vehicle had an overweight permit but exceeded the permitted weight. The severity increases with excess weight, and additional fees apply in cases of non-compliance or repeat offenses.

**Most Recent Update to State Law:** Unknown, but not since 1998

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## North Dakota

State Law: [39-12-17](#) - Trial - Charges

Excess Weight	Fine
1 – 1,000 lbs	\$20.00
1,001 – 2,000 lbs	\$40.00
2,001 – 3,000 lbs	\$60.00
3,001 – 4,000 lbs	\$140.00
4,001 – 5,000 lbs	\$220.00
5,001 – 6,000 lbs	\$305.00
6,001 – 7,000 lbs	\$380.00
7,001 – 8,000 lbs	\$495.00
8,001 – 9,000 lbs	\$575.00
9,001 – 10,000 lbs	\$655.00
10,001 – 11,000 lbs	\$1,100.00
11,001 – 12,000 lbs	\$1,200.00
12,001 – 13,000 lbs	\$1,300.00
13,001 – 14,000 lbs	\$1,680.00
14,001 – 15,000 lbs	\$1,800.00
15,001 – 16,000 lbs	\$1,920.00
16,001 – 17,000 lbs	\$2,550.00
17,001 – 18,000 lbs	\$2,700.00
18,001 – 19,000 lbs	\$2,850.00
19,001 – 20,000 lbs	\$3,000.00
20,001 – 21,000 lbs	\$4,200.00
21,001 – 22,000 lbs	\$4,400.00
22,001 – 23,000 lbs	\$4,600.00
23,001 – 24,000 lbs	\$4,800.00
24,001 – 25,000 lbs	\$5,000.00
25,001 – 26,000 lbs	\$5,200.00
26,001 – 27,000 lbs	\$5,400.00
27,001 – 28,000 lbs	\$5,600.00
28,001 – 29,000 lbs	\$5,800.00
29,001 – 30,000 lbs	\$6,000.00
An additional charge of \$200 for every 1,000-pound increase over 30,000 pounds consistent with the above formula.	

### General Notes:

#### Most Recent Update to State Law:

- S.L. 1955, ch. 257, § 7;
- R.C. 1943, 1957 Supp., § 39-1217;
- S.L. 1981, ch. 399, § 2;
- 2003, ch. 319, § 7.

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## South Dakota

**State Law:** [32-22-55](#) - Schedule of penalties for operation of overweight vehicle.

Excess Weight	Fine
1,001 – 3,000 lbs	\$0.05/lb
3,001 – 4,000 lbs	\$0.15/lb
4,001 – 5,000 lbs	\$0.225/lb
5,001 – 10,000 lbs	\$0.375/lb
Over 10,000 lbs	\$0.75/lb
The fine schedule in this section is assessed at a single rate according to the cents per pound penalty for the highest weight violation.	

### General Notes:

#### Most Recent Update to State Law:

- [SL 1951, ch 235](#);
- [SL 1953, ch 247](#);
- SDC Supp 1960, § 44.9935;
- [SL 1983, ch 241](#), § 11;
- [SL 1984, ch 230](#), § 1;
- [SL 1989, ch 256](#), § 19;
- [SL 1999, ch 162](#), § 4;
- [SL 2002, ch 159](#), § 1.

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## Wyoming

**State Law:** [31-18-805\(d\)](#) - Penalties for violations; permit where vehicle or load cannot be dismantled; enforcement; fines.

Excess Weight	Fine
0 - 2,000 lbs	\$25.00
2,001 - 4,000 lbs	\$75.00
4,001 - 6,000 lbs	\$125.00
6,001 - 8,000 lbs	\$150.00
8,001 - 10,000 lbs	\$200.00
10,001 - 12,000 lbs	\$300.00
12,001 - 14,000 lbs	\$400.00
14,001 - 16,000 lbs	\$500.00
16,001 - 18,000 lbs	\$600.00
18,001 - 20,000 lbs	\$700.00
Over 20,000 lbs	\$1,000.00

Plus an additional two hundred dollars (\$200.00) for each one thousand (1,000) pounds or fraction thereof exceeding twenty thousand (20,000) pounds over the legal limits.

### General Notes:

**Most Recent Update to State Law:** 7/1/2011

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## Oregon

**State Law:** [ORS 818.430\(1\)](#) - Penalties for violation of weight requirements

### Schedule I

Excess Weight	Fine
Less than 1,000 lbs	\$100.00
1,001 – 2,000 lbs	\$150.00
2,001 – 3,000 lbs	\$200.00
3,001 – 5,000 lbs	\$300.00
5,001 – 7,500 lbs	\$0.15/lb
7,501 – 10,000 lbs	\$0.16/lb
10,001 – 12,500 lbs	\$0.20/lb
Over 12,500 lbs	\$0.24/lb

The presumptive fines under Schedule I are as provided in this subsection.

### Schedule II

Excess Weight	Fine
100 – 5,000 lbs	\$200.00 plus \$0.10/lb
5,001 – 10,000 lbs	\$350.00 plus \$0.15/lb
Over 10,000 lbs	\$600.00 plus \$0.30/lb

The presumptive fines under Schedule II are as provided in this subsection.

### Schedule III

Excess Weight	Fine
100 – 5,000 lbs	\$200.00 plus \$0.15/lb
5,001 – 10,000 lbs	\$350.00 plus \$0.20/lb
Over 10,000 lbs	\$500.00 plus \$0.30/lb

The penalties under Schedule III are as provided in this subsection and are in addition to any suspension of operator's license under [ORS 809.120 \(Court-ordered suspension of registration or driving privileges for weight violation\)](#) or any suspension of vehicle registration under [ORS 809.120 \(Court-ordered suspension of registration or driving privileges for weight violation\)](#).

**General Notes:** Oregon also assesses fines incrementally by category (which they call [Schedule I for minor](#), [Schedule II for with permit violations](#) – permit violations are fined at about 2/3 the rate of no-permit overweight). For example, if you had an OR permit for 105,500 but weighed 110,000, the fine might be calculated at a lower “variance” rate. Also, Oregon’s system calls these “presumptive fines” meaning that amount is standard; a judge can adjust up or down, but usually doesn’t.

#### Most Recent Update to State Law:

- 1983 (c.338 § 532)
- 1985 (c.16 § 274)
- 1987 (c.897 § 4)
- 1993 (c.531 § 8)
- 1995 (c.79 § 377; c.339 § 2)
- 1999 (c.668 § 1)
- 2011 (c.597 § 108)
- 2012 (c.89 § 12)

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## Washington

**State Law:** [46.44.105](#) - Enforcement procedures—Penalties—Exception—Rules.

Excess Weight	Fine
1 – 4,000 lbs	\$0.03/lb
4,001 – 10,000 lbs	\$120.00 plus \$0.12/lb over 4,000 lbs
10,001 – 15,000 lbs	\$840.00 plus \$0.16/lb over 10,000 lbs
15,001 – 20,000 lbs	\$1,640.00 plus \$0.20/lb over 15,000 lbs
Over 20,000 lbs	\$2,640.00 plus \$0.30/lb over 20,000 lbs

(ii) Upon a first violation in any calendar year, the court may suspend the penalty for five hundred pounds of excess weight for each axle on any vehicle or combination of vehicles, not to exceed a two thousand pound suspension. Except as specified in (c) of this subsection, in no case may the basic penalty assessed in (a) of this subsection or the additional penalty assessed in (b) of this subsection, except as provided for the first violation, be suspended.

### General Notes:

#### Most Recent Update to State Law:

- 1975-'76 2nd ex.s. c 64 s 23.]
- [1979 ex.s. c 136 s 75](#);
- [1984 c 258 s 327](#);
- [1984 c 7 s 58](#);
- [1985 c 351 s 6](#);
- [1990 c 217 s 1](#);
- [1993 c 403 s 4](#);
- [1996 c 92 s 2](#);
- [1999 c 23 s 1](#);
- [2002 c 254 s 1](#);
- [2006 c 297 s 1](#);
- [2006 c 50 s 4](#);
- [2007 c 419 s 13](#).
- [2019 c 439 s 1](#);

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	MT	ID	ND	SD	WY	OR *	WA
<b>Statute</b>	61-10-145	49-1013	39-12-17	32-22-55	31-18-805	818.43	46.44.105
<b>Lbs</b>	Fine up to:	Fine up to:	Fine up to:	Fine up to:	Fine up to:	Fine up to:	Fine up to:
<b>10,000</b>	\$50.00	\$25.00	\$655.00	\$0.375/lb	\$200.00	\$0.16/lb	\$120 plus \$0.12 per pound over 4,000 lbs
<b>20,000</b>	\$600.00	\$1,500.00 plus \$0.20/lb over 15,000 lbs	\$3,000.00	\$0.75/lb	\$700.00	\$0.24/lb	\$1,640.00 plus \$0.20/lb over 15,000 lbs
<b>30,000</b>	\$ 2,000.00	\$2,500.00 plus \$0.30/lb over 20,000 lbs	\$6,000.00	\$0.75/lb	\$1,000 plus \$200 for each one 1,000 lbs or fraction thereof exceeding 20,000 lbs over the legal limits.		\$2,640.00 plus \$0.30/lb over 20,000 lbs
<b>40,000</b>			An additional charge of \$200 for every 1,000-pound increase over 30,000 pounds consistent with the above formula.				
<b>50,000</b>							
<b>60,000</b>							
<b>70,000</b>							
<b>80,000</b>							
<b>90,000</b>							
<b>100,000</b>							
* Oregon has a three-tiered fine system. See Oregon section above to learn more.							

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