

1 HB40
2 188868-2
3 By Representative South
4 RFD: Transportation, Utilities and Infrastructure
5 First Read: 09-JAN-18
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ENROLLED, An Act,

To amend Section 32-9-20, Code of Alabama 1975, as last amended by Act 2017-442, 2017 Regular Session, relating to the restrictions on the operation of certain motor vehicles; to further provide for the length of certain vehicles; and to allow for weight increases for vehicles having conversion equipment installed that allows the vehicle to operate on compressed natural gas or compressed liquefied gas.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-9-20, Code of Alabama 1975, as last amended by Act 2017-442, 2017 Regular Session, is amended to read as follows:

"§32-9-20.

"(a) It shall be unlawful for any person to drive or move on any highway in this state any vehicle or vehicles of a size or weight except in accordance with the following:

"(1) WIDTH. Vehicles and combinations of vehicles, operating on highways with traffic lanes 12 feet or more in width, shall not exceed a total outside width, including any load thereon, of 102 inches, exclusive of mirrors or other safety devices approved by the State Transportation Department. The Director of the State Transportation Department may, in his or her discretion, designate other

1 public highways for use by vehicles and loads with total
2 outside widths not exceeding 102 inches, otherwise; vehicles
3 and combinations of vehicles, operating on highways with
4 traffic lanes less than 12 feet in width, shall not exceed a
5 total outside width, including any load thereon, of 96 inches,
6 exclusive of mirrors or other safety devices approved by the
7 State Transportation Department. No passenger vehicle shall
8 carry any load extending beyond the line of the fenders. No
9 vehicle hauling forest products or culvert pipe on any highway
10 in this state shall have a load exceeding 102 inches in width.

11 "(2) HEIGHT. No vehicle or semitrailer or trailer
12 shall exceed in height 13 1/2 feet, including load.

13 "(3) LENGTH. No vehicle shall exceed in length 40
14 feet; except, that the length of a truck-semitrailer
15 combination, semitrailers, including load, used in a truck
16 tractor-semitrailer combination, shall not exceed 57 feet;
17 semitrailers and trailers, including load, used in a truck
18 tractor-semitrailer-trailer combination, shall not exceed 28
19 1/2 feet each; and motor vehicles designed, used, or
20 maintained primarily as a mobile dwelling, office, or
21 commercial space, commonly called motor homes, shall not
22 exceed 45 feet. Semitrailers exceeding 53 1/2 feet shall only
23 be operated on highways designated pursuant to Section 32-9-1
24 and shall only be operated when the distance between the
25 kingpin of the semitrailer and the rearmost axle or a point

1 midway between the two rear axles, if the two rear axles are
2 tandem axles, does not exceed 41 feet and if the semitrailer
3 is equipped with a rear underride guard of a substantial
4 construction consisting of a continuous lateral beam extending
5 to within four inches of the lateral extremities of the
6 semitrailer and located not more than 22 inches from the
7 surface as measured with the semitrailers empty and on a level
8 surface. For purposes of enforcement of this subdivision,
9 lengths of semitrailers and trailers refer to the cargo
10 carrying portion of the unit. Truck tractor units used
11 exclusively in combinations transporting motor vehicles may
12 directly carry a portion of the cargo, provided that the
13 combinations are restricted to truck tractor-semitrailer
14 combinations only and provided further that the overall length
15 of these particular combinations shall not exceed 65 feet;
16 except that the overall length of stinger-steered type units
17 shall not exceed ~~75~~ 80 feet. No truck tractor-semitrailer
18 combination used exclusively for transporting motor vehicles
19 shall carry any load extending more than ~~three~~ four feet
20 beyond the front or ~~four~~ six feet beyond the rear of the
21 combination. No other vehicle operated on a highway shall
22 carry any load extending more than a total of five feet beyond
23 both the front and rear, inclusive, of the vehicle.

24 "(4) WEIGHT.

1 and last axles of vehicle or pounds on all the
 2 combination of vehicles axles

3		2 axles	3 axles	4 axles	5 axles	6 axles
4	8 or	36,000	42,000	42,000		
5	less					
6	9	38,000	42,500	42,500		
7	10	40,000	43,500	43,500		
8	11		44,000	44,000		
9	12		45,000	50,000	50,000	
10	13		45,500	50,500	50,500	
11	14		46,500	51,500	51,500	
12	15		47,000	52,000	52,000	
13	16		48,000	52,500	58,000	58,000
14	17		48,500	53,500	58,500	58,500
15	18		49,500	54,000	59,000	59,000
16	19		50,000	54,500	60,000	60,000
17	20		51,000	55,500	60,500	66,000
18	21		51,500	56,000	61,000	66,500
19	22		52,500	56,500	61,500	67,000
20	23		53,000	57,500	62,500	68,000

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1	24	54,000	58,000	63,000	68,500
2	25	54,500	58,500	63,500	69,000
3	26	56,000	59,500	64,000	69,500
4	27	57,000	60,000	65,000	70,000
5	28	59,000	60,500	65,500	71,000
6	29	60,000	61,500	66,000	71,500
7	30		62,000	66,500	72,000
8	31		63,500	67,000	72,500
9	32		64,500	68,000	73,500
10	33		65,000	69,000	74,000
11	34		65,500	70,000	74,500
12	35		66,500	71,000	75,000
13	36		67,000	72,000	76,000
14	37		68,000	73,000	77,000
15	38		69,000	74,000	78,000
16	39		70,000	75,000	79,000
17	40		71,000	76,000	80,000
18	41		72,000	77,000	81,000
19	42		73,000	78,000	82,000
20	43		74,000	79,000	83,000
21	44 and		75,000	80,000	84,000

1 over

2 "Except as provided by special permits, no vehicle
 3 or combination of vehicles exceeding the gross weights
 4 specified above shall be permitted to travel on the public
 5 highways within the State of Alabama.

6 "No vehicle or combination of vehicles shall be per-
 7 mitted to operate on any portion of the Interstate Highway
 8 System of Alabama that shall have a greater weight than 20,000
 9 pounds carried on any one axle, including all enforcement tol-
 10 erances, or with a tandem axle weight in excess of 34,000
 11 pounds, including all enforcement tolerances, or with an over-
 12 all gross weight on a group of two or more consecutive axles
 13 produced by application of the following formula:

$$\begin{aligned}
 & W=500 \quad LN \quad + \quad 12N \quad + \quad 36 \\
 & \qquad \qquad \qquad N-1
 \end{aligned}$$

16 where W = overall gross weight on any group of two
 17 or more consecutive axles to the nearest 500 pounds, L =
 18 distance in feet between the extreme of any group of two or
 19 more consecutive axles, and N = number of axles in group under
 20 consideration; except, that two consecutive sets of tandem
 21 axles may carry a gross load of 34,000 pounds each, provided

1 the overall distance between the first and last axles of the
2 consecutive sets of tandem axles is 36 feet or more; provided,
3 that the overall gross weight may not exceed 80,000 pounds,
4 including all enforcement tolerances. Nothing in this section
5 shall be construed as permitting size or weight limits on the
6 National System of Interstate and Defense Highways in this
7 state in excess of those permitted under 23 U.S.C. Section
8 127. If the federal government prescribes or adopts vehicle
9 size or weight limits greater than or less than those now
10 prescribed by 23 U.S.C. Section 127 for the National System of
11 Interstate and Defense Highways, the increased or decreased
12 limits shall become effective on the National System of
13 Interstate and Defense Highways in this state. Nothing in this
14 section shall be construed to deny the operation of any
15 vehicle or combination of vehicles that could be lawfully
16 operated upon the highways and roads of this state on January
17 4, 1975.

18 "d. For purposes of enforcement of this subdivision,
19 all weights less than or equal to the sum of the weight
20 otherwise prescribed by this subdivision, plus an additional
21 weight to be calculated by multiplying the weight prescribed
22 by this subdivision by one-tenth (.10) that shall represent a
23 scale or enforcement tolerance, shall be deemed to be in
24 compliance with the requirements of this section, and shall
25 not constitute violations thereof. No evidence shall be

1 admitted into evidence or considered by the trier of fact in
2 any civil action unless the evidence proffered would tend to
3 prove that the weight of the vehicle exceeded the amount
4 provided in this subsection. Nothing in this paragraph d.
5 shall restrict or affect the right of any defendant to place
6 in evidence such evidence tending to prove the defendant was
7 in compliance with this section.

8 "e. Dump trucks, dump trailers, concrete mixing
9 trucks, fuel oil, gasoline trucks, and trucks designated and
10 constructed for special type work or use shall not be made to
11 conform to the axle spacing requirements of paragraph (4)c of
12 this section; provided, that the vehicle shall be limited to a
13 weight of 20,000 pounds per axle plus scale tolerances; and,
14 provided further, that the maximum gross weight of the
15 vehicles shall not exceed the maximum weight allowed by this
16 section for the appropriate number of axles, irrespective of
17 the distance between axles, plus allowable scale tolerances.
18 All axles shall be brake equipped. Trucks delivering asphalt
19 plant mix which do not exceed the maximum allowable gross
20 weight and operate within 50 miles of their home base shall
21 not be required to conform to the requirements of paragraph
22 (4)a of this section. Concrete mixing trucks which operate
23 within 50 miles of their home base and do not exceed the
24 maximum allowable gross weight shall not be required to
25 conform to the requirements of paragraph (4)a of this section.

1 It shall be a violation if the vehicles named under this
2 subdivision travel upon bridges designated and posted by the
3 Transportation Director as incapable of carrying the load.

4 "f. If the driver of any vehicle can comply with the
5 weight requirements of this section by shifting or equalizing
6 the load on all wheels or axles and does so when requested by
7 the proper authority, the driver shall not be held to be
8 operating in violation of this section.

9 "g. When portable scales are used in the enforcement
10 of this section, the axles of any vehicle described or
11 commonly referred to as tandem or triaxle rigs or units (that
12 is, vehicles having two or more axles in addition to a
13 steering axle), the group of tandem or triaxles shall be
14 weighed simultaneously, and the total weight so derived shall
15 be divided by the number of axles weighed in the group to
16 arrive at the per axle weight, except that if any one axle in
17 the group exceeds 20,000 pounds in weight, it shall not exceed
18 the weight of any other axle in the group by more than 50
19 percent. When portable scales are used to determine the weight
20 of a vehicle pursuant to this section, the operator of the
21 vehicle will be permitted to move the vehicle to the nearest
22 platform scales certified by the Department of Agriculture and
23 Industries and operated by a bonded operator within a distance
24 of 10 highway miles, accompanied by an enforcement officer to
25 verify the accuracy of the portable scales used in determining

1 the vehicle weight. If the weight of the vehicle is shown by
2 the platform scales to be within the legal limits of this
3 section, the operator of the vehicle shall not be held to be
4 in violation of this section.

5 "h. The governing body of a county, by appropriate
6 resolution, may authorize limitations less than those
7 prescribed herein for vehicles operated upon the county
8 highways of the county.

9 "i. The State Transportation Department may post or
10 limit any road or bridge to weights less than those prescribed
11 by this section. It is the legislative intent and purpose that
12 this section be rigidly enforced by the State Transportation
13 Department, the Alabama State Law Enforcement Agency and any
14 other authorized law enforcement officers of the state, any
15 county, or city and incorporated towns.

16 "j. Two and three axle vehicles being used
17 exclusively for the purpose of transporting agricultural
18 commodities or products to and from a farm and for
19 agricultural purposes relating to the operation and
20 maintenance of a farm by any farmer, custom harvester or
21 husbandman may not be made to conform to the axle requirements
22 of paragraph (4)a of this section or the gross weight
23 requirements of paragraph (4)c of this section.

24 "(b) (1) Any vehicle utilizing an auxiliary power or
25 idle reduction technology unit in order to promote reduction

1 of fuel use and emissions because of engine idling shall be
2 allowed an additional 400 pounds total to the gross, axle,
3 tandem, or bridge formula weight limits defined in this
4 section.

5 "(2) To be eligible for the exception provided in
6 this subsection, the operator of the vehicle must provide
7 written proof or certification of the weight of the auxiliary
8 power unit (APU) and demonstrate or certify the idle reduction
9 technology is fully functional at all times.

10 "(3) Written proof or certification of the weight of
11 the APU must be available to law enforcement officers if the
12 vehicle is found in violation of applicable weight laws. The
13 weight allowed cannot exceed 400 pounds or the actual weight
14 proven or certified, whichever is less.

15 "(4) It is the intent of this subsection to apply at
16 the state highway level the weight limit increase for vehicles
17 using a functioning auxiliary power or idle reduction
18 technology as provided in the Federal Energy Policy Act of
19 2005.

20 "(c) (1) Any motor vehicle, if operated by an engine
21 fueled primarily by natural gas, may exceed any vehicle weight
22 limit, up to a maximum gross vehicle weight of 82,000 pounds,
23 under this section by an amount that is equal to the
24 difference between:

1 "a. The weight of the vehicle attributable to the
2 natural gas tank and fueling system carried by that vehicle;
3 and

4 "b. The weight of a comparable diesel tank and
5 fueling system.

6 "(2) This subsection applies on federal interstate
7 highways to the weight limit increases for vehicles using an
8 EPA certified natural gas engine or an EPA approved conversion
9 unit installed on the vehicle which allows the vehicle to
10 operate primarily on compressed natural gas or liquefied
11 natural gas."

12 Section 2. This act shall become effective on the
13 first day of the third month following its passage and
14 approval by the Governor, or its otherwise becoming law.

