

1 HB460
2 211022-5
3 By Representative Allen
4 RFD: Agriculture and Forestry
5 First Read: 25-FEB-21

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2 ENROLLED, An Act,

3 Relating to motor vehicles; to amend Section
4 40-12-248 of the Code of Alabama 1975, providing the annual
5 license tax and registration fees for trucks and truck
6 tractors based on the gross weight of the vehicles; to delete
7 a limitation on the number of truck tractors of a certain
8 weight class used by a farmer for transporting farm products
9 which are eligible for a reduced fee; to provide for weight
10 classes for trucks or truck tractors owned and used by any
11 person for transporting forest products under certain
12 conditions where the gross weight of the truck or truck
13 tractor exceeds 42,000 pounds; and to delete an exclusion of
14 truck tractors used for transporting forest products when the
15 truck tractors are used for hire.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 40-12-248 of the Code of Alabama
18 1975, is amended to read as follows:

19 "§40-12-248.

20 "(a) For each truck or truck tractor using the
21 public highways of this state, annual license taxes and
22 registration fees based on the gross vehicle weight in pounds
23 are imposed and shall be charged. For the purposes of this
24 section, the term "gross vehicle weight" shall mean the empty
25 weight of the truck or truck tractor plus the heaviest load to

1 be carried and, in the case of combinations, shall be deemed
2 to include also the empty weight of the heaviest trailer with
3 which the power unit shall be placed in combination, plus the
4 heaviest load to be carried. No tolerance or margin of error
5 shall be allowable under this section, except as provided in
6 subsection (b).

7 "(b) For each truck or truck tractor using the pub-
8 lic highways of this state, the annual license taxes and reg-
9 istration fees herein imposed (i) shall consist of the base
10 amount applicable to the truck or truck tractor under the
11 schedule of base amounts set forth in this subsection, plus
12 (ii) the additional amount, if any, applicable to the truck or
13 truck tractor under the schedule of additional amounts set
14 forth in this subsection:

15 SCHEDULE OF BASE AMOUNTS

16 Gross Vehicle

17 Weight in Pounds

Base Amount

18 0 to 8,000

\$10.70

19 8,001 to 10,000

17.50

20 10,001 to 12,000

52.50

21 12,001 to 18,000

85.00

1	18,001 to 26,000	117.50
2	26,001 to 33,000	150.00
3	33,001 to 42,000	260.00
4	42,001 to 55,000	292.50
5	55,001 to 64,000	325.00
6	64,001 to 73,280	357.50
7	73,281 to 80,000	407.50
8	80,001 or over	445.00

9 SCHEDULE OF ADDITIONAL AMOUNTS

10	Gross Vehicle	
11	Weight in Pounds	Additional Amount
12	0 to 8,000	\$2.30
13	8,001 to 10,000	17.50
14	10,001 to 12,000	52.50
15	12,001 to 18,000	85.00
16	18,001 to 26,000	117.50
17	26,001 to 33,000	150.00
18	33,001 to 42,000	260.00

1	42,001 to 55,000	292.50
2	55,001 to 64,000	325.00
3	64,001 to 73,280	357.50
4	73,281 to 80,000	407.50
5	80,001 or over	445.00

6 "The total amount of the annual license tax and
7 registration fee shall be limited with respect to trucks or
8 truck tractors owned and used by a farmer for transporting
9 farm products or the personal property of the farmer for use
10 on his or her farm to a maximum of thirty dollars (\$30) where
11 the gross vehicle weight of the truck does not exceed 30,000
12 pounds; to a maximum of eighty-five dollars (\$85) where the
13 gross vehicle weight of the truck exceeds 30,000 pounds, but
14 does not exceed 42,000 pounds; and to a maximum of two hundred
15 fifty dollars (\$250) where the gross vehicle weight of the
16 truck or truck tractor is up to and including the class
17 currently designated 80,001 pounds or over, ~~provided,~~
18 ~~however, a farmer shall be entitled to pay this reduced annual~~
19 ~~license tax and registration fee for four truck tractors; for~~
20 ~~each additional truck tractor the annual license tax and~~
21 ~~registration fee shall be determined from the "schedule of~~
22 ~~base amounts" and "the schedule of additional amounts" based~~
23 ~~on the gross vehicle weight in pounds; and the~~ The annual

1 license tax and registration fee shall be limited with respect
2 to trucks owned and used by any person for transporting forest
3 products from the point of severance to a sawmill, to a
4 papermill, or to a concentration yard to a maximum of forty
5 dollars (\$40) where the gross vehicle weight of the truck does
6 not exceed 30,000 pounds and to a maximum of sixty-five
7 dollars (\$65) where the gross vehicle weight exceeds 30,000
8 pounds, but does not exceed 42,000 pounds~~7~~. ~~The reduced annual~~
9 ~~license tax and registration fee shall not be available for~~
10 ~~truck tractors used on a for hire basis.~~ Where the gross
11 vehicle weight of a truck or truck tractor owned and used by
12 any person for transporting forest products from the point of
13 severance to a sawmill, to a papermill, or to a concentration
14 yard exceeds 42,000 pounds, the annual license tax and
15 registration fee for the restricted tags shall consist of the
16 base amount applicable to the truck tractor under the schedule
17 base amounts set forth in this subsection, plus the additional
18 amount applicable to the truck or truck tractor under the
19 schedule of additional amounts set forth in this subsection.

20 "For purposes of enforcement of farm truck license
21 tags~~7~~ or of forest products truck license tags ~~for trucks that~~
22 ~~do not exceed 42,000 pounds in gross vehicle weight,~~ all
23 scaled weight shall be allowed a tolerance or a margin of
24 error of 10 percent of the true gross or axle weights to allow
25 for any climatic conditions.

1 subdivision, the term "gross vehicle weight in pounds" as used
2 in this subsection means the gross weight of the vehicle only
3 without regard to the heaviest load to be carried including
4 the heaviest load to be carried on any trailer used in
5 combination with the truck.

6 "(2) Notwithstanding the other provisions of this
7 section, a motor vehicle wrecker, commonly known as a tow
8 truck, which is used primarily to move, tow, or recover
9 disabled motor vehicles or used for impoundment purposes,
10 shall be licensed and registered based on the gross vehicle
11 weight of the wrecker only without regard to the gross vehicle
12 weight of any motor vehicle to be towed by the wrecker.

13 "(c) Every person making application for license
14 under this section to use a truck or truck tractor on the
15 public highways of this state shall be required to ~~make an~~
16 ~~affidavit~~ file a statement declaring the gross vehicle weight
17 of the truck or truck tractor ~~and file the affidavit~~ with the
18 judge of probate, or other county licensing officer, in the
19 county in which the application is made. Upon payment of the
20 applicable motor vehicle license tax or registration fee, the
21 license to use the truck or truck tractor on the public
22 highways of this state shall be limited to the gross vehicle
23 weight so declared by the owner, which shall be deemed to
24 constitute the allowable gross vehicle weight for which the
25 vehicle is licensed.

1 "After having obtained a license under this section
2 with respect to any truck or truck tractor, the owner thereof
3 may during the then current tax year voluntarily increase the
4 allowable gross vehicle weight for which the vehicle is
5 licensed by ~~making~~ filing a new ~~affidavit~~ statement declaring
6 the vehicle's gross weight, applying for a new license
7 applicable to the appropriate gross vehicle weight
8 classification, surrendering the license plates or tags
9 previously obtained, and paying the difference between the
10 fees applicable to a license for the higher weight
11 classification desired and the fee in respect of the license
12 so surrendered. The license classification of a truck or truck
13 tractor may not be decreased, however, except once a year at
14 the time new license tags or plates are purchased for the
15 truck or truck tractor."

16 Section 2. This act shall become effective on ~~the~~
17 ~~first day of the third month~~ October 1, 2021, following its
18 passage and approval by the Governor, or its otherwise
19 becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 11-MAR-21, as amended.

Jeff Woodard
Clerk

Senate	20-APR-21	Amended and Passed
House	27-APR-21	Concurred in Senate Amendment