

1 SB458
2 169293-2
3 By Senators Pittman and Allen
4 RFD: Transportation and Energy
5 First Read: 05-MAY-15

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to motor vehicles; to amend Section 32-9-20
12 of the Code of Alabama 1975, relating to vehicle weight
13 restrictions; to provide that trucks delivering asphalt plant
14 mix would not be required to conform to the axle spacing
15 requirements under certain conditions.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 32-9-20 of the Code of Alabama
18 1975, is amended to read as follows:

19 "§32-9-20.

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

23 "(1) WIDTH. Vehicles and combinations of vehicles,
24 operating on highways with traffic lanes 12 feet or more in
25 width, shall not exceed a total outside width, including any
26 load thereon, of 102 inches, exclusive of mirrors or other
27 safety devices approved by the State Transportation

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

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

15 "(3) LENGTH. No vehicle shall exceed in length 40
16 feet; except, that the length of a truck-semitrailer
17 combination, semitrailers, including load, used in a truck
18 tractor-semitrailer combination, shall not exceed 57 feet;
19 semitrailers and trailers, including load, used in a truck
20 tractor-semitrailer-trailer combination, shall not exceed 28
21 1/2 feet each; and motor vehicles designed, used, or
22 maintained primarily as a mobile dwelling, office, or
23 commercial space, commonly called motor homes, shall not
24 exceed 45 feet. Semitrailers exceeding 53 1/2 feet shall only
25 be operated on highways designated pursuant to Section 32-9-1
26 and shall only be operated when the distance between the
27 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 feet. No truck tractor-semitrailer
18 combination used exclusively for transporting motor vehicles
19 shall carry any load extending more than three feet beyond the
20 front or four feet beyond the rear of the combination. No
21 other vehicle operated on a highway shall carry any load
22 extending more than a total of five feet beyond both the front
23 and rear, inclusive, of the vehicle.

24 "(4) WEIGHT.

25 "a. The gross weight imposed on the highway by the
26 wheels of any one axle of a vehicle shall not exceed 20,000
27 pounds, or such other weight, if any, as may be permitted by

1 federal law to keep the state from losing federal funds;
2 provided, that inadequate bridges shall be posted to define
3 load limits.

4 "b. For the purpose of this section, an axle load
5 shall be defined as the total load transmitted to the road by
6 all wheels whose centers are included between two parallel
7 transverse vertical planes 40 inches apart, extending across
8 the full width of the vehicle.

9 "c. Subject to the limit upon the weight imposed
10 upon the highway through any one axle as set forth herein, the
11 total weight with load imposed upon the highway by all the
12 axles of a vehicle or combination of vehicles shall not exceed
13 the gross weight given for the respective distances between
14 the first and last axle of the vehicle or combination of vehi-
15 cles, measured longitudinally to the nearest foot as set forth
16 in the following table:

17 "COMPUTED GROSS WEIGHT TABLE

18 "For various spacings of axle groupings

19 "Distance in feet between first	Maximum load in				
20 and last axles of vehicle or	pounds on all the				
21 combination of vehicles	axles				

22	2 axles	3 axles	4 axles	5 axles	6 axles
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1	8 or	36,000	42,000	42,000		
2	less					
3	9	38,000	42,500	42,500		
4	10	40,000	43,500	43,500		
5	11		44,000	44,000		
6	12		45,000	50,000	50,000	
7	13		45,500	50,500	50,500	
8	14		46,500	51,500	51,500	
9	15		47,000	52,000	52,000	
10	16		48,000	52,500	58,000	58,000
11	17		48,500	53,500	58,500	58,500
12	18		49,500	54,000	59,000	59,000
13	19		50,000	54,500	60,000	60,000
14	20		51,000	55,500	60,500	66,000
15	21		51,500	56,000	61,000	66,500
16	22		52,500	56,500	61,500	67,000
17	23		53,000	57,500	62,500	68,000
18	24		54,000	58,000	63,000	68,500
19	25		54,500	58,500	63,500	69,000
20	26		56,000	59,500	64,000	69,500
21	27		57,000	60,000	65,000	70,000
22	28		59,000	60,500	65,500	71,000

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

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

1 size or weight limits greater than or less than those now
2 prescribed by 23 U.S.C. Section 127 for the National System of
3 Interstate and Defense Highways, the increased or decreased
4 limits shall become effective on the National System of
5 Interstate and Defense Highways in this state. Nothing in this
6 section shall be construed to deny the operation of any
7 vehicle or combination of vehicles that could be lawfully
8 operated upon the highways and roads of this state on January
9 4, 1975.

10 "d. For purposes of enforcement of this subdivision,
11 all weights less than or equal to the sum of the weight
12 otherwise prescribed by this subdivision, plus an additional
13 weight to be calculated by multiplying the weight prescribed
14 by this subdivision by one-tenth (.10) that shall represent a
15 scale or enforcement tolerance, shall be deemed to be in
16 compliance with the requirements of this section, and shall
17 not constitute violations thereof. No evidence shall be
18 admitted into evidence or considered by the trier of fact in
19 any civil action unless the evidence proffered would tend to
20 prove that the weight of the vehicle exceeded the amount
21 provided in this subsection. Nothing in this paragraph d.
22 shall restrict or affect the right of any defendant to place
23 in evidence such evidence tending to prove the defendant was
24 in compliance with this section.

25 "e. Dump trucks, dump trailers, concrete mixing
26 trucks, fuel oil, gasoline trucks, and trucks designated and
27 constructed for special type work or use shall not be made to

1 conform to the axle spacing requirements of paragraph (4)c of
2 this section; provided, that the vehicle shall be limited to a
3 weight of 20,000 pounds per axle plus scale tolerances; and,
4 provided further, that the maximum gross weight of the
5 vehicles shall not exceed the maximum weight allowed by this
6 section for the appropriate number of axles, irrespective of
7 the distance between axles, plus allowable scale tolerances.
8 All axles shall be brake equipped. Trucks delivering asphalt
9 plant mix which operate within 50 miles of their home base
10 shall not be required to conform to the requirements of
11 paragraph (4)a of this section. Concrete mixing trucks which
12 operate within 50 miles of their home base shall not be
13 required to conform to the requirements of paragraph (4)a of
14 this section; provided, that the vehicles shall be limited to
15 a maximum load of the rated capacity of the concrete mixer,
16 the true gross load not to exceed 66,000 pounds, and all the
17 vehicles shall have at least three axles, each with brake
18 equipped wheels. It shall be a violation if the vehicles named
19 under this subdivision travel upon bridges designated and
20 posted by the Transportation Director as incapable of carrying
21 the load.

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

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

22 "h. The governing body of a county, by appropriate
23 resolution, may authorize limitations less than those
24 prescribed herein for vehicles operated upon the county
25 highways of the county.

26 "i. The State Transportation Department may post or
27 limit any road or bridge to weights less than those prescribed

1 by this section. It is the legislative intent and purpose that
2 this section be rigidly enforced by the State Transportation
3 Department, the Department of Public Safety and any other
4 authorized law enforcement officers of the state, any county,
5 or city and incorporated towns.

6 "j. Two and three axle vehicles being used
7 exclusively for the purpose of transporting agricultural
8 commodities or products to and from a farm and for
9 agricultural purposes relating to the operation and
10 maintenance of a farm by any farmer, custom harvester or
11 husbandman may not be made to conform to the axle requirements
12 of paragraph (4)a of this section or the gross weight
13 requirements of paragraph (4)c of this section.

14 "(b) (1) Any vehicle utilizing an auxiliary power or
15 idle reduction technology unit in order to promote reduction
16 of fuel use and emissions because of engine idling shall be
17 allowed an additional 400 pounds total to the gross, axle,
18 tandem, or bridge formula weight limits defined in this
19 section.

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

25 "(3) Written proof or certification of the weight of
26 the APU must be available to law enforcement officers if the
27 vehicle is found in violation of applicable weight laws. The

1 weight allowed cannot exceed 400 pounds or the actual weight
2 proven or certified, whichever is less.

3 "(4) It is the intent of this subsection to apply at
4 the state highway level the weight limit increase for vehicles
5 using a functioning auxiliary power or idle reduction
6 technology as provided in the Federal Energy Policy Act of
7 2005."

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

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Senate

Read for the first time and referred to the Senate
committee on Transportation and Energy..... 05-MAY-15

Read for the second time and placed on the calen-
dar 1 amendment..... 07-MAY-15

Read for the third time and passed as amended 19-MAY-15

Yeas 29
Nays 1

Patrick Harris
Secretary