

1 SB458
2 168300-2
3 By Senators Pittman and Allen
4 RFD: Transportation and Energy
5 First Read: 05-MAY-15

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8 SYNOPSIS: Under existing law, maximum vehicle weights
9 are provided for various spacing of axle groupings.
10 Certain designated trucks are not required to
11 conform to the axle spacing requirements provided
12 the vehicles do not exceed the maximum gross
13 weights otherwise provided.

14 This bill would provide that dump trucks
15 would be included in the vehicles not required to
16 conform to the axle spacing requirements under
17 certain conditions.

18
19 A BILL
20 TO BE ENTITLED
21 AN ACT

22
23 Relating to motor vehicles; to amend Section 32-9-20
24 of the Code of Alabama 1975, relating to vehicle weight
25 restrictions; to provide that dump trucks would not be
26 required to conform to the axle spacing requirements under
27 certain conditions.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 32-9-20 of the Code of Alabama
3 1975, is amended to read as follows:

4 "§32-9-20.

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

8 "(1) WIDTH. Vehicles and combinations of vehicles,
9 operating on highways with traffic lanes 12 feet or more in
10 width, shall not exceed a total outside width, including any
11 load thereon, of 102 inches, exclusive of mirrors or other
12 safety devices approved by the State Transportation
13 Department. The Director of the State Transportation
14 Department may, in his or her discretion, designate other
15 public highways for use by vehicles and loads with total
16 outside widths not exceeding 102 inches, otherwise; vehicles
17 and combinations of vehicles, operating on highways with
18 traffic lanes less than 12 feet in width, shall not exceed a
19 total outside width, including any load thereon, of 96 inches,
20 exclusive of mirrors or other safety devices approved by the
21 State Transportation Department. No passenger vehicle shall
22 carry any load extending beyond the line of the fenders. No
23 vehicle hauling forest products or culvert pipe on any highway
24 in this state shall have a load exceeding 102 inches in width.

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

1 "(3) LENGTH. No vehicle shall exceed in length 40
2 feet; except, that the length of a truck-semitrailer
3 combination, semitrailers, including load, used in a truck
4 tractor-semitrailer combination, shall not exceed 57 feet;
5 semitrailers and trailers, including load, used in a truck
6 tractor-semitrailer-trailer combination, shall not exceed 28
7 1/2 feet each; and motor vehicles designed, used, or
8 maintained primarily as a mobile dwelling, office, or
9 commercial space, commonly called motor homes, shall not
10 exceed 45 feet. Semitrailers exceeding 53 1/2 feet shall only
11 be operated on highways designated pursuant to Section 32-9-1
12 and shall only be operated when the distance between the
13 kingpin of the semitrailer and the rearmost axle or a point
14 midway between the two rear axles, if the two rear axles are
15 tandem axles, does not exceed 41 feet and if the semitrailer
16 is equipped with a rear underride guard of a substantial
17 construction consisting of a continuous lateral beam extending
18 to within four inches of the lateral extremities of the
19 semitrailer and located not more than 22 inches from the
20 surface as measured with the semitrailers empty and on a level
21 surface. For purposes of enforcement of this subdivision,
22 lengths of semitrailers and trailers refer to the cargo
23 carrying portion of the unit. Truck tractor units used
24 exclusively in combinations transporting motor vehicles may
25 directly carry a portion of the cargo, provided that the
26 combinations are restricted to truck tractor-semitrailer
27 combinations only and provided further that the overall length

1 of these particular combinations shall not exceed 65 feet;
2 except that the overall length of stinger-steered type units
3 shall not exceed 75 feet. No truck tractor-semitrailer
4 combination used exclusively for transporting motor vehicles
5 shall carry any load extending more than three feet beyond the
6 front or four feet beyond the rear of the combination. No
7 other vehicle operated on a highway shall carry any load
8 extending more than a total of five feet beyond both the front
9 and rear, inclusive, of the vehicle.

10 "(4) WEIGHT.

11 "a. The gross weight imposed on the highway by the
12 wheels of any one axle of a vehicle shall not exceed 20,000
13 pounds, or such other weight, if any, as may be permitted by
14 federal law to keep the state from losing federal funds;
15 provided, that inadequate bridges shall be posted to define
16 load limits.

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

22 "c. Subject to the limit upon the weight imposed
23 upon the highway through any one axle as set forth herein, the
24 total weight with load imposed upon the highway by all the
25 axles of a vehicle or combination of vehicles shall not exceed
26 the gross weight given for the respective distances between
27 the first and last axle of the vehicle or combination of vehi-

1 cles, measured longitudinally to the nearest foot as set forth
 2 in the following table:

3 "COMPUTED GROSS WEIGHT TABLE
 4 "For various spacings of axle groupings

5 "Distance in feet between first Maximum load in
 6 and last axles of vehicle or pounds on all the
 7 combination of vehicles axles

		2 axles	3 axles	4 axles	5 axles	6 axles
8						
9	8 or	36,000	42,000	42,000		
10	less					
11	9	38,000	42,500	42,500		
12	10	40,000	43,500	43,500		
13	11		44,000	44,000		
14	12		45,000	50,000	50,000	
15	13		45,500	50,500	50,500	
16	14		46,500	51,500	51,500	
17	15		47,000	52,000	52,000	
18	16		48,000	52,500	58,000	58,000
19	17		48,500	53,500	58,500	58,500
20	18		49,500	54,000	59,000	59,000

1	19	50,000	54,500	60,000	60,000
2	20	51,000	55,500	60,500	66,000
3	21	51,500	56,000	61,000	66,500
4	22	52,500	56,500	61,500	67,000
5	23	53,000	57,500	62,500	68,000
6	24	54,000	58,000	63,000	68,500
7	25	54,500	58,500	63,500	69,000
8	26	56,000	59,500	64,000	69,500
9	27	57,000	60,000	65,000	70,000
10	28	59,000	60,500	65,500	71,000
11	29	60,000	61,500	66,000	71,500
12	30		62,000	66,500	72,000
13	31		63,500	67,000	72,500
14	32		64,500	68,000	73,500
15	33		65,000	69,000	74,000
16	34		65,500	70,000	74,500
17	35		66,500	71,000	75,000
18	36		67,000	72,000	76,000
19	37		68,000	73,000	77,000
20	38		69,000	74,000	78,000
21	39		70,000	75,000	79,000
22	40		71,000	76,000	80,000

1	41	72,000	77,000	81,000
2	42	73,000	78,000	82,000
3	43	74,000	79,000	83,000
4	44 and	75,000	80,000	84,000
5	over			

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

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

$$18 \qquad \qquad \qquad W=500 \quad LN \quad + \quad 12N \quad + \quad 36$$

$$19 \qquad \qquad \qquad \qquad \qquad \qquad N-1$$

20 where W = overall gross weight on any group of two
21 or more consecutive axles to the nearest 500 pounds, L =
22 distance in feet between the extreme of any group of two or

1 more consecutive axles, and N = number of axles in group under
2 consideration; except, that two consecutive sets of tandem
3 axles may carry a gross load of 34,000 pounds each, provided
4 the overall distance between the first and last axles of the
5 consecutive sets of tandem axles is 36 feet or more; provided,
6 that the overall gross weight may not exceed 80,000 pounds,
7 including all enforcement tolerances. Nothing in this section
8 shall be construed as permitting size or weight limits on the
9 National System of Interstate and Defense Highways in this
10 state in excess of those permitted under 23 U.S.C. Section
11 127. If the federal government prescribes or adopts vehicle
12 size or weight limits greater than or less than those now
13 prescribed by 23 U.S.C. Section 127 for the National System of
14 Interstate and Defense Highways, the increased or decreased
15 limits shall become effective on the National System of
16 Interstate and Defense Highways in this state. Nothing in this
17 section shall be construed to deny the operation of any
18 vehicle or combination of vehicles that could be lawfully
19 operated upon the highways and roads of this state on January
20 4, 1975.

21 "d. For purposes of enforcement of this subdivision,
22 all weights less than or equal to the sum of the weight
23 otherwise prescribed by this subdivision, plus an additional
24 weight to be calculated by multiplying the weight prescribed
25 by this subdivision by one-tenth (.10) that shall represent a
26 scale or enforcement tolerance, shall be deemed to be in
27 compliance with the requirements of this section, and shall

1 not constitute violations thereof. No evidence shall be
2 admitted into evidence or considered by the trier of fact in
3 any civil action unless the evidence proffered would tend to
4 prove that the weight of the vehicle exceeded the amount
5 provided in this subsection. Nothing in this paragraph d.
6 shall restrict or affect the right of any defendant to place
7 in evidence such evidence tending to prove the defendant was
8 in compliance with this section.

9 "e. Dump trucks, dump trailers, concrete mixing
10 trucks, trucks delivering asphalt, fuel oil, gasoline trucks,
11 and trucks designated and constructed for special type work or
12 use shall not be made to conform to the axle spacing
13 requirements of paragraph (4)c of this section; provided, that
14 the vehicle shall be limited to a weight of 20,000 pounds per
15 axle plus scale tolerances; and, provided further, that the
16 maximum gross weight of the vehicles shall not exceed the
17 maximum weight allowed by this section for the appropriate
18 number of axles, irrespective of the distance between axles,
19 plus allowable scale tolerances. All axles shall be brake
20 equipped. Concrete mixing trucks and dump trucks which operate
21 within 50 miles of their home base shall not be required to
22 conform to the requirements of paragraph (4)a of this section;
23 provided, that the vehicles shall be limited to a maximum load
24 of ~~the rated their~~ capacity of the concrete mixer, the true
25 gross load not to exceed 66,000 pounds, ~~and all the vehicles~~
26 ~~shall have at least three axles,~~ for vehicles that have three
27 axles and 82,500 pounds for vehicles that have four axles each

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

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

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

1 the platform scales to be within the legal limits of this
2 section, the operator of the vehicle shall not be held to be
3 in violation of this section.

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

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

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

23 "(b) (1) Any vehicle utilizing an auxiliary power or
24 idle reduction technology unit in order to promote reduction
25 of fuel use and emissions because of engine idling shall be
26 allowed an additional 400 pounds total to the gross, axle,

1 tandem, or bridge formula weight limits defined in this
2 section.

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

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

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

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