

1 HB40
2 188868-1
3 By Representative South
4 RFD: Transportation, Utilities and Infrastructure
5 First Read: 09-JAN-18
6 PFD: 11/28/2017

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8 SYNOPSIS: Existing law provides for size and weight
9 restrictions on certain vehicles operating in
10 Alabama.

11 This bill would further provide for the
12 length of certain vehicles and would allow motor
13 vehicle weight increases for vehicles that have
14 conversion equipment installed allowing the vehicle
15 to operate on compressed natural gas or compressed
16 liquefied gas.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 To amend Section 32-9-20, Code of Alabama 1975, as
23 last amended by Act 2017-442, 2017 Regular Session, relating
24 to the restrictions on the operation of certain motor
25 vehicles; to further provide for the length of certain
26 vehicles; and to allow for weight increases for vehicles
27 having conversion equipment installed that allows the vehicle

1 to operate on compressed natural gas or compressed liquefied
2 gas.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

7 "§32-9-20.

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

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

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

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

1 combinations are restricted to truck tractor-semitrailer
2 combinations only and provided further that the overall length
3 of these particular combinations shall not exceed 65 feet;
4 except that the overall length of stinger-steered type units
5 shall not exceed ~~75~~ 80 feet. No truck tractor-semitrailer
6 combination used exclusively for transporting motor vehicles
7 shall carry any load extending more than ~~three~~ four feet
8 beyond the front or ~~four~~ six feet beyond the rear of the
9 combination. No other vehicle operated on a highway shall
10 carry any load extending more than a total of five feet beyond
11 both the front and rear, inclusive, of the vehicle.

12 "(4) WEIGHT.

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

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

24 "c. Subject to the limit upon the weight imposed
25 upon the highway through any one axle as set forth herein, the
26 total weight with load imposed upon the highway by all the
27 axles of a vehicle or combination of vehicles shall not exceed

1 the gross weight given for the respective distances between
 2 the first and last axle of the vehicle or combination of vehi-
 3 cles, measured longitudinally to the nearest foot as set forth
 4 in the following table:

5 COMPUTED GROSS WEIGHT TABLE

6 For various spacings of axle groupings

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

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

1	17	48,500	53,500	58,500	58,500
2	18	49,500	54,000	59,000	59,000
3	19	50,000	54,500	60,000	60,000
4	20	51,000	55,500	60,500	66,000
5	21	51,500	56,000	61,000	66,500
6	22	52,500	56,500	61,500	67,000
7	23	53,000	57,500	62,500	68,000
8	24	54,000	58,000	63,000	68,500
9	25	54,500	58,500	63,500	69,000
10	26	56,000	59,500	64,000	69,500
11	27	57,000	60,000	65,000	70,000
12	28	59,000	60,500	65,500	71,000
13	29	60,000	61,500	66,000	71,500
14	30		62,000	66,500	72,000
15	31		63,500	67,000	72,500
16	32		64,500	68,000	73,500
17	33		65,000	69,000	74,000
18	34		65,500	70,000	74,500
19	35		66,500	71,000	75,000
20	36		67,000	72,000	76,000
21	37		68,000	73,000	77,000
22	38		69,000	74,000	78,000

1	39	70,000	75,000	79,000
2	40	71,000	76,000	80,000
3	41	72,000	77,000	81,000
4	42	73,000	78,000	82,000
5	43	74,000	79,000	83,000
6	44 and	75,000	80,000	84,000
7	over			

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

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

$$20 \qquad \qquad \qquad W=500 \quad LN \quad + \quad 12N \quad + \quad 36$$

$$21 \qquad \qquad \qquad \qquad \qquad \qquad N-1$$

1 where W = overall gross weight on any group of two
2 or more consecutive axles to the nearest 500 pounds, L =
3 distance in feet between the extreme of any group of two or
4 more consecutive axles, and N = number of axles in group under
5 consideration; except, that two consecutive sets of tandem
6 axles may carry a gross load of 34,000 pounds each, provided
7 the overall distance between the first and last axles of the
8 consecutive sets of tandem axles is 36 feet or more; provided,
9 that the overall gross weight may not exceed 80,000 pounds,
10 including all enforcement tolerances. Nothing in this section
11 shall be construed as permitting size or weight limits on the
12 National System of Interstate and Defense Highways in this
13 state in excess of those permitted under 23 U.S.C. Section
14 127. If the federal government prescribes or adopts vehicle
15 size or weight limits greater than or less than those now
16 prescribed by 23 U.S.C. Section 127 for the National System of
17 Interstate and Defense Highways, the increased or decreased
18 limits shall become effective on the National System of
19 Interstate and Defense Highways in this state. Nothing in this
20 section shall be construed to deny the operation of any
21 vehicle or combination of vehicles that could be lawfully
22 operated upon the highways and roads of this state on January
23 4, 1975.

24 "d. For purposes of enforcement of this subdivision,
25 all weights less than or equal to the sum of the weight
26 otherwise prescribed by this subdivision, plus an additional

1 weight to be calculated by multiplying the weight prescribed
2 by this subdivision by one-tenth (.10) that shall represent a
3 scale or enforcement tolerance, shall be deemed to be in
4 compliance with the requirements of this section, and shall
5 not constitute violations thereof. No evidence shall be
6 admitted into evidence or considered by the trier of fact in
7 any civil action unless the evidence proffered would tend to
8 prove that the weight of the vehicle exceeded the amount
9 provided in this subsection. Nothing in this paragraph d.
10 shall restrict or affect the right of any defendant to place
11 in evidence such evidence tending to prove the defendant was
12 in compliance with this section.

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

1 within 50 miles of their home base and do not exceed the
2 maximum allowable gross weight shall not be required to
3 conform to the requirements of paragraph (4)a of this section.
4 It shall be a violation if the vehicles named under this
5 subdivision travel upon bridges designated and posted by the
6 Transportation Director as incapable of carrying the load.

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

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

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

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

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

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

25 "(b) (1) Any vehicle utilizing an auxiliary power or
26 idle reduction technology unit in order to promote reduction
27 of fuel use and emissions because of engine idling shall be

1 allowed an additional 400 pounds total to the gross, axle,
2 tandem, or bridge formula weight limits defined in this
3 section.

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

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

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

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

24 "a. The weight of the vehicle attributable to the
25 natural gas tank and fueling system carried by that vehicle;
26 and

1 "b. The weight of a comparable diesel tank and
2 fueling system.

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

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