

- 1 SB266
- 2 2Q8ZKSI-1
- 3 By Senators Livingston, Gudger, Shelnutt, Butler, Weaver,
- 4 Carnley, Williams, Bell, Elliott, Price, Allen, Sessions,
- 5 Stutts, Chambliss, Chesteen, Melson, Albritton
- 6 RFD: Fiscal Responsibility and Economic Development
- 7 First Read: 02-Apr-24



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4	SYNOPSIS:
5	Under existing law, various vehicles that exceed
6	certain weights are prohibited from operating on
7	specific roadways in this state.
8	This bill would provide for greater specificity
9	in the terms used in enforcing these prohibitions.
10	This bill would also make nonsubstantive,
11	technical revisions to update the existing code
12	language and hierarchy to current style.
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14	
15	A BILL
16	TO BE ENTITLED
17	AN ACT
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19	Relating to motor vehicles, to amend Section 32-9-20,
20	Code of Alabama 1975, to further provide for terms used in
21	enforcing prohibitions on the maximum weights of vehicles; and
22	to make nonsubstantive, technical revisions to update the
23	existing code language and hierarchy to current style.
24	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
25	Section 1. Section 32-9-20, Code of Alabama 1975, is
26	amended to read as follows:
27	"\$32-9-20
28	(a) It shall be unlawful for any person individual to



29 drive or move on any highway in this state any vehicle or 30 vehicles of a size or weight except in accordance with the 31 following:

32 (1) (4) WIDTH. Vehicles and combinations of vehicles 33 operating on highways shall not exceed a total outside width, including any load thereon, of 102 inches, exclusive of 34 35 mirrors or other safety devices approved by the Department of 36 Transportation. No passenger vehicle shall carry any load 37 extending beyond the line of the fenders. No vehicle hauling forest products or culvert pipe on any highway in this state 38 39 shall have a load exceeding 102 inches in width.

40 (2)(1) HEIGHT. No vehicle or, semitrailer, or trailer 41 shall exceed in height 13 1/2 feet, including load.

42 (3) (2) LENGTH. No vehicle shall exceed in length 40 43 feet; except, that the length of a truck-semitrailer combination, semitrailers, including load, used in a truck 44 45 tractor-semitrailer combination, shall not exceed 57 feet; 46 semitrailers and trailers, including load, used in a truck 47 tractor-semitrailer-trailer combination, shall not exceed 28 48 1/2 feet each; and motor vehicles designed, used, or 49 maintained primarily as a mobile dwelling, office, or 50 commercial space, commonly called motor homes, shall not 51 exceed 45 feet. Semitrailers exceeding 53 1/2 feet shall only 52 be operated on highways designated pursuant to Section 32-9-1 53 and shall only be operated when the distance between the 54 kingpin of the a semitrailer and the rearmost axle or a point midway between the two rear axles, if the two rear axles are 55 56 tandem axles, does not exceed 41 feet and if the semitrailer



57 is equipped with a rear underride guard of a substantial 58 construction consisting of a continuous lateral beam extending to within four inches of the lateral extremities of the 59 60 semitrailer and located not more than 22 inches from the surface as measured with the semitrailers empty and on a level 61 62 surface. For purposes of enforcement of this subdivision, 63 lengths of semitrailers and trailers refer to the cargo 64 carrying portion of the unit. Truck tractor units used 65 exclusively in combinations transporting motor vehicles may directly carry a portion of the cargo, provided that the 66 67 combinations are restricted to truck tractor-semitrailer combinations only and provided further that the overall length 68 of these particular combinations shall not exceed 65 feet; 69 70 except that the overall length of stinger-steered type units 71 shall not exceed 80 feet. No truck tractor-semitrailer combination used exclusively for transporting motor vehicles 72 73 shall carry any load extending more than four feet beyond the 74 front or six feet beyond the rear of the combination. No other 75 vehicle operated on a highway shall carry any load extending 76 more than a total of five feet beyond both the front and rear, 77 inclusive, of the vehicle.

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(4) (3) WEIGHT.

79 a.<u>1. Axle Weight.</u> The gross weight imposed on the 80 highway by the wheels of any one axle of a vehicle shall not 81 exceed 20,000 pounds, or other weight, if any, as may be 82 permitted by federal law to keep the state from losing federal 83 funds; provided, that inadequate bridges shall be posted to 84 define load limits.

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b.2. For the purpose of this section subdivision, an



86	axle load "tandem axle weight" shall be defined as the total
87	load transmitted to the road by all wheels whose centers are
88	included between two parallel transverse vertical planes <u>less</u>
89	than 40 inches apart, extending across the full width of the
90	vehicle.
91	3. Vehicles and combinations of vehicles shall not
92	operate on the Interstate Highway System of Alabama that have
93	a weight greater than 20,000 pounds carried on any one axle,
94	including the allowable load tolerance, or with a tandem axle
95	weight in excess of 34,000 pounds, including the allowable
96	load tolerance, or overall gross weight on a group of two or
97	more consecutive axles produced by application of the
98	following formula:
98 99	<u>following formula:</u> <u>W=500 (LN/(N-1) + 12N + 36)</u>
99	W=500 (LN/(N-1) + 12N + 36)
99 100	W=500 (LN/(N-1) + 12N + 36) where W = overall gross weight on any group of two or
99 100 101	$\frac{W=500 (LN/(N-1) + 12N + 36)}{where W = overall gross weight on any group of two or}$ more consecutive axles to the nearest 500 pounds, L = distance
99 100 101 102	<pre>W=500 (LN/(N-1) + 12N + 36) where W = overall gross weight on any group of two or more consecutive axles to the nearest 500 pounds, L = distance in feet between the extreme of any group of two or more</pre>
99 100 101 102 103	<pre>W=500 (LN/(N-1) + 12N + 36) where W = overall gross weight on any group of two or more consecutive axles to the nearest 500 pounds, L = distance in feet between the extreme of any group of two or more consecutive axles, and N = number of axles in the group under</pre>
99 100 101 102 103 104	<pre>W=500 (LN/(N-1) + 12N + 36) where W = overall gross weight on any group of two or more consecutive axles to the nearest 500 pounds, L = distance in feet between the extreme of any group of two or more consecutive axles, and N = number of axles in the group under consideration; except, that two consecutive sets of tandem</pre>
99 100 101 102 103 104 105	<pre>W=500 (LN/(N-1) + 12N + 36) where W = overall gross weight on any group of two or more consecutive axles to the nearest 500 pounds, L = distance in feet between the extreme of any group of two or more consecutive axles, and N = number of axles in the group under consideration; except, that two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each, provided</pre>
99 100 101 102 103 104 105 106	<pre>W=500 (LN/(N-1) + 12N + 36) where W = overall gross weight on any group of two or more consecutive axles to the nearest 500 pounds, L = distance in feet between the extreme of any group of two or more consecutive axles, and N = number of axles in the group under consideration; except, that two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each, provided the overall distance between the first and last axles of the</pre>

110 e.b. Gross Weight. Subject to the limit upon the 111 weight imposed upon the highway through any one axle as set 112 forth herein, the total weight with load imposed upon the 113 highway by all the axles of a vehicle or combination of



114	vehicles shal	ll not ex	ceed the	gross w	eight gi	ven for the	
115	respective distances between the first and last axle of the						
116	vehicle or combination of vehicles, measured longitudinally to						
117	the nearest i	foot as s	et forth	in the	following	g table:	
118	COMPUTED GRO	SS WEIGH	I TABLE				
119	For various	spacings	of axle	grouping	gs		
120	Distance in feet between first and Maximum load in					in	
121	last axles o	f vehicle	e or comb	oination	ροι	unds on all	the
122	of vehicles					axles	
123		2 axles	3 axles	4 axles	5 axles	6 axles	
124	8 or less	36,000	42,000	42,000			
125	9	38,000	42,500	42,500			
126	10	40,000	43,500	43,500			
127	11		44,000	44,000			
128	12		45,000	50,000	50,000		
129	13		45,500	50,500	50,500		
130	14		46,500	51,500	51,500		
131	15		47,000	52,000	52,000		
132	16		48,000	52,500	58,000	58,000	
133	17		48,500	53 , 500	58,500	58,500	
134	18		49,500	54,000	59,000	59,000	
135	19		50,000	54,500	60,000	60,000	
136	20		51,000	55 , 500	60,500	66,000	



137	21	51,500	56,000	61,000	66,500
138	22	52 , 500	56,500	61,500	67 , 000
139	23	53,000	57 , 500	62,500	68,000
140	24	54,000	58,000	63,000	68 , 500
141	25	54 , 500	58,500	63,500	69,000
142	26	56,000	59,500	64,000	69,500
143	27	57,000	60,000	65,000	70,000
144	28	59,000	60,500	65,500	71,000
145	29	60,000	61,500	66,000	71 , 500
146	30		62,000	66,500	72,000
147	31		63,500	67 , 000	72 , 500
148	32		64,500	68,000	73 , 500
149	33		65,000	69,000	74,000
150	34		65,500	70,000	74,500
151	35		66,500	71,000	75 , 000
152	36		67,000	72,000	76,000
153	37		68,000	73,000	77 , 000
154	38		69,000	74,000	78 , 000
155	39		70,000	75 , 000	79 , 000
156	40		71,000	76,000	80,000
157	41		72,000	77,000	81,000



158	42	73,000	78,000	82,000
159	43	74,000	79,000	83,000
160	44 and over	75,000	80,000	84,000
161	c. Special Permits. Exc	cept as j	provided	by special
162	permits, no vehicle or combin	ation of	vehicle	s exceeding the
163	gross weights specified above	shall b	e permit	ted to travel on
164	the public highways within th	e State	of Alaba	ma.
165	No vehicle or combination of	vehicles	shall b	e permitted to
166	operate on any portion of the	<u>Interst</u>	ate High	way System of
167	Alabama that shall have a gre	ater wei	ght than	-20,000 pounds
168	carried on any one axle, incl	uding al	l enforc	ement tolerances,
169	or with a tandem axle weight	in exces	s of 3 4,	000 pounds,
170	including all enforcement tol	erances,	or with	an overall gross
171	weight on a group of two or m	ore cons	ecutive	axles produced by
172	application of the following	formula:		
173	W=500 (LN + 12N + 36)			
174	(N-1)			
175	where W = overall gros:	s weight	on any (group of two or
176	more consecutive axles to the	-nearest	<u>500 pou</u>	nds, L = distance
177	in feet between the extreme o	f any gr	oup of t	wo or more
178	consecutive axles, and N - nu	mber of	axles in	group under
179	consideration; except, that t	wo conse	cutive s	ets of tandem
180	axles may carry a gross load	of 34,00	0 pounds	each, provided
181	the overall distance between	the firs	t and la	st axles of the
182	consecutive sets of tandem ax	les is 3	6 feet o	r more; provided,
183	that the overall gross weight	-may not	-exceed-	80,000 pounds,



184 including all enforcement tolerances. Nothing in this section shall be construed as permitting size or weight limits on the 185 National System of Interstate and Defense Highways in this 186 187 state in excess of those permitted under 23 U.S.C. § 127. If 188 the federal government prescribes or adopts vehicle size or 189 weight limits greater than or less than those now prescribed 23 U.S.C. § 127 for the National System of Interstate 190 bv and 191 Defense Highways, the increased or decreased limits shall become effective on the National System of Interstate and 192 Defense Highways in this state. Nothing in this section shall 193 194 construed to deny the operation of any vehicle or ho combination of vehicles that could be lawfully operated upon 195 196 the highways and roads of this state on January 4, 1975. 197 d.1. Allowable Load Tolerance. For purposes of 198 enforcement of enforcing this subdivision, all weights less than or equal to the sum of the weight otherwise prescribed by 199 200 this subdivision, plus an additional weight to be calculated 201 by multiplying the weight prescribed by this subdivision by one-tenth (.10) that shall represent a scale or enforcement 202 203 tolerance the allowable load tolerance, shall be deemed to be in compliance with the requirements of this section, and shall 204 205 not constitute violations thereof. No evidence shall be 206 admitted into evidence or considered by the trier of fact in 207 any civil action unless the evidence proffered would tend to 208 prove that the weight of the vehicle exceeded the amount 209 provided in this subsection. Nothing in this paragraph shall restrict or affect the right of any defendant to place in 210 211 evidence such evidence tending to prove the defendant was in



212 compliance with this section.

213 2. For the purposes of this subdivision, the allowable

214 load tolerance is calculated by multiplying the weight

215 prescribed by this subdivision by one-tenth (.10).

216 e. Special Trucks. Dump trucks, dump trailers, concrete 217 mixing trucks, fuel oil, gasoline trucks, and trucks 218 designated and constructed for special type work or use shall 219 not be made to conform to the axle spacing requirements of 220 paragraph eb.; provided, that the vehicle shall be limited to a weight of 20,000 pounds per axle plus scale tolerances the 221 222 allowable load tolerance; and, provided further, that the maximum gross weight of the vehicles shall not exceed the 223 224 maximum weight allowed by this section for the appropriate 225 number of axles, irrespective of the distance between axles, 226 plus the allowable scale tolerances load tolerance. All axles shall be brake equipped. Trucks delivering asphalt plant mix 227 228 which do not exceed the maximum allowable gross weight and 229 operate within 50 miles of their home base shall not be 230 required to conform to the requirements of paragraph a. 231 Concrete mixing trucks that operate within 50 miles of their 232 home base and do not exceed the maximum allowable gross weight 233 shall not be required to conform to the requirements of 234 paragraph a. It shall be a violation if the vehicles named 235 under this subdivision travel upon bridges designated and 236 posted by the Transportation Director as incapable of carrying 237 the load.

238 f. <u>Driver Compliance.</u> If the driver of any vehicle can 239 comply with the weight requirements of this section by



shifting or equalizing the load on all wheels or axles and does so when requested by the proper authority, the driver shall not be held to be operating in violation of this section.

244 g. Portable Scales. When portable scales are used in 245 the enforcement of enforcing this section, the axles of any 246 vehicle described or commonly referred to as tandem or triaxle 247 rigs or units-(, that is, vehicles having two or more axles in 248 addition to a steering axle, the group of tandem or triaxles shall be weighed simultaneously, and the total weight so 249 250 derived shall be divided by the number of axles weighed in the 251 group to arrive at the per axle weight, except that if any one 252 axle in the group exceeds 20,000 pounds in weight, it shall 253 not exceed the weight of any other axle in the group by more 254 than 50 percent. When portable scales are used to determine 255 the axle weight or the gross weight of a vehicle pursuant to 256 this section, the operator of the vehicle will be permitted to 257 move the vehicle to the nearest platform scales certified by the Department of Agriculture and Industries and operated by a 258 259 bonded operator within a distance of 10 highway miles, 260 accompanied by an enforcement officer to verify the accuracy 261 of the portable scales used in determining the axle weight or 262 gross weight of the vehicle weight. If the weight of the 263 vehicle is shown by the platform scales to be within the legal 264 limits of this section, including the allowable load 265 tolerance, the operator of the vehicle shall not be held to be in violation of this section. 266

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h. County Highways. The governing body of a county, by



268 appropriate resolution, may authorize limitations less than 269 those prescribed herein for vehicles operated upon the county 270 highways of the county.

271 i. Posted Roads and Bridges. The Department of 272 Transportation may post or limit any road or bridge to weights 273 less than those prescribed by this section. It is the 274 legislative intent and purpose that this section be rigidly 275 enforced by the Department of Transportation, the Alabama 276 State Law Enforcement Agency, and any other authorized law enforcement officers of the this state, and any county, or 277 278 city, and incorporated towns.

j. Agricultural Commodities. Two and three axle 279 280 vehicles being used exclusively for the purpose of 281 transporting agricultural commodities or products to and from 282 a farm and for agricultural purposes relating to the operation 283 and maintenance of a farm by any farmer, custom harvester, or 284 husbandman may not be made to conform to the axle requirements 285 of paragraph a. or the gross weight requirements of paragraph 286 eb.

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

(2) To be eligible for the exception provided in this
subsection, the operator of the vehicle must provide written
proof or certification of the weight of the auxiliary power



296 unit (APU) and demonstrate or certify the idle reduction 297 technology is fully functional at all times.

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

303 (4) It is the intent of this subsection to apply at the 304 state highway level the weight limit increase for vehicles 305 using a functioning auxiliary power or idle reduction 306 technology as provided in the Federal Energy Policy Act of 307 2005.

308 (c) (1) Any motor vehicle, if operated by an engine 309 fueled primarily by natural gas, may exceed any vehicle weight 310 limit, up to a maximum gross vehicle weight of 82,000 pounds, 311 under this section by an amount that is equal to the 312 difference between:

313 a. The weight of the vehicle attributable to the 314 natural gas tank and fueling system carried by that vehicle; 315 and

316 b. The weight of a comparable diesel tank and fueling 317 system.

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



324	(d) Nothing in this section shall be construed as
325	effectuating either of the following:
326	(1) Permitting size or weight limits on the National
327	System of Interstate and Defense Highways in this state in
328	excess of those permitted under 23 U.S.C. § 127. If the
329	federal government prescribes or adopts vehicle size or weight
330	limits greater than or less than those now prescribed by 23
331	U.S.C. § 127 for the National System of Interstate and Defense
332	Highways, the increased or decreased limits shall become
333	effective on the National System of Interstate and Defense
334	Highways in this state.
335	(2) Denying the operation of any vehicle or combination
336	of vehicles that could be lawfully operated upon the highways
337	and roads of this state on January 4, 1975."
338	Section 2. This act shall become effective on October
339	1, 2024.