

1 SB77
2 173105-1
3 By Senator Dial
4 RFD: Transportation and Energy
5 First Read: 02-FEB-16

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8 SYNOPSIS: Under existing law, concrete mixing trucks
9 operating 50 miles from home base are not required
10 to meet general vehicle weight requirements
11 provided the vehicle meets the rated capacity of
12 the mixer, the gross weight does not exceed 66,000
13 pounds, and the vehicle has at least three axles
14 with brake equipped wheels.

15 This bill would exempt concrete mixing
16 trucks from the general vehicle weight requirements
17 if the vehicle does not exceed the maximum gross
18 weight requirements for the vehicle and would
19 delete the other specified conditions.

20
21 A BILL
22 TO BE ENTITLED
23 AN ACT

24
25 Relating to motor vehicles; to amend Section 32-9-20
26 of the Code of Alabama 1975, as amended by Act 2015-325,
27 relating to vehicle weight restrictions; to provide that a

1 concrete mixing truck operating within 50 miles of home base
2 would not be required to meet certain requirements relating to
3 weight provided the vehicle does not exceed the maximum
4 allowable gross weight for the vehicle.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Section 32-9-20 of the Code of Alabama
7 1975, as amended by Act 2015-325, is amended to read as
8 follows:

9 "§32-9-20.

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

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

1 vehicle hauling forest products or culvert pipe on any highway
2 in this state shall have a load exceeding 102 inches in width.

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

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

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

14 "(4) WEIGHT.

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

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

26 "c. Subject to the limit upon the weight imposed
27 upon the highway through any one axle as set forth herein, the

1 total weight with load imposed upon the highway by all the
 2 axles of a vehicle or combination of vehicles shall not exceed
 3 the gross weight given for the respective distances between
 4 the first and last axle of the vehicle or combination of vehi-
 5 cles, measured longitudinally to the nearest foot as set forth
 6 in the following table:

7 "COMPUTED GROSS WEIGHT TABLE
 8 "For various spacings of axle groupings

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

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

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

1	38	69,000	74,000	78,000
2	39	70,000	75,000	79,000
3	40	71,000	76,000	80,000
4	41	72,000	77,000	81,000
5	42	73,000	78,000	82,000
6	43	74,000	79,000	83,000
7	44 and	75,000	80,000	84,000
8	over			

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

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

$$\begin{array}{r}
21 \qquad \qquad \qquad W=500 \quad LN \quad + \quad 12N \quad + \quad 36 \\
22 \qquad \qquad \qquad \qquad \qquad \qquad N-1
\end{array}$$

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 for the vehicle shall not be
3 required to conform to the requirements of paragraph (4)a of
4 this section; ~~provided, that the vehicles shall be limited to~~
5 ~~a maximum load of the rated capacity of the concrete mixer,~~
6 ~~the true gross load not to exceed 66,000 pounds, and all the~~
7 ~~vehicles shall have at least three axles, each with brake~~
8 ~~equipped wheels.~~ It shall be a violation if the vehicles named
9 under this subdivision travel upon bridges designated and
10 posted by the Transportation Director as incapable of carrying
11 the load.

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

17 "g. When portable scales are used in the enforcement
18 of this section, the axles of any vehicle described or
19 commonly referred to as tandem or triaxle rigs or units (that
20 is, vehicles having two or more axles in addition to a
21 steering axle), the group of tandem or triaxles shall be
22 weighed simultaneously, and the total weight so derived shall
23 be divided by the number of axles weighed in the group to
24 arrive at the per axle weight, except that if any one axle in
25 the group exceeds 20,000 pounds in weight, it shall not exceed
26 the weight of any other axle in the group by more than 50
27 percent. When portable scales are used to determine the weight

1 of a vehicle pursuant to this section, the operator of the
2 vehicle will be permitted to move the vehicle to the nearest
3 platform scales certified by the Department of Agriculture and
4 Industries and operated by a bonded operator within a distance
5 of 10 highway miles, accompanied by an enforcement officer to
6 verify the accuracy of the portable scales used in determining
7 the vehicle weight. If the weight of the vehicle is shown by
8 the platform scales to be within the legal limits of this
9 section, the operator of the vehicle shall not be held to be
10 in violation of this section.

11 "h. The governing body of a county, by appropriate
12 resolution, may authorize limitations less than those
13 prescribed herein for vehicles operated upon the county
14 highways of the county.

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

22 "j. Two and three axle vehicles being used
23 exclusively for the purpose of transporting agricultural
24 commodities or products to and from a farm and for
25 agricultural purposes relating to the operation and
26 maintenance of a farm by any farmer, custom harvester or
27 husbandman may not be made to conform to the axle requirements

1 of paragraph (4)a of this section or the gross weight
2 requirements of paragraph (4)c of this section.

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

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

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

19 "(4) It is the intent of this subsection to apply at
20 the state highway level the weight limit increase for vehicles
21 using a functioning auxiliary power or idle reduction
22 technology as provided in the Federal Energy Policy Act of
23 2005."

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