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3 HOUSE AGRICULTURE AND FORESTRY COMMITTEE SUBSTITUTE FOR HB460
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8 SYNOPSIS: Under existing law, the total amount of the
9 annual license tax and registration fee with
10 respect to a truck or truck tractor owned and used
11 by a farmer is limited to a maximum of \$250 for the
12 class designated 80,001 pounds and over for up to
13 four truck tractors.

14 This bill would delete the limitation on a
15 reduced fee for only four truck tractors owned and
16 used by a farmer and an exclusion of truck tractors
17 used on a hire basis.

18 The bill would further provide the annual
19 license tax and registration fee and tags with
20 respect to trucks owned and used for transporting
21 forest products under certain conditions where the
22 gross vehicle weight exceeds 42,000 pounds.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 Relating to motor vehicles; to amend Section
2 40-12-248 of the Code of Alabama 1975, providing the annual
3 license tax and registration fees for trucks and truck
4 tractors based on the gross weight of the vehicles; to delete
5 a limitation on the number of truck tractors of a certain
6 weight class used by a farmer for transporting farm products
7 which are eligible for a reduced fee; to provide for weight
8 classes for trucks or truck tractors owned and used by any
9 person for transporting forest products under certain
10 conditions where the gross weight of the truck or truck
11 tractor exceeds 42,000 pounds; and to delete an exclusion of
12 truck tractors used for transporting forest products when the
13 truck tractors are used for hire.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 40-12-248 of the Code of Alabama
16 1975, is amended to read as follows:

17 "§40-12-248.

18 "(a) For each truck or truck tractor using the
19 public highways of this state, annual license taxes and
20 registration fees based on the gross vehicle weight in pounds
21 are imposed and shall be charged. For the purposes of this
22 section, the term "gross vehicle weight" shall mean the empty
23 weight of the truck or truck tractor plus the heaviest load to
24 be carried and, in the case of combinations, shall be deemed
25 to include also the empty weight of the heaviest trailer with
26 which the power unit shall be placed in combination, plus the
27 heaviest load to be carried. No tolerance or margin of error

1 shall be allowable under this section, except as provided in
2 subsection (b).

3 "(b) For each truck or truck tractor using the pub-
4 lic highways of this state, the annual license taxes and reg-
5 istration fees herein imposed (i) shall consist of the base
6 amount applicable to the truck or truck tractor under the
7 schedule of base amounts set forth in this subsection, plus
8 (ii) the additional amount, if any, applicable to the truck or
9 truck tractor under the schedule of additional amounts set
10 forth in this subsection:

11 SCHEDULE OF BASE AMOUNTS

12 Gross Vehicle

13 Weight in Pounds	Base Amount
14 0 to 8,000	\$10.70
15 8,001 to 10,000	17.50
16 10,001 to 12,000	52.50
17 12,001 to 18,000	85.00
18 18,001 to 26,000	117.50
19 26,001 to 33,000	150.00
20 33,001 to 42,000	260.00
21 42,001 to 55,000	292.50
22 55,001 to 64,000	325.00

1	64,001 to 73,280	357.50
2	73,281 to 80,000	407.50
3	80,001 or over	445.00

4 SCHEDULE OF ADDITIONAL AMOUNTS

5	Gross Vehicle	
6	Weight in Pounds	Additional Amount
7	0 to 8,000	\$2.30
8	8,001 to 10,000	17.50
9	10,001 to 12,000	52.50
10	12,001 to 18,000	85.00
11	18,001 to 26,000	117.50
12	26,001 to 33,000	150.00
13	33,001 to 42,000	260.00
14	42,001 to 55,000	292.50
15	55,001 to 64,000	325.00
16	64,001 to 73,280	357.50
17	73,281 to 80,000	407.50
18	80,001 or over	445.00

1 "The total amount of the annual license tax and
2 registration fee shall be limited with respect to trucks or
3 truck tractors owned and used by a farmer for transporting
4 farm products or the personal property of the farmer for use
5 on his or her farm to a maximum of thirty dollars (\$30) where
6 the gross vehicle weight of the truck does not exceed 30,000
7 pounds; to a maximum of eighty-five dollars (\$85) where the
8 gross vehicle weight of the truck exceeds 30,000 pounds, but
9 does not exceed 42,000 pounds; and to a maximum of two hundred
10 fifty dollars (\$250) where the gross vehicle weight of the
11 truck or truck tractor is up to and including the class
12 currently designated 80,001 pounds or over; ~~provided,~~
13 ~~however, a farmer shall be entitled to pay this reduced annual~~
14 ~~license tax and registration fee for four truck tractors; for~~
15 ~~each additional truck tractor the annual license tax and~~
16 ~~registration fee shall be determined from the "schedule of~~
17 ~~base amounts" and "the schedule of additional amounts" based~~
18 ~~on the gross vehicle weight in pounds; and the~~ The annual
19 license tax and registration fee shall be limited with respect
20 to trucks owned and used by any person for transporting forest
21 products from the point of severance to a sawmill, to a
22 papermill, or to a concentration yard to a maximum of forty
23 dollars (\$40) where the gross vehicle weight of the truck does
24 not exceed 30,000 pounds and to a maximum of sixty-five
25 dollars (\$65) where the gross vehicle weight exceeds 30,000
26 pounds, but does not exceed 42,000 pounds; ~~provided, The reduced annual~~

1 ~~license tax and registration fee shall not be available for~~
2 ~~truck tractors used on a for hire basis.~~ Where the gross
3 vehicle weight of a truck or truck tractor owned and used by
4 any person for transporting forest products from the point of
5 severance to a sawmill, to a papermill, or to a concentration
6 yard exceeds 42,000 pounds, the annual license tax and
7 registration fee for the restricted tags shall consist of the
8 base amount applicable to the truck tractor under the schedule
9 base amounts set forth in this subsection, plus the additional
10 amount applicable to the truck or truck tractor under the
11 schedule of additional amounts set forth in this subsection.

12 "For purposes of enforcement of farm truck license
13 tags, or of forest products truck license tags ~~for trucks that~~
14 ~~do not exceed 42,000 pounds in gross vehicle weight,~~ all
15 scaled weight shall be allowed a tolerance or a margin of
16 error of 10 percent of the true gross or axle weights to allow
17 for any climatic conditions.

18 "For each truck tractor which is operated by a
19 certificated motor carrier and which is operated exclusively
20 within 15 miles of the corporate limits of the incorporated
21 municipality in which it is customarily domiciled, but not
22 including vehicles operating beyond the borders of Alabama,
23 and which is registered in the county in which it is
24 customarily domiciled, a total annual license tax and
25 registration fee of three hundred dollars (\$300) is imposed
26 and shall be charged.

1	8,001 to 12,000	25.00
2	12,001 to 18,000	50.00
3	18,001 to 26,000	87.50
4	26,001 to 33,000	137.50
5	33,001 to 42,000	250.00

6 "(1) Notwithstanding the other provisions of this
7 section, a pickup truck as defined in Section 32-8-2, which is
8 used for personal or agricultural use and which is not
9 operated for commercial purposes, shall be licensed and
10 registered based on the gross weight of the vehicle only
11 without regard to the heaviest load to be carried including
12 the heaviest load to be carried on any trailer used in
13 combination with the truck, and, for purposes of this
14 subdivision, the term "gross vehicle weight in pounds" as used
15 in this subsection means the gross weight of the vehicle only
16 without regard to the heaviest load to be carried including
17 the heaviest load to be carried on any trailer used in
18 combination with the truck.

19 "(2) Notwithstanding the other provisions of this
20 section, a motor vehicle wrecker, commonly known as a tow
21 truck, which is used primarily to move, tow, or recover
22 disabled motor vehicles or used for impoundment purposes,
23 shall be licensed and registered based on the gross vehicle

1 weight of the wrecker only without regard to the gross vehicle
2 weight of any motor vehicle to be towed by the wrecker.

3 "(c) Every person making application for license
4 under this section to use a truck or truck tractor on the
5 public highways of this state shall be required to ~~make an~~
6 ~~affidavit~~ file a statement declaring the gross vehicle weight
7 of the truck or truck tractor ~~and file the affidavit~~ with the
8 judge of probate, or other county licensing officer, in the
9 county in which the application is made. Upon payment of the
10 applicable motor vehicle license tax or registration fee, the
11 license to use the truck or truck tractor on the public
12 highways of this state shall be limited to the gross vehicle
13 weight so declared by the owner, which shall be deemed to
14 constitute the allowable gross vehicle weight for which the
15 vehicle is licensed.

16 "After having obtained a license under this section
17 with respect to any truck or truck tractor, the owner thereof
18 may during the then current tax year voluntarily increase the
19 allowable gross vehicle weight for which the vehicle is
20 licensed by ~~making~~ filing a new ~~affidavit~~ statement declaring
21 the vehicle's gross weight, applying for a new license
22 applicable to the appropriate gross vehicle weight
23 classification, surrendering the license plates or tags
24 previously obtained, and paying the difference between the
25 fees applicable to a license for the higher weight
26 classification desired and the fee in respect of the license
27 so surrendered. The license classification of a truck or truck

1 tractor may not be decreased, however, except once a year at
2 the time new license tags or plates are purchased for the
3 truck or truck tractor."

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