

1 HB460
2 211022-3
3 By Representative Allen
4 RFD: Agriculture and Forestry
5 First Read: 25-FEB-21

1 ENGROSSED

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3
4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

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

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. Section 40-12-248 of the Code of Alabama
23 1975, is amended to read as follows:

24 "§40-12-248.

25 "(a) For each truck or truck tractor using the
26 public highways of this state, annual license taxes and
27 registration fees based on the gross vehicle weight in pounds

1 are imposed and shall be charged. For the purposes of this
2 section, the term "gross vehicle weight" shall mean the empty
3 weight of the truck or truck tractor plus the heaviest load to
4 be carried and, in the case of combinations, shall be deemed
5 to include also the empty weight of the heaviest trailer with
6 which the power unit shall be placed in combination, plus the
7 heaviest load to be carried. No tolerance or margin of error
8 shall be allowable under this section, except as provided in
9 subsection (b).

10 "(b) For each truck or truck tractor using the pub-
11 lic highways of this state, the annual license taxes and reg-
12 istration fees herein imposed (i) shall consist of the base
13 amount applicable to the truck or truck tractor under the
14 schedule of base amounts set forth in this subsection, plus
15 (ii) the additional amount, if any, applicable to the truck or
16 truck tractor under the schedule of additional amounts set
17 forth in this subsection:

18 SCHEDULE OF BASE AMOUNTS

19 Gross Vehicle

20 Weight in Pounds

Base Amount

21 0 to 8,000

\$10.70

22 8,001 to 10,000

17.50

23 10,001 to 12,000

52.50

1	12,001 to 18,000	85.00
2	18,001 to 26,000	117.50
3	26,001 to 33,000	150.00
4	33,001 to 42,000	260.00
5	42,001 to 55,000	292.50
6	55,001 to 64,000	325.00
7	64,001 to 73,280	357.50
8	73,281 to 80,000	407.50
9	80,001 or over	445.00

10 SCHEDULE OF ADDITIONAL AMOUNTS

11	Gross Vehicle	
12	Weight in Pounds	Additional Amount
13	0 to 8,000	\$2.30
14	8,001 to 10,000	17.50
15	10,001 to 12,000	52.50
16	12,001 to 18,000	85.00
17	18,001 to 26,000	117.50
18	26,001 to 33,000	150.00
19	33,001 to 42,000	260.00
20	42,001 to 55,000	292.50

1	55,001 to 64,000	325.00
2	64,001 to 73,280	357.50
3	73,281 to 80,000	407.50
4	80,001 or over	445.00

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

1 products from the point of severance to a sawmill, to a
2 papermill, or to a concentration yard to a maximum of forty
3 dollars (\$40) where the gross vehicle weight of the truck does
4 not exceed 30,000 pounds and to a maximum of sixty-five
5 dollars (\$65) where the gross vehicle weight exceeds 30,000
6 pounds, but does not exceed 42,000 pounds~~7. The reduced annual~~
7 ~~license tax and registration fee shall not be available for~~
8 ~~truck tractors used on a for hire basis.~~ Where the gross
9 vehicle weight of a truck or truck tractor owned and used by
10 any person for transporting forest products from the point of
11 severance to a sawmill, to a papermill, or to a concentration
12 yard exceeds 42,000 pounds, the annual license tax and
13 registration fee for the restricted tags shall consist of the
14 base amount applicable to the truck tractor under the schedule
15 base amounts set forth in this subsection, plus the additional
16 amount applicable to the truck or truck tractor under the
17 schedule of additional amounts set forth in this subsection.

18 "For purposes of enforcement of farm truck license
19 tags~~7~~ or of forest products truck license tags ~~for trucks that~~
20 ~~do not exceed 42,000 pounds in gross vehicle weight,~~ all
21 scaled weight shall be allowed a tolerance or a margin of
22 error of 10 percent of the true gross or axle weights to allow
23 for any climatic conditions.

24 "For each truck tractor which is operated by a
25 certificated motor carrier and which is operated exclusively
26 within 15 miles of the corporate limits of the incorporated
27 municipality in which it is customarily domiciled, but not

1 including vehicles operating beyond the borders of Alabama,
2 and which is registered in the county in which it is
3 customarily domiciled, a total annual license tax and
4 registration fee of three hundred dollars (\$300) is imposed
5 and shall be charged.

6 "The total amount of the annual license tax and reg-
7 istration fee shall be limited to the following schedule for
8 all self-propelled campers or house cars, but a self-propelled
9 camper or a house car whose weight does not exceed 8,000
10 pounds, shall be subject to the provisions of Section
11 40-12-273(b):

12 SCHEDULE OF BASE AMOUNTS

13 Gross Vehicle

14 Weight in Pounds

Base Amount

15 0 to 8,000

\$10.70

16 8,001 to 12,000

25.00

17 12,001 to 18,000

50.00

18 18,001 to 26,000

87.50

19 26,001 to 33,000

137.50

20 33,001 to 42,000

250.00

21 SCHEDULE OF ADDITIONAL AMOUNTS

1	Gross Vehicle	
2	Weight in Pounds	Additional Amount
3	0 to 8,000	\$2.30
4	8,001 to 12,000	25.00
5	12,001 to 18,000	50.00
6	18,001 to 26,000	87.50
7	26,001 to 33,000	137.50
8	33,001 to 42,000	250.00

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

1 "(2) Notwithstanding the other provisions of this
2 section, a motor vehicle wrecker, commonly known as a tow
3 truck, which is used primarily to move, tow, or recover
4 disabled motor vehicles or used for impoundment purposes,
5 shall be licensed and registered based on the gross vehicle
6 weight of the wrecker only without regard to the gross vehicle
7 weight of any motor vehicle to be towed by the wrecker.

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

21 "After having obtained a license under this section
22 with respect to any truck or truck tractor, the owner thereof
23 may during the then current tax year voluntarily increase the
24 allowable gross vehicle weight for which the vehicle is
25 licensed by ~~making~~ filing a new ~~affidavit~~ statement declaring
26 the vehicle's gross weight, applying for a new license
27 applicable to the appropriate gross vehicle weight

1 classification, surrendering the license plates or tags
2 previously obtained, and paying the difference between the
3 fees applicable to a license for the higher weight
4 classification desired and the fee in respect of the license
5 so surrendered. The license classification of a truck or truck
6 tractor may not be decreased, however, except once a year at
7 the time new license tags or plates are purchased for the
8 truck or truck tractor."

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.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Agriculture and
Forestry..... 25-FEB-21

Read for the second time and placed
on the calendar with 1 substitute
and..... 04-MAR-21

Read for the third time and passed
as amended..... 11-MAR-21

Yeas 102, Nays 0, Abstains 0

Jeff Woodard
Clerk