

SB266 ENGROSSED



1 SB266
2 2Q8ZKSI-2
3 By Senators Livingston, Gudger, Shelnut, 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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A BILL
TO BE ENTITLED
AN ACT

Relating to motor vehicles, to amend Section 32-9-20, Code of Alabama 1975, to further provide for terms used in enforcing prohibitions on the maximum weights of vehicles; and to make nonsubstantive, technical revisions to update the existing code language and hierarchy to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-9-20, Code of Alabama 1975, is amended to read as follows:

"§32-9-20

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

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



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29 shall have a load exceeding 102 inches in width.

30 ~~(2)~~ (1) HEIGHT. No vehicle ~~or~~, semitrailer, or trailer
31 shall exceed in height 13 1/2 feet, including load.

32 ~~(3)~~ (2) LENGTH. No vehicle shall exceed in length 40
33 feet; except, that the length of a truck-semitrailer
34 combination, semitrailers, including load, used in a truck
35 tractor-semitrailer combination, shall not exceed 57 feet;
36 semitrailers and trailers, including load, used in a truck
37 tractor-semitrailer-trailer combination, shall not exceed 28
38 1/2 feet each; and motor vehicles designed, used, or
39 maintained primarily as a mobile dwelling, office, or
40 commercial space, commonly called motor homes, shall not
41 exceed 45 feet. Semitrailers exceeding 53 1/2 feet shall only
42 be operated on highways designated pursuant to Section 32-9-1
43 and shall only be operated when the distance between the
44 kingpin of ~~the~~ a semitrailer and the rearmost axle or a point
45 midway between the two rear axles, if the two rear axles are
46 tandem axles, does not exceed 41 feet and if the semitrailer
47 is equipped with a rear underride guard of a substantial
48 construction consisting of a continuous lateral beam extending
49 to within four inches of the lateral extremities of the
50 semitrailer and located not more than 22 inches from the
51 surface as measured with the semitrailers empty and on a level
52 surface. For purposes of enforcement of this subdivision,
53 lengths of semitrailers and trailers refer to the cargo
54 carrying portion of the unit. Truck tractor units used
55 exclusively in combinations transporting motor vehicles may
56 directly carry a portion of the cargo, provided that the



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57 combinations are restricted to truck tractor-semitrailer
58 combinations only and provided further that the overall length
59 of these particular combinations shall not exceed 65 feet;
60 except that the overall length of stinger-steered type units
61 shall not exceed 80 feet. No truck tractor-semitrailer
62 combination used exclusively for transporting motor vehicles
63 shall carry any load extending more than four feet beyond the
64 front or six feet beyond the rear of the combination. No other
65 vehicle operated on a highway shall carry any load extending
66 more than a total of five feet beyond both the front and rear,
67 inclusive, of the vehicle.

68 ~~(4)~~ (3) WEIGHT.

69 a.1. Axle Weight. The gross weight imposed on the
70 highway by the wheels of any one axle of a vehicle shall not
71 exceed 20,000 pounds, or other weight, if any, as may be
72 permitted by federal law to keep the state from losing federal
73 funds; provided, that inadequate bridges shall be posted to
74 define load limits.

75 ~~b.2.~~ For the purpose of this ~~section~~ subdivision, ~~an~~
76 ~~axle load~~ an "axle load" shall be defined as the total load
77 transmitted to the road by all wheels whose centers are
78 included between two parallel transverse vertical planes less
79 than 40 inches apart, extending across the full width of the
80 vehicle.

81 3. Vehicles and combinations of vehicles shall not
82 operate on the Interstate Highway System of Alabama that have
83 a weight greater than 20,000 pounds carried on any one axle,
84 including the allowable load tolerance, or with a tandem axle
85 weight in excess of 34,000 pounds, including the allowable



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86 load tolerance, or overall gross weight on a group of two or
87 more consecutive axles produced by application of the
88 following formula:

89 $W=500 (LN/(N-1) + 12N + 36)$

90 where W = overall gross weight on any group of two or
91 more consecutive axles to the nearest 500 pounds, L = distance
92 in feet between the extreme of any group of two or more
93 consecutive axles, and N = number of axles in the group under
94 consideration; except, that two consecutive sets of tandem
95 axles may carry a gross load of 34,000 pounds each, provided
96 the overall distance between the first and last axles of the
97 consecutive sets of tandem axles is 36 feet or more and the
98 overall gross weight may not exceed 80,000 pounds, including
99 the allowable load tolerance.

100 e.b. Gross Weight. Subject to the limit upon the
101 weight imposed upon the highway through any one axle as set
102 forth herein, the total weight with load imposed upon the
103 highway by all the axles of a vehicle or combination of
104 vehicles shall not exceed the gross weight given for the
105 respective distances between the first and last axle of the
106 vehicle or combination of vehicles, measured longitudinally to
107 the nearest foot as set forth in the following table:

108 COMPUTED GROSS WEIGHT TABLE

109 For various spacings of axle groupings

110 Distance in feet between first and	Maximum load in
111 last axles of vehicle or combination	pounds on all the
112 of vehicles	axles



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		2 axles	3 axles	4 axles	5 axles	6 axles
113						
114	8 or less	36,000	42,000	42,000		
115	9	38,000	42,500	42,500		
116	10	40,000	43,500	43,500		
117	11		44,000	44,000		
118	12		45,000	50,000	50,000	
119	13		45,500	50,500	50,500	
120	14		46,500	51,500	51,500	
121	15		47,000	52,000	52,000	
122	16		48,000	52,500	58,000	58,000
123	17		48,500	53,500	58,500	58,500
124	18		49,500	54,000	59,000	59,000
125	19		50,000	54,500	60,000	60,000
126	20		51,000	55,500	60,500	66,000
127	21		51,500	56,000	61,000	66,500
128	22		52,500	56,500	61,500	67,000
129	23		53,000	57,500	62,500	68,000
130	24		54,000	58,000	63,000	68,500
131	25		54,500	58,500	63,500	69,000
132	26		56,000	59,500	64,000	69,500
133	27		57,000	60,000	65,000	70,000



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134	28	59,000	60,500	65,500	71,000
135	29	60,000	61,500	66,000	71,500
136	30		62,000	66,500	72,000
137	31		63,500	67,000	72,500
138	32		64,500	68,000	73,500
139	33		65,000	69,000	74,000
140	34		65,500	70,000	74,500
141	35		66,500	71,000	75,000
142	36		67,000	72,000	76,000
143	37		68,000	73,000	77,000
144	38		69,000	74,000	78,000
145	39		70,000	75,000	79,000
146	40		71,000	76,000	80,000
147	41		72,000	77,000	81,000
148	42		73,000	78,000	82,000
149	43		74,000	79,000	83,000
150	44 and over		75,000	80,000	84,000

151 c. Special Permits. Except as provided by special
152 permits, no vehicle or combination of vehicles exceeding the
153 gross weights specified above shall be permitted to travel on
154 the public highways within the State of Alabama.
155 ~~No vehicle or combination of vehicles shall be permitted to~~
156 ~~operate on any portion of the Interstate Highway System of~~



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157 ~~Alabama that shall have a greater weight than 20,000 pounds~~
158 ~~carried on any one axle, including all enforcement tolerances,~~
159 ~~or with a tandem axle weight in excess of 34,000 pounds,~~
160 ~~including all enforcement tolerances, or with an overall gross~~
161 ~~weight on a group of two or more consecutive axles produced by~~
162 ~~application of the following formula:~~

$$163 \quad W=500 (LN \quad + 12N + 36)$$
$$164 \quad \quad \quad (N-1)$$

165 ~~where W = overall gross weight on any group of two or~~
166 ~~more consecutive axles to the nearest 500 pounds, L = distance~~
167 ~~in feet between the extreme of any group of two or more~~
168 ~~consecutive axles, and N = number of axles in group under~~
169 ~~consideration; except, that two consecutive sets of tandem~~
170 ~~axles may carry a gross load of 34,000 pounds each, provided~~
171 ~~the overall distance between the first and last axles of the~~
172 ~~consecutive sets of tandem axles is 36 feet or more; provided,~~
173 ~~that the overall gross weight may not exceed 80,000 pounds,~~
174 ~~including all enforcement tolerances. Nothing in this section~~
175 ~~shall be construed as permitting size or weight limits on the~~
176 ~~National System of Interstate and Defense Highways in this~~
177 ~~state in excess of those permitted under 23 U.S.C. § 127. If~~
178 ~~the federal government prescribes or adopts vehicle size or~~
179 ~~weight limits greater than or less than those now prescribed~~
180 ~~by 23 U.S.C. § 127 for the National System of Interstate and~~
181 ~~Defense Highways, the increased or decreased limits shall~~
182 ~~become effective on the National System of Interstate and~~
183 ~~Defense Highways in this state. Nothing in this section shall~~



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184 ~~be construed to deny the operation of any vehicle or~~
185 ~~combination of vehicles that could be lawfully operated upon~~
186 ~~the highways and roads of this state on January 4, 1975.~~

187 d. 1. Allowable Load Tolerance. For purposes of
188 ~~enforcement of enforcing~~ this subdivision, all weights less
189 than or equal to the sum of the weight otherwise prescribed by
190 this subdivision, ~~plus an additional weight to be calculated~~
191 ~~by multiplying the weight prescribed by this subdivision by~~
192 ~~one-tenth (.10) that shall represent a scale or enforcement~~
193 ~~tolerance~~ the allowable load tolerance, shall be deemed to be
194 in compliance with the requirements of this section, and shall
195 not constitute violations thereof. No evidence shall be
196 admitted into evidence or considered by the trier of fact in
197 any civil action unless the evidence proffered would tend to
198 prove that the weight of the vehicle exceeded the amount
199 provided in this subsection. Nothing in this paragraph shall
200 restrict or affect the right of any defendant to place in
201 evidence such evidence tending to prove the defendant was in
202 compliance with this section.

203 2. For the purposes of this subdivision, the allowable
204 load tolerance is calculated by multiplying the weight
205 prescribed by this subdivision by one-tenth (.10).

206 e. Special Trucks. Dump trucks, dump trailers, concrete
207 mixing trucks, fuel oil, gasoline trucks, and trucks
208 designated and constructed for special type work or use shall
209 not be made to conform to the axle spacing requirements of
210 paragraph eb.; provided, that the vehicle shall be limited to
211 a weight of 20,000 pounds per axle ~~plus scale tolerances~~ the



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212 allowable load tolerance; and, provided further, that the
213 maximum gross weight of the vehicles shall not exceed the
214 maximum weight allowed by this section for the appropriate
215 number of axles, irrespective of the distance between axles,
216 plus the allowable scale tolerances load tolerance. All axles
217 shall be brake equipped. Trucks delivering asphalt plant mix
218 which do not exceed the maximum allowable gross weight and
219 operate within 50 miles of their home base shall not be
220 required to conform to the requirements of paragraph a.
221 Concrete mixing trucks that operate within 50 miles of their
222 home base and do not exceed the maximum allowable gross weight
223 shall not be required to conform to the requirements of
224 paragraph a. It shall be a violation if the vehicles named
225 under this subdivision travel upon bridges designated and
226 posted by the Transportation Director as incapable of carrying
227 the load.

228 f. Driver Compliance. If the driver of any vehicle can
229 comply with the weight requirements of this section by
230 shifting or equalizing the load on all wheels or axles and
231 does so when requested by the proper authority, the driver
232 shall not be held to be operating in violation of this
233 section.

234 g. Portable Scales. When portable scales are used in
235 ~~the enforcement of~~ enforcing this section, the axles of any
236 vehicle described or commonly referred to as tandem or triaxle
237 rigs or units—(, that is, vehicles having two or more axles in
238 addition to a steering axle), the group of tandem or triaxles
239 shall be weighed simultaneously, and the total weight so



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240 derived shall be divided by the number of axles weighed in the
241 group to arrive at the per axle weight, except that if any one
242 axle in the group exceeds 20,000 pounds in weight, it shall
243 not exceed the weight of any other axle in the group by more
244 than 50 percent. When portable scales are used to determine
245 the axle weight or the gross weight of a vehicle pursuant to
246 this section, the operator of the vehicle will be permitted to
247 move the vehicle to the nearest platform scales certified by
248 the Department of Agriculture and Industries and operated by a
249 bonded operator within a distance of 10 highway miles,
250 accompanied by an enforcement officer to verify the accuracy
251 of the portable scales used in determining the axle weight or
252 gross weight of the vehicle~~weight~~. If the weight of the
253 vehicle is shown by the platform scales to be within the legal
254 limits of this section, including the allowable load
255 tolerance, the operator of the vehicle shall not be held to be
256 in violation of this section.

257 h. County Highways. The governing body of a county, by
258 appropriate resolution, may authorize limitations less than
259 those prescribed herein for vehicles operated upon the county
260 highways of the county.

261 i. Posted Roads and Bridges. The Department of
262 Transportation may post or limit any road or bridge to weights
263 less than those prescribed by this section. It is the
264 legislative intent and purpose that this section be rigidly
265 enforced by the Department of Transportation, the Alabama
266 State Law Enforcement Agency, ~~and~~ any other authorized law
267 enforcement officers of ~~the~~ this state, and any county, ~~or~~



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268 city, and incorporated towns.

269 j. Agricultural Commodities. Two and three axle
270 vehicles being used exclusively for the purpose of
271 transporting agricultural commodities or products to and from
272 a farm and for agricultural purposes relating to the operation
273 and maintenance of a farm by any farmer, custom harvester, or
274 husbandman may not be made to conform to the axle requirements
275 of paragraph a. or the gross weight requirements of paragraph
276 eb.

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

283 (2) To be eligible for the exception provided in this
284 subsection, the operator of the vehicle must provide written
285 proof or certification of the weight of the auxiliary power
286 unit (APU) and demonstrate or certify the idle reduction
287 technology is fully functional at all times.

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

293 (4) It is the intent of this subsection to apply at the
294 state highway level the weight limit increase for vehicles
295 using a functioning auxiliary power or idle reduction



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296 technology as provided in the Federal Energy Policy Act of
297 2005.

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

303 a. The weight of the vehicle attributable to the
304 natural gas tank and fueling system carried by that vehicle;
305 and

306 b. The weight of a comparable diesel tank and fueling
307 system.

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

314 (d) Nothing in this section shall be construed as
315 effectuating either of the following:

316 (1) Permitting size or weight limits on the National
317 System of Interstate and Defense Highways in this state in
318 excess of those permitted under 23 U.S.C. § 127. If the
319 federal government prescribes or adopts vehicle size or weight
320 limits greater than or less than those now prescribed by 23
321 U.S.C. § 127 for the National System of Interstate and Defense
322 Highways, the increased or decreased limits shall become
323 effective on the National System of Interstate and Defense



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324 Highways in this state.

325 (2) Denying the operation of any vehicle or combination
326 of vehicles that could be lawfully operated upon the highways
327 and roads of this state on January 4, 1975."

328 Section 2. This act shall become effective on October
329 1, 2024.

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331
332 Senate

333 Read for the first time and referred02-Apr-24
334 to the Senate committee on Fiscal
335 Responsibility and Economic
336 Development

337
338 Read for the second time and placed04-Apr-24
339 on the calendar:
340 0 amendments

341
342 Read for the third time and passed11-Apr-24
343 as amended
344 Yeas 29
345 Nays 0
346 Abstains 0

347
348
349 Patrick Harris,
350 Secretary.
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