

SB266 INTRODUCED



1 SB266
2 2Q8ZKSI-1
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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SYNOPSIS:

Under existing law, various vehicles that exceed certain weights are prohibited from operating on specific roadways in this state.

This bill would provide for greater specificity in the terms used in enforcing these prohibitions.

This bill would also make nonsubstantive, technical revisions to update the existing code language and hierarchy to current style.

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



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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,
34 including any load thereon, of 102 inches, exclusive of
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
38 forest products or culvert pipe on any highway ~~in this state~~
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
44 combination, semitrailers, including load, used in a truck
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
55 midway between the two rear axles, if the two rear axles are
56 tandem axles, does not exceed 41 feet and if the semitrailer



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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



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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. Except as provided by special
 162 permits, no vehicle or combination of vehicles exceeding the
 163 gross weights specified above shall be permitted to travel on
 164 the public highways within the State of Alabama.

~~165 No vehicle or combination of vehicles shall be permitted to
 166 operate on any portion of the Interstate Highway System of
 167 Alabama that shall have a greater weight than 20,000 pounds
 168 carried on any one axle, including all enforcement tolerances,
 169 or with a tandem axle weight in excess of 34,000 pounds,
 170 including all enforcement tolerances, or with an overall gross
 171 weight on a group of two or more consecutive axles produced by
 172 application of the following formula:~~

173 ~~$$W=500 (LN + 12N + 36)$$~~
 174 ~~$$(N-1)$$~~

~~175 where W = overall gross weight on any group of two or
 176 more consecutive axles to the nearest 500 pounds, L = distance
 177 in feet between the extreme of any group of two or more
 178 consecutive axles, and N = number of axles in group under
 179 consideration; except, that two consecutive sets of tandem
 180 axles may carry a gross load of 34,000 pounds each, provided
 181 the overall distance between the first and last axles of the
 182 consecutive sets of tandem axles is 36 feet or more; provided,
 183 that the overall gross weight may not exceed 80,000 pounds,~~



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184 ~~including all enforcement tolerances. Nothing in this section~~
185 ~~shall be construed as permitting size or weight limits on the~~
186 ~~National System of Interstate and Defense Highways in this~~
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~~
190 ~~by 23 U.S.C. § 127 for the National System of Interstate and~~
191 ~~Defense Highways, the increased or decreased limits shall~~
192 ~~become effective on the National System of Interstate and~~
193 ~~Defense Highways in this state. Nothing in this section shall~~
194 ~~be construed to deny the operation of any vehicle or~~
195 ~~combination of vehicles that could be lawfully operated upon~~
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
199 than or equal to the sum of the weight otherwise prescribed by
200 this subdivision, plus ~~an additional weight to be calculated~~
201 ~~by multiplying the weight prescribed by this subdivision by~~
202 ~~one-tenth (.10) that shall represent a scale or enforcement~~
203 ~~tolerance~~ the allowable load tolerance, shall be deemed to be
204 in compliance with the requirements of this section, and shall
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
210 restrict or affect the right of any defendant to place in
211 evidence such evidence tending to prove the defendant was in



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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
277 enforcement officers of ~~the~~ this state, and any county, ~~or~~
278 city, and incorporated towns.

279 j. Agricultural Commodities. Two and three axle
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.

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

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



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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.