

- 1 HB204
- 2 XNKBEE7-1
- 3 By Representatives Givens, Mooney, Moore (P), Almond, Collins,
- 4 Gidley, Travis, Hammett, Hulsey, Woods, Colvin, Brinyark,
- 5 Robertson, Shirey, Butler, Rehm, Lands, Fidler, Holk-Jones,
- 6 Easterbrook
- 7 RFD: Transportation, Utilities and Infrastructure
- 8 First Read: 06-Feb-25



1	
2	
3	
4	SYNOPSIS:
5	Under existing law, certain special trucks are
6	provided exceptions to certain weight and length limits
7	for highways in this state.
8	This bill would add certain trucks to those that
9	are excepted from these weight limits.
10	Also under existing law, portable scales may be
11	used to enforce these weight limits pursuant to certain
12	specified procedures.
13	This bill would further provide for an operator
14	of a vehicle to verify the accuracy of portable scales.
15	This bill would remove the authority of certain
16	individuals to require vehicle operators to drive to
17	stationary weigh scales to enforce these weight limits.
18	This bill would also make nonsubstantive,
19	technical revisions to update the existing code
20	language to current style.
21	
22	
23	
24	
25	A BILL
26	TO BE ENTITLED
27	AN ACT
28	



29 Relating to trucks; to amend Section 32-9-20, as last 30 amended by Act 2024-248, 2024 Regular Session, and Section 31 32-9-31, Code of Alabama 1975, to add certain trucks to those 32 excepted from weight limits on highways; to revise and further 33 provide procedures for using portable scales to enforce these 34 weight limits; to revise the authority of individuals 35 authorized to enforce these weight limits; and to make 36 nonsubstantive, technical revisions to update the existing 37 code language to current style. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: 38 39 Section 1. Section 32-9-20, as last amended by Act 2024-248, 2024 Regular Session, and Section 32-9-31, Code of 40 Alabama 1975, are amended to read as follows: 41 "\$32-9-20 42 43 (a) It shall be unlawful for any individual to drive or move on any highway in this state any vehicle or vehicles of a 44 45 size or weight except in accordance with the following: 46 (1) HEIGHT. No vehicle, semitrailer, or trailer shall exceed in height 13 1/2 feet, including load. 47 48 (2) LENGTH. No vehicle shall exceed in length 40 feet; 49 except, that the length of a truck-semitrailer combination, 50 semitrailers, including load, used in a truck 51 tractor-semitrailer combination, shall not exceed 57 feet; 52 semitrailers and trailers, including load, used in a truck 53 tractor-semitrailer-trailer combination, shall not exceed 28 54 1/2 feet each; and motor vehicles designed, used, or maintained primarily as a mobile dwelling, office, or 55 56 commercial space, commonly called motor homes, shall not



57 exceed 45 feet. Semitrailers exceeding 53 1/2 feet shall only 58 be operated on highways designated pursuant to Section 32-9-1 59 and shall only be operated when the distance between the 60 kingpin of a semitrailer and the rearmost axle or a point midway between the two rear axles, if the two rear axles are 61 62 tandem axles, does not exceed 41 feet and if the semitrailer 63 is equipped with a rear underride guard of a substantial 64 construction consisting of a continuous lateral beam extending to within four inches of the lateral extremities of the 65 semitrailer and located not more than 22 inches from the 66 67 surface as measured with the semitrailer empty and on a level surface. For purposes of enforcement of this subdivision, 68 lengths of semitrailers and trailers refer to the cargo 69 70 carrying portion of the unit. Truck tractor units used 71 exclusively in combinations transporting motor vehicles may 72 directly carry a portion of the cargo, provided that the 73 combinations are restricted to truck tractor-semitrailer 74 combinations only and provided further that the overall length 75 of these particular combinations shall not exceed 65 feet; 76 except that the overall length of stinger-steered type units 77 shall not exceed 80 feet. No truck tractor-semitrailer 78 combination used exclusively for transporting motor vehicles 79 shall carry any load extending more than four feet beyond the 80 front or six feet beyond the rear of the combination. No other 81 vehicle operated on a highway shall carry any load extending more than a total of five feet beyond both the front and rear, 82 inclusive, of the vehicle. 83

84 (3) WEIGHT.



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

91 2. For the purpose of this subdivision, an "axle load" 92 shall be defined as the total load transmitted to the road by 93 all wheels whose centers are included between two parallel 94 transverse vertical planes 40 inches apart, extending across 95 the full width of the vehicle.

3. Vehicles and combinations of vehicles shall not 96 97 operate on the Interstate Highway System of Alabama that have 98 a weight greater than 20,000 pounds carried on any one axle, 99 including the allowable load tolerance, or with a tandem axle weight in excess of 34,000 pounds, including the allowable 100 101 load tolerance, or overall gross weight on a group of two or 102 more consecutive axles produced by application of the 103 following formula:

104

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

105 where W = overall gross weight on any group of two or 106 more consecutive axles to the nearest 500 pounds, L = distance107 in feet between the extreme of any group of two or more 108 consecutive axles, and N = number of axles in the group under 109 consideration; except, that two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each, provided 110 the overall distance between the first and last axles of the 111 112 consecutive sets of tandem axles is 36 feet or more and the



113 overall gross weight may not exceed 80,000 pounds, including 114 the allowable load tolerance.

115 b. Gross Weight. Subject to the limit upon the weight 116 imposed upon the highway through any one axle as set forth 117 herein, the total weight with load imposed upon the highway by 118 all the axles of a vehicle or combination of vehicles shall 119 not exceed the gross weight given for the respective distances 120 between the first and last axle of the vehicle or combination 121 of vehicles, measured longitudinally to the nearest foot as set forth in the following table: 122 123 COMPUTED GROSS WEIGHT TABLE For various spacings of axle groupings 124 Distance in feet between first and Maximum load in 125 last axles of vehicle or combination pounds on all the 126 127 of vehicles axles 128 2 axles 3 axles 4 axles 5 axles 6 axles 129 8 or less 36,000 42,000 42,000 130 9 38,000 42,500 42,500

131 10 40,000 43,500 43,500

136

132 11 44,000 44,000

1331245,00050,00050,0001341345,50050,50050,500

 135
 14
 46,500
 51,500
 51,500

15 47,000 52,000 52,000



137	16	48,000	52,500	58,000	58,000
138	17	48,500	53,500	58,500	58,500
139	18	49,500	54,000	59,000	59,000
140	19	50,000	54,500	60,000	60,000
141	20	51,000	55 , 500	60,500	66,000
142	21	51,500	56,000	61,000	66,500
143	22	52 , 500	56,500	61,500	67,000
144	23	53,000	57 , 500	62,500	68,000
145	24	54,000	58,000	63,000	68,500
146	25	54,500	58,500	63 , 500	69,000
147	26	56,000	59 , 500	64,000	69,500
148	27	57,000	60,000	65,000	70,000
149	28	59,000	60,500	65 , 500	71,000
150	29	60,000	61,500	66,000	71 , 500
151	30		62,000	66,500	72,000
152	31		63,500	67,000	72 , 500
153	32		64,500	68,000	73 , 500
154	33		65,000	69,000	74,000
155	34		65 , 500	70,000	74 , 500
156	35		66,500	71,000	75 , 000
157	36		67,000	72,000	76,000



158	37	68,000	73,000	77,000
159	38	69,000	74,000	78,000
160	39	70,000	75 , 000	79,000
161	40	71,000	76,000	80,000
162	41	72,000	77,000	81,000
163	42	73,000	78,000	82,000
164	43	74,000	79,000	83,000
165	44 and over	75 , 000	80,000	84,000

166 c. Special Permits. Except as provided by special 167 permits, no vehicle or combination of vehicles exceeding the 168 gross weights specified in paragraph a. or b. shall be 169 permitted to travel on the public highways within the State of 170 Alabama.

171 d.1. Allowable Load Tolerance. For purposes of 172 enforcing this subdivision, all weights less than or equal to 173 the sum of the weight otherwise prescribed by this 174 subdivision, plus the allowable load tolerance, shall be 175 deemed to be in compliance with the requirements of this section and shall not constitute violations thereof. No 176 177 evidence shall be admitted into evidence or considered by the 178 trier of fact in any civil action unless the evidence 179 proffered would tend to prove that the weight of the vehicle 180 exceeded the amount provided in this subsection. Nothing in 181 this paragraph shall restrict or affect the right of any 182 defendant to place in evidence such evidence tending to prove



183 the defendant was in compliance with this section.

184 2. For the purposes of this subdivision, the allowable 185 load tolerance is calculated by multiplying the weight

186 prescribed by this subdivision by one-tenth (.10).

187

e. Special Trucks.

1. Dump trucks, dump trailers, concrete mixing trucks, 188 189 fuel oil, gasoline trucks, and trucks designated and 190 constructed for special type work or use shall not be made to conform to the axle spacing requirements of paragraph $b_{, +, -}$ 191 provided_{τ} that the vehicle shall be limited to a weight of 192 193 20,000 pounds per axle plus the allowable load tolerance; and, provided further, that the maximum gross weight of the 194 vehicles vehicle shall not exceed the maximum weight allowed 195 196 by this section for the appropriate number of axles, 197 irrespective of the distance between axles, plus the allowable load tolerance. All axles shall be brake equipped. 198

199 <u>2.</u> Trucks delivering asphalt plant mix which that do 200 not exceed the maximum allowable gross weight and operate 201 within 50 miles of their home base shall not be required to 202 conform to the requirements of paragraph a.

203 <u>3.</u> Concrete mixing trucks that operate within 50 miles 204 of their home base and do not exceed the maximum allowable 205 gross weight shall not be required to conform to the 206 requirements of paragraph a.

207 <u>4. Log trucks that do not exceed the maximum allowable</u>
208 gross weight shall not be required to conform to the
209 requirements of paragraph a., subject to meeting the following
210 requirements:



211	(i) The weight of each axle is limited to 22,000 pounds
212	plus the allowable load tolerance.
213	(ii) If the vehicle has two consecutive sets of tandem
214	axles:
215	A. The weight of each consecutive set of axles is
216	limited to 44,000 pounds plus the allowable load tolerance.
217	B. The overall distance between the first axle and last
218	axle of the consecutive sets of tandem axles is 36 feet or
219	more.
220	C. The overall gross weight of the vehicle does not
221	exceed 80,000 pounds plus the allowable load tolerance.
222	5. It shall be is a violation if the vehicles a vehicle
223	named under this subdivision travel paragraph travels upon
224	bridges designated and posted by the Transportation Director
225	of Transportation as incapable of carrying the load.
226	f. Driver Compliance. If the driver of any vehicle can
227	comply with the weight requirements of this section by
228	shifting or equalizing the load on all wheels or axles and
229	does so when requested by the proper authority, the driver
230	shall not be held to be operating in violation of this
231	section.
232	g. Portable Scales.
233	1. When portable Portable scales are may be used in
234	enforcing to enforce this section, the. To determine the
235	weight of each axle, the axles of any vehicle described or
236	commonly referred to as tandem or triaxle rigs or units, that
237	is, vehicles having two or more axles in addition to a
238	steering axle, the group of tandem or triaxles shall be



weighed simultaneously, and the total weight so derived shall be divided by the number of axles weighed in the group to arrive at the per axle weight, except that if any one axle in the group exceeds 20,000 pounds in weight, it shall not exceed the weight of any other axle in the group by more than 50 percent.

245 2. When portable scales are used to enforce this 246 sectiondetermine and either the axle weight or the gross 247 weight of a vehicle pursuant to is determined to be in violation of this section, if the operator of the vehicle 248 249 believes that the determination of a violation is based on inaccuracies of the portable scales, the operator may do 250 251 either of the following: 252 (i) will be permitted to move Request that an 253 enforcement officer accompany the operator and vehicle to the nearest platform scales certified by the Department of 254 255 Agriculture and Industries and operated by a bonded operator 256 within a distance of 10 highway miles, accompanied by an 257 enforcement officer to verify the accuracy of the portable 258 scales used in determining the axle weight or gross weight of 259 the vehicle. If an enforcement officer does not accompany the

260 <u>operator and vehicle to platform scales within 30 minutes of</u> 261 <u>the request to do so, or the axle weights or gross</u> weight of 262 the vehicle is shown by the platform scales to be within the 263 legal limits of this section, including the allowable load 264 tolerance, the operator of the vehicle shall not be held to be 265 in violation of this section and any citation, if issued, 266 shall be void.



267	(ii) Proceed with the vehicle to the nearest platform
268	scales certified by the Department of Agriculture and
269	Industries and operated by a bonded operator within a distance
270	of 100 highway miles to verify the accuracy of the portable
271	scales used in determining the axle weight or gross weight of
272	the vehicle without being accompanied by an enforcement
273	officer. If the axle weights or gross weight of the vehicle is
274	shown by the platform scales to be within the legal limits of
275	this section, including the allowable load tolerance, the
276	operator of the vehicle shall not be held to be in violation
277	of this section and any citation, if issued, shall be void
278	upon providing a copy of the platform scale weight ticket and
279	an affidavit, to be established and provided online by the
280	entity employing the enforcing officer, to the entity
281	employing the enforcing officer within 48 hours of being
282	weighed by the portable scales.
283	3. When using portable scales to enforce this section,
284	not more than three vehicles may be detained at any one time,
285	including a vehicle being weighed
286	h. County Highways. The governing body of a county, by
287	appropriate resolution, may authorize limitations less than
288	those prescribed in this section for vehicles operated upon
289	the county highways of the county.

i. Posted Roads and Bridges. The Department of
Transportation may post or limit any road or bridge to weights
less than those prescribed by this section. It is the
legislative intent and purpose that this section be rigidly
enforced by the Department of Transportation, the Alabama



295 State Law Enforcement Agency, any other authorized law 296 enforcement officer of this state, and any county, city, and 297 incorporated town.

298 j. Agricultural Commodities. Two and three axle 299 vehicles being used exclusively for the purpose of 300 transporting agricultural commodities or products to and from 301 a farm and for agricultural purposes relating to the operation 302 and maintenance of a farm by any farmer, custom harvester, or 303 husbandman may not be made to conform to the axle requirements of paragraph a. or the gross weight requirements of paragraph 304 305 b.

(4) WIDTH. Vehicles and combinations of vehicles 306 307 operating on highways shall not exceed a total outside width, 308 including any load thereon, of 102 inches, exclusive of 309 mirrors or other safety devices approved by the Department of 310 Transportation. No passenger vehicle shall carry any load 311 extending beyond the line of the fenders. No vehicle hauling 312 forest products or culvert pipe on any highway shall have a 313 load exceeding 102 inches in width.

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

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



323 unit (APU) and demonstrate or certify the idle reduction 324 technology is fully functional at all times.

325 (3) Written proof or certification of the weight of the 326 APU must be available to law enforcement officers if the 327 vehicle is found in violation of applicable weight laws. The 328 weight allowed may not exceed 400 pounds or the actual weight 329 proven or certified, whichever is less.

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

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

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

343 b. The weight of a comparable diesel tank and fueling 344 system.

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



351 (d) Nothing in this section shall be construed as 352 effectuating either of the following:

353 (1) Permitting size or weight limits on the National 354 System of Interstate and Defense Highways in this state in 355 excess of those permitted under 23 U.S.C. § 127. If the 356 federal government prescribes or adopts vehicle size or weight 357 limits greater than or less than those now prescribed by 23 358 U.S.C. § 127 for the National System of Interstate and Defense 359 Highways, the increased or decreased limits shall become effective on the National System of Interstate and Defense 360 361 Highways in this state.

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

365 "§32-9-31

Any officer enumerated in Section 32-9-3 having reason 366 367 to believe that the height, length, width, or weight of any 368 truck, semitrailer truck, or trailer is in excess of the 369 maximum limits prescribed by Section 32-9-20, or permitted by 370 any permit issued under authority of Section 32-9-29, is 371 authorized to measure or weigh the same, vehicle using either by means of portable or stationary scales, and may require 372 373 such vehicle to be driven to the nearest stationary scales, in the event such scales are within a distance of five miles. All 374 375 scales used for the weighing of vehicles as provided in this section shall be approved by the weights and measures division 376 of the Department of Agriculture and Industries. The officer 377 378 shall may require the operator of the truck, semitrailer



379 truck, or trailer to unload such a portion of a load as may be 380 necessary to decrease the gross weight of such the vehicle to 381 the maximum gross weight permitted by this title or by the 382 terms of any permit in the possession of such the operator and 383 issued under the provisions of Section 32-9-29-4, which excess load, when unloaded, shall be at the sole risk of the owner, 384 385 or, at the election of the operator, the officer shall permit 386 the operator to move such the vehicle and its load to the 387 nearest incorporated town or the nearest court having jurisdiction, at which place the excess load shall be 388 389 unloaded. The refusal of any such operator to permit his or her truck, semitrailer truck, or trailer to be measured or 390 391 weighed, or to proceed to a stationary scales or to unload the 392 excess load shall constitute, is a violation of this chapter." 393 Section 2. This act shall become effective on October 1, 2025. 394