

HB323 INTRODUCED



1 HB323
2 PVFXEGE-1
3 By Representative Givens
4 RFD: Transportation, Utilities and Infrastructure
5 First Read: 20-Feb-25



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SYNOPSIS:

Under existing law, oversize vehicles are required to obtain a permit for movement on the state's highway system.

This bill would exempt all electric utility commodities and equipment from the requirement of obtaining a permit for movement on the state's highway system.

A BILL
TO BE ENTITLED
AN ACT

Relating to transportation; to amend Section 32-9-29, Code of Alabama 1975, to exempt electric utility commodities and equipment from oversize annual permitting requirements.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-9-29, Code of Alabama 1975, is amended to read as follows:

"§32-9-29

(a) Authorized; application; issuance; seasonal, etc., limitations; refusal, revocation, or cancellation.

(1) The Director of the Department of Transportation or the official of the department designated by the director,



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29 upon application and for good cause being shown~~therefor~~, may
30 issue a permit in writing authorizing the applicant to operate
31 or move upon the state's public roads a vehicle or combination
32 of no more than two vehicles and loads whose weight, width,
33 length, or height, or combination thereof, exceeds the maximum
34 limit specified by law; provided, that the load transported by
35 ~~such~~ the vehicle or vehicles is of such nature that it is a
36 unit which cannot be readily dismantled or separated;
37 provided, however, that bulldozers and similar construction
38 equipment shall not be deemed readily separable for purposes
39 of this chapter; and further provided, that no permit shall be
40 issued to any vehicle whose operation upon the public roads of
41 this state threatens to unduly damage a road or any
42 appurtenances thereto.

43 (2) Permits may be issued on application to the
44 department to persons, firms, or corporations. The director
45 shall adopt reasonable rules which are necessary or desirable
46 governing the issuance of the permits; provided, that the
47 rules shall not conflict with this title and other provisions
48 of law.

49 (3) The original copy of every permit shall be carried
50 in the vehicle itself and shall be open to inspection by any
51 law enforcement officer or authorized agent of the department.

52 (4) The application for any permit shall specifically
53 describe the type of permit applied for, as described in
54 subsection (b), and the application for a single trip permit,
55 in addition, shall describe the points of departure and
56 destination.



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57 (5) The director or the official of the department
58 designated by the director may withhold ~~such~~ a permit or, if
59 ~~such~~ a permit is issued, may establish seasonal or other time
60 limitations within which the vehicles described may be
61 operated on the public road indicated, or may otherwise limit
62 or prescribe conditions of operation of ~~such~~ the vehicle, when
63 necessary to assure against undue damage to the road
64 foundation, surfaces, or bridge structures, and require ~~such~~
65 the undertaking or other security as may be deemed necessary
66 to compensate the state for any ~~injury~~ damage to any roadway
67 or bridge structure.

68 (6) For just cause, including, but not limited to,
69 repeated and consistent past violations, the director or an
70 official of the department designated by the director may
71 refuse to issue, or may cancel, suspend, or revoke, the permit
72 of an applicant or permittee.

73 (b) Duration and limits of permits; bond or insurance
74 requirements.

75 (1)a. ANNUAL. The director or the official of the
76 department designated by the director, pursuant to this
77 section, may issue an annual permit which shall permit the
78 vehicle or combination vehicle and load to be operated on the
79 state highway system of this state for 12 months from the date
80 the permit is issued, even though the vehicle or its load
81 exceeds the maximum limits specified in this article;
82 provided, that an annual permit shall not authorize the
83 operation of a vehicle including all enforcement tolerances:

84 1. Whose total gross weight exceeds 150,000 pounds;



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85 provided, that gross weights over 100,000 pounds shall require
86 advance routing by the department;

87 2. Whose single axle weight exceeds 22,000 pounds;

88 3. Whose total length exceeds 75 feet; with the
89 exception of mobile homes, whose length limitations, including
90 towing vehicle, shall be 85 feet;

91 4. Whose total width exceeds 120 inches or whose load
92 width exceeds 144 inches; with the exception of mobile homes,
93 whose width limitation shall be 168 inches; provided, that
94 mobile homes whose width exceeds 144 inches shall require
95 advance route approval by the department; or

96 5. Whose height exceeds 14 feet.

97 A permit to operate a vehicle which exceeds the
98 statutory limits of height, weight, width, or length shall be
99 issued only on condition of payment of an indemnity bond or
100 proof of insurance protection for three hundred thousand
101 dollars (\$300,000.~~00~~) the bond or insurance protection
102 conditioned for payment to the department to be held in trust
103 for the benefit of the owners of bridges and appurtenances
104 thereof, traffic signals, signs, or other highway structures
105 damaged by a vehicle operating under authority of the
106 overheight permit. The liability under the bond or insurance
107 certificate shall be contingent upon proof of negligence or
108 fault on the part of the permittee, his or her agents, or
109 operators.

110 b. Notwithstanding paragraph a., the director, pursuant
111 to this section, may issue an annual permit to operate a
112 vehicle which exceeds the maximum limits otherwise provided in



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113 this article for rubber-tired equipment used solely in the
114 scope and operation of mining refractory grade bauxite. The
115 equipment may not exceed the limits of paragraph a., except
116 that the permit may not authorize the operation of a vehicle,
117 including enforcement tolerances, which exceeds 16 feet in
118 width, exceeds 18 feet in height, or exceeds a single axle
119 weight of 27,000 pounds. In addition, the permit may not
120 authorize the operation of the vehicle on any bridge, over or
121 under any overpass, or on an interstate highway. The fee for
122 the annual permit shall be one hundred dollars (\$100).

123 (2) SINGLE TRIP. The director may issue a single trip
124 permit, pursuant to this section, to any vehicle.

125 (c) Fees. The director may adopt rules concerning the
126 issuance of permits and charge a fee for the issuance as
127 follows:

128 (1) ANNUAL. Charges for the issuance of annual permits
129 shall be as follows:

130 a. For modular homes, sectional houses, portable
131 buildings, boats, and any vehicle or combination of vehicles,
132 one hundred dollars (\$100~~.00~~); except, that a vehicle or
133 combination of vehicles having trailer or combination of
134 trailers with sidewalls or roof which has transported modular
135 homes, sectional houses, and portable buildings, after
136 depositing any load, may return unloaded to its point of
137 origin, even though the unloaded vehicles exceed the 55-foot
138 limitation provided for in this article, up to and including
139 12 feet wide and 75 feet long.

140 b. For heavy commodities or equipment, overweight,



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141 overlenght, overheight, and overwidth, one hundred dollars
142 (\$100.~~00~~). A tractor and trailer (low boy type), after
143 depositing a load referred to in this subparagraph, may return
144 to its point of origin, even though the unloaded tractor and
145 trailer (low boy type) may exceed the 55-foot limitation
146 provided for in this article up to and including 12 feet wide
147 and 75 feet long.

148 c. For mobile homes up to and including 14 feet wide
149 and 85 feet long, including towing vehicle, one hundred
150 dollars (\$100.~~00~~).

151 (2) SINGLE TRIP. Charges for the issuance of single
152 trip permits shall be as follows:

153 a. Mobile homes, modular homes, sectional houses,
154 portable buildings, and boats:

155 1. Up to and including 12 feet wide and 75 feet long,
156 ten dollars (\$10.~~00~~).

157 2. Boats in excess of 12 feet wide, twenty dollars
158 (\$20.~~00~~).

159 3. Mobile homes, modular homes, sectional houses, and
160 portable buildings in excess of 12 feet wide and/or 75 feet
161 long, twenty dollars (\$20.~~00~~).

162 b. Heavy commodities or equipment:

163 1. Over on any limitations as to length, height, or
164 width, ten dollars (\$10.~~00~~).

165 2. Over on weight, as follows:

166	WEIGHT PERMITTED	PERMIT FEE
167	From 80,001 pounds up to 100,000 pounds	\$ 10.00



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168	From 100,001 pounds up to 125,000 pounds	30.00
169	From 125,001 pounds up to 150,000 pounds	60.00
170	From 150,001 pounds and over	100.00

171 c. Miscellaneous:

172 1. Houses, twenty dollars (~~\$20.00~~).

173 2. Off-the-road equipment, ten dollars (~~\$10.00~~).

174 3. Other oversized vehicles, loads, and equipment not
175 herein specified, twenty dollars (~~\$20.00~~).

176 4. Other overheight loads not herein specified, ten
177 dollars (~~\$10.00~~).

178 (d) Certain vehicles on interstate highways. Under this
179 section, 14 feet-wide vehicles and combination vehicles and
180 load may be issued a permit to travel the interstate highways.

181 (e) The Director of the Department of Transportation,
182 by rule, may establish limits for combinations of commercial
183 wreckers and towed disabled or abandoned vehicles that exceed
184 the maximum height, weight, or length limitations established
185 by law. The director may establish a permitting method for
186 commercial wreckers and may establish a fee for any permits
187 that are issued. The director may authorize exceptions to any
188 permit required under this subsection or may waive any permit
189 required under this subsection under emergency, exigent, or
190 other extraordinary conditions. Permits may not be issued to a
191 person or entity that is currently prohibited from operating
192 by a federal or state agency responsible for vehicle safety.
193 The permit authorized by this subsection shall be in addition
194 to any registration requirements as provided for in Chapter 6



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195 ~~of this title~~ and Chapter 12 of Title 40.

196 (f) Violations of federal law, ~~ete~~. No permit shall be
197 issued under this section if the issuance of the permit would
198 violate United States law or would cause the State of Alabama
199 to lose federal-aid funds. Notwithstanding any provisions of
200 any statute to the contrary, all permit fees collected in
201 accordance with this section shall be paid to the Public Road
202 and Bridge Fund in addition to any sums appropriated therefor
203 to the department.

204 (g) The following commodities and equipment are exempt
205 from the requirement of obtaining a permit for movement on the
206 state highway system of Alabama:

207 (1) Farm and agricultural commodities and equipment
208 ~~exempt~~. The term "heavy commodities" or "equipment", as used
209 in this section, is not intended to include farm and
210 agricultural commodities or equipment, ~~and such farm or~~
211 ~~agricultural commodities and equipment are exempt from the~~
212 ~~requirement of obtaining permits for movement on the state~~
213 ~~highway system of Alabama.~~

214 (2) Electric provider commodities and equipment. The
215 term "heavy commodities" or "equipment", as used in this
216 section, is not intended to include electric provider
217 commodities or equipment. For this purpose an "electric
218 provider" as used in this subsection shall have the same
219 meaning as provided in Section 37-16-3, and shall also include
220 the Tennessee Valley Authority and an authority as defined in
221 Section 11-50A-1"

222 Section 2. This act shall become effective on October



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223 1, 2025.