

103^D CONGRESS
2^D SESSION

H. R. 4496

To amend the Surface Transportation Assistance Act of 1982 and title 23, United States Code, concerning length and weight limitations for vehicles operating on Federal-aid highways.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 1994

Mr. OBERSTAR introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To amend the Surface Transportation Assistance Act of 1982 and title 23, United States Code, concerning length and weight limitations for vehicles operating on Federal-aid highways.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Highways and
5 Infrastructure Preservation Act of 1994”.

1 **SEC. 2. LENGTH LIMITATIONS ON FEDERALLY ASSISTED**
2 **HIGHWAYS.**

3 (a) PROHIBITION ON OPERATION OF CERTAIN
4 CARGO-CARRYING UNITS.—Section 411 of the Surface
5 Transportation Assistance Act of 1982 (49 U.S.C. App.
6 2311) is amended—

7 (1) by striking the section heading and all that
8 follows through “(a) Except” and inserting the fol-
9 lowing:

10 **“SEC. 411. LENGTH LIMITATIONS ON FEDERALLY ASSISTED**
11 **HIGHWAYS.**

12 “(a) STATE REQUIREMENTS.—

13 “(1) IN GENERAL.—Except”;

14 (2) by moving paragraph (1) of subsection (a),
15 as designated by paragraph (1) of this subsection, 2
16 ems to the right; and

17 (3) by adding at the end of subsection (a) the
18 following:

19 “(2) PROHIBITION ON OPERATION OF CERTAIN
20 CARGO-CARRYING UNITS.—

21 “(A) GENERAL RULE.—No State shall reg-
22 ister for operation on any segment of the Inter-
23 state System and those classes of qualifying
24 National Highway System highways as des-
25 ignated by the Secretary any trailer, semi-trail-
26 er, container, or other cargo-carrying unit that

1 is longer than 53 feet, except as provided by
2 subparagraph (B).

3 “(B) EXCEPTIONS.—The following shall
4 not be subject to the requirement of subpara-
5 graph (A):

6 “(i) Any trailer, semi-trailer, con-
7 tainer, or other cargo carrying unit that is
8 manufactured before the expiration of the
9 1-year period beginning on the date of the
10 enactment of this paragraph.

11 “(ii) Any trailer, semi-trailer, con-
12 tainer, or other cargo-carrying unit that is
13 used exclusively for fire-fighting.

14 “(C) LIMITATION ON STATUTORY CONSTRUC-
15 TION.—Nothing in this paragraph shall be construed
16 to affect the laws of any State applicable to any
17 trailer, semi-trailer, container, or other cargo-carry-
18 ing unit that is less than 53 feet in length.”.

19 (b) REPEAL.—The 3d sentence of section 411(b) of
20 such Act is repealed.

21 (c) CONFORMING AMENDMENTS.—Section 411 of
22 such Act is amended—

23 (1) by striking “subsection (a) of this section”
24 each place it appears and inserting “subsection
25 (a)(1) of this section”; and

1 (2) in subsection (d) by striking “subsections
2 (a)” and inserting “subsections (a)(1)”.

3 (d) ENFORCEMENT.—The 2d sentence of section
4 141(b) of title 23, United States Code, is amended—

5 (1) by striking “section 411(j)” and inserting
6 “subsections (a)(2) and (j) of section 411”; and

7 (2) by striking “2311(j)” and inserting “2311”.

8 **SEC. 3. TERMINATION OF DETERMINATIONS OF GRAND-**
9 **FATHER RIGHTS.**

10 (a) IN GENERAL.—Section 127 of title 23, United
11 States Code, is amended by adding at the end the follow-
12 ing:

13 “(f) GRANDFATHER RIGHTS.—

14 “(1) GENERAL RULE.—No State shall allow the
15 operation of any vehicle or combination (other than
16 longer combination vehicles) not in conformance
17 with the Interstate weight limits, unless such oper-
18 ation is on the list published pursuant to paragraph
19 (2).

20 “(2) LIST OF VEHICLES OR COMBINATIONS.—

21 “(A) PROCEEDING.—Not later than 60
22 days after the date of the enactment of this
23 subsection, the Secretary shall initiate a pro-
24 ceeding to determine and publish a list of vehi-
25 cles or combinations (other than longer com-

1 combination vehicles), otherwise not in conformance
2 with the Interstate weight limits, that the De-
3 partment of Transportation or any other Fed-
4 eral agency or a State has determined before
5 January 1, 1994, could be lawfully operated
6 within such State on July 1, 1956 (except in
7 the case of the overall gross weight of any
8 group of 2 or more consecutive axles, on the
9 date of the enactment of the Federal-Aid High-
10 way Amendments of 1974).

11 “(B) LIMITATION.—No operation of any
12 vehicle or combination (other than a longer
13 combination vehicle) shall be included on the
14 list published pursuant to subparagraph (A) on
15 the basis that a State law or regulation could
16 have authorized such operation at some prior
17 date by permit or otherwise.

18 “(C) PUBLICATION OF FINAL LIST.—Not
19 later than 270 days after the date of the enact-
20 ment of this subsection, the Secretary shall
21 publish a final list of vehicles or combinations
22 described in subparagraph (A).

23 “(3) LIMITATION ON STATUTORY CONSTRUC-
24 TION.—Nothing in this subsection shall be construed
25 to prevent a State from reducing the State’s gross

1 vehicle weight limitation or the State's single or tan-
2 dem axle weight limitations on the Interstate System
3 for operations on the list published pursuant to
4 paragraph (2) but in no event shall any such reduc-
5 tion fall below weight limits referred to in subsection
6 (a).

7 “(4) APPLICABILITY OF EXISTING REQUIRE-
8 MENTS.—All vehicles or combinations included on
9 the list published pursuant to paragraph (2) shall be
10 subject to all routing-specific, commodity-specific,
11 and weight-specific designations in force in a State
12 before January 1, 1994.”.

13 (b) CONFORMING AMENDMENT.—The 4th sentence
14 of section 127(a) of such title is amended by striking “the
15 State determines”.

16 **SEC. 4. NONDIVISIBLE LOAD PROCEEDING.**

17 Section 127 of title 23, United States Code, is further
18 amended by adding at the end the following:

19 “(g) NONDIVISIBLE LOADS.—

20 “(1) PROCEEDING.—Not later than 60 days
21 after the date of the enactment of this subsection,
22 the Secretary shall initiate a proceeding to deter-
23 mine the meaning of the term ‘vehicles and loads
24 which cannot be easily dismantled or divided’ as

1 used in subsection (a), including a commodity-spe-
2 cific definition of such term.

3 “(2) REGULATIONS.—Not later than 270 days
4 after the date of the enactment of this subsection,
5 the Secretary shall issue final regulations setting
6 forth the determination of the Secretary made pur-
7 suant to subparagraph (A). Such regulations shall
8 apply to all loads operating on the National High-
9 way System. A State may establish other require-
10 ments not inconsistent with such regulations.

11 “(h) STATEMENT OF POLICY.—The policy of this
12 title is to promote conformity with the Interstate weight
13 limits for the benefit and safety of all motorists.

14 “(i) INTERSTATE WEIGHT LIMITS DEFINED.—For
15 purposes of subsections (f), (g), and (h), the term ‘Inter-
16 state weight limits’ means the 80,000 pound gross vehicle
17 weight limitation, the 20,000 pound single axle weight lim-
18 itation (including enforcement tolerances), the 34,000
19 pound tandem axle weight limitation (including enforce-
20 ment tolerances), and the overall maximum gross weight
21 (including enforcement tolerances) on a group of 2 or
22 more consecutive axles produced by application of the
23 Bridge Formula B in subsection (a).”.

1 **SEC. 5. WEIGHT LIMITATIONS.**

2 (a) IN GENERAL.—Title 23, United States Code, is
3 amended by inserting after section 127 the following:

4 **“§ 127a. Gross vehicle weight and axle loading limita-**
5 **tions on non-Interstate highways on the**
6 **national highway system**

7 “(a) NON-INTERSTATE HIGHWAYS ON NHS.—The
8 gross vehicle weight limitations and axle loading limita-
9 tions applicable to all vehicles and combinations on any
10 non-Interstate highway on the National Highway System
11 in existence on the date of the enactment of this section,
12 shall be the gross vehicle weight and axle loading limita-
13 tions (including enforcement tolerances) set by State stat-
14 ute as of January 1, 1994, on the non-Interstate highway
15 on the National Highway System in the State in which
16 such non-Interstate highway is located, except as provided
17 by subsection (c). The gross vehicle weight limitations and
18 axle loading limitations applicable to all vehicles and com-
19 binations on any segment of any non-Interstate highway
20 on the National Highway System not in existence on the
21 date of the enactment of this section, shall be the Inter-
22 state weight limits.

23 “(b) PROCEEDING TO PUBLISH LIST OF STATE LIM-
24 TATIONS.—The Secretary shall initiate a proceeding to de-
25 termine and publish a list of the States’ gross vehicle
26 weight limitations and axle loading limitations as of Janu-

1 ary 1, 1994, applicable to non-Interstate highways on the
2 National Highway System. The Secretary shall publish a
3 final list not later than 180 days after the date of the
4 enactment of this section.

5 “(c) PROCEEDING TO PUBLISH LIST OF NON-
6 CONFORMING OPERATIONS.—The Secretary shall initiate
7 a proceeding to determine and publish a list of operations
8 not in conformance with State gross vehicle weight limita-
9 tions and axle loading limitations applicable to all vehicles
10 and combinations on any non-Interstate highways on the
11 National Highway System in existence on the date of the
12 enactment of this section, of such State before January
13 1, 1994, and which were in actual and lawful operation
14 on a regular or periodic basis (including seasonal oper-
15 ations) before January 1, 1994. The Secretary shall pub-
16 lish a final list of such operations not later than 180 days
17 after the date of the enactment of this section. No oper-
18 ation of any vehicle or combination shall be on the Sec-
19 retary’s list on the basis that a State law or regulation
20 could have authorized such operations at some prior date,
21 by permit or otherwise.

22 “(d) APPLICABILITY OF EXISTING REQUIRE-
23 MENTS.—All vehicles or combinations included on the Sec-
24 retary’s list provided for in subsection (c) shall be subject
25 to all routing-specific, commodity-specific, and weight-spe-

1 cific designations in force in a State on December 31,
2 1993.

3 “(e) APPLICABILITY.—The limitations established by
4 subsection (a) shall apply to any new designations made
5 to the National Highway System and remain in effect on
6 those non-Interstate highways that cease to be designated
7 as part of the National Highway System.

8 “(f) LIMITATION ON STATUTORY CONSTRUCTION.—
9 Nothing in this section shall be construed to prevent any
10 State from reducing the State’s gross vehicle weight limi-
11 tation or the State’s single or tandem axle weight limita-
12 tions on any existing non-Interstate highway on the Na-
13 tional Highway System.

14 “(g) INTERSTATE WEIGHT LIMITS DEFINED.—For
15 purposes of this section, the term ‘Interstate weight limits’
16 means the 80,000 pound gross vehicle weight limitation,
17 the 20,000 pound single axle weight limitation (including
18 enforcement tolerances), and the 34,000 pound tandem
19 axle weight limitation (including enforcement toler-
20 ances).”.

21 (b) ENFORCEMENT OF REQUIREMENTS.—Section
22 141(b) of such title is amended by striking “section
23 127(d)” and inserting “sections 127 and 127a”.

24 (c) CONFORMING CHAPTER ANALYSIS AMEND-
25 MENT.—The analysis for chapter 1 of such title is amend-

1 ed by inserting after the item relating to section 127 the
2 following:

“127a. Gross vehicle weight and axle loading limitations on non-Interstate high-
ways on the national highway system.”.

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