

105TH CONGRESS  
1ST SESSION

# H. R. 551

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.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1997

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

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## 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 1997”.

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 the remaining portion of para-  
 15 graph (1) of subsection (a), as designated by para-  
 16 graph (1) of this subsection, 2 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          “(h) 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

1 subsection, the Secretary shall initiate a pro-  
2 ceeding to determine and publish a list of vehi-  
3 cles or combinations (other than longer com-  
4 bination vehicles), otherwise not in conformance  
5 with the Interstate weight limits, that the De-  
6 partment of Transportation or any other Fed-  
7 eral agency or a State has determined before  
8 January 1, 1997, could be lawfully operated  
9 within such State on July 1, 1956 (except in  
10 the case of the overall gross weight of any  
11 group of 2 or more consecutive axles, on the  
12 date of the enactment of the Federal-Aid High-  
13 way Amendments of 1974).

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

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

1           “(3) LIMITATION ON STATUTORY CONSTRUC-  
 2           TION.—Nothing in this subsection shall be construed  
 3           to prevent a State from reducing the State’s gross  
 4           vehicle weight limitation or the State’s single or tan-  
 5           dem axle weight limitations on the Interstate System  
 6           for operations on the list published pursuant to  
 7           paragraph (2) but in no event shall any such reduc-  
 8           tion fall below weight limits referred to in subsection  
 9           (a).

10           “(4) APPLICABILITY OF EXISTING REQUIRE-  
 11           MENTS.—All vehicles or combinations included on  
 12           the list published pursuant to paragraph (2) shall be  
 13           subject to all routing-specific, commodity-specific,  
 14           and weight-specific designations in force in a State  
 15           before January 1, 1997.”.

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

19   **SEC. 4. NONDIVISIBLE LOAD PROCEEDING.**

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

22           “(i) NONDIVISIBLE LOADS.—

23                   “(1) PROCEEDING.—Not later than 60 days  
 24           after the date of the enactment of this subsection,

1 the Secretary shall initiate a proceeding to deter-  
2 mine the meaning of the term ‘vehicles and loads  
3 which cannot be easily dismantled or divided’ as  
4 used in subsection (a), including a commodity-spe-  
5 cific definition of such term.

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

14 “(j) STATEMENT OF POLICY.—The policy of this title  
15 is to promote conformity with the Interstate weight limits  
16 for the benefit and safety of all motorists.

17 “(k) INTERSTATE WEIGHT LIMITS DEFINED.—For  
18 purposes of subsections (h), (i), and (j), the term ‘Inter-  
19 state weight limits’ means the 80,000 pound gross vehicle  
20 weight limitation, the 20,000 pound single axle weight lim-  
21 itation (including enforcement tolerances), the 34,000  
22 pound tandem axle weight limitation (including enforce-  
23 ment tolerances), and the overall maximum gross weight  
24 (including enforcement tolerances) on a group of 2 or

1 more consecutive axles produced by application of the  
2 Bridge Formula B in subsection (a).”.

3 **SEC. 5. WEIGHT LIMITATIONS.**

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

6 **“§ 127a. Gross vehicle weight and axle loading limita-**  
7 **tions on non-Interstate highways on the**  
8 **National Highway System**

9 “(a) NON-INTERSTATE HIGHWAYS ON NHS.—The  
10 gross vehicle weight limitations and axle loading limita-  
11 tions applicable to all vehicles and combinations on any  
12 non-Interstate highway on the National Highway System  
13 in existence on the date of the enactment of this section,  
14 shall be the gross vehicle weight and axle loading limita-  
15 tions (including enforcement tolerances) set by State stat-  
16 ute as of January 1, 1997, on the non-Interstate highway  
17 on the National Highway System in the State in which  
18 such non-Interstate highway is located, except as provided  
19 by subsection (c). The gross vehicle weight limitations and  
20 axle loading limitations applicable to all vehicles and com-  
21 binations on any segment of any non-Interstate highway  
22 on the National Highway System not in existence on the  
23 date of the enactment of this section, shall be the Inter-  
24 state weight limits.



1       “(b) PROCEEDING TO PUBLISH LIST OF STATE LIM-  
2 ITATIONS.—The Secretary shall initiate a proceeding to  
3 determine and publish a list of the States’ gross vehicle  
4 weight limitations and axle loading limitations as of Janu-  
5 ary 1, 1997, applicable to non-Interstate highways on the  
6 National Highway System. The Secretary shall publish a  
7 final list not later than 180 days after the date of the  
8 enactment of this section.

9       “(c) PROCEEDING TO PUBLISH LIST OF NON-  
10 CONFORMING OPERATIONS.—The Secretary shall initiate  
11 a proceeding to determine and publish a list of operations  
12 not in conformance with State gross vehicle weight limita-  
13 tions and axle loading limitations applicable to all vehicles  
14 and combinations on any non-Interstate highways on the  
15 National Highway System in existence on the date of the  
16 enactment of this section, of such State before January  
17 1, 1997, and which were in actual and lawful operation  
18 on a regular or periodic basis (including seasonal oper-  
19 ations) before January 1, 1997. The Secretary shall pub-  
20 lish a final list of such operations not later than 180 days  
21 after the date of the enactment of this section. No oper-  
22 ation of any vehicle or combination shall be on the Sec-  
23 retary’s list on the basis that a State law or regulation  
24 could have authorized such operations at some prior date,  
25 by permit or otherwise.

1       “(d) APPLICABILITY OF EXISTING REQUIRE-  
2 MENTS.—All vehicles or combinations included on the Sec-  
3 retary’s list provided for in subsection (c) shall be subject  
4 to all routing-specific, commodity-specific, and weight-spe-  
5 cific designations in force in a State on December 31,  
6 1996.

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

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

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

1       (b) ENFORCEMENT OF REQUIREMENTS.—Section  
2 141(a) of such title is amended by striking “section  
3 127(d)” and inserting “sections 127 and 127a”.

4       (c) CONFORMING CHAPTER ANALYSIS AMEND-  
5 MENT.—The analysis for chapter 1 of such title is amend-  
6 ed by inserting after the item relating to section 127 the  
7 following:

“127a. Gross vehicle weight and axle loading limitations on non-Interstate high-  
ways on the National Highway System.”.

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