

108TH CONGRESS
1ST SESSION

H. R. 2180

To amend titles 23 and 49, United States Code, concerning length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2003

Mr. MCGOVERN (for himself, Mr. OBERSTAR, Mr. LATOURETTE, Ms. DELAURO, Mr. BLUMENAUER, Mrs. TAUSCHER, Mr. WOLF, Ms. BERKLEY, Mr. SMITH of New Jersey, Mr. HONDA, Mr. CAPUANO, Mr. WELDON of Florida, Mr. MENENDEZ, Ms. CORRINE BROWN of Florida, Mr. BOEHLERT, Mr. LIPINSKI, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. SHIMKUS, Mr. BISHOP of New York, Mr. PLATTS, Mr. PASCRELL, Mr. COSTELLO, Mr. FILNER, Mr. SABO, Mr. TAYLOR of Mississippi, Mr. LAMPSON, Mr. NADLER, Mr. HOEFFEL, Mr. CONYERS, Mr. FRANK of Massachusetts, Mr. STARK, Mr. WEXLER, Mr. DUNCAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WEINER, Mr. SANDERS, Mr. McDERMOTT, Mrs. JONES of Ohio, Mr. JOHNSON of Illinois, Mr. WAXMAN, Mr. DINGELL, Mr. MARKEY, Mr. GILCHREST, Mr. DICKS, Mr. FORD, Mr. EHLERS, Mr. CROWLEY, Mr. DAVIS of Florida, Mr. COLE, Mr. WATT, Mr. RODRIGUEZ, Mr. TOM DAVIS of Virginia, Mr. INSLEE, Mr. FATTAH, Mr. GRIJALVA, Mr. STEARNS, Mrs. NAPOLITANO, Mr. ETHERIDGE, Mr. KIRK, Mr. KILDEE, Mr. ANDREWS, Ms. MCCARTHY of Missouri, Mr. EVANS, Mr. CULBERSON, Mr. OLVER, Ms. MCCOLLUM, Mr. VAN HOLLEN, Ms. ROYBAL-ALLARD, Mr. HINCHEY, Mr. KUCINICH, Mr. DOYLE, Mr. GORDON, Mrs. BONO, Mrs. MALONEY, Mr. BROWN of Ohio, Mr. AKIN, Mr. FARR, Mr. DELAHUNT, Mr. HASTINGS of Florida, Mr. HOLT, Mr. RAMSTAD, Mr. LEVIN, Mr. COOPER, Mr. HOLDEN, Mr. ISRAEL, Mr. MEEHAN, Mr. CLAY, Mr. PAYNE, Mr. NEAL of Massachusetts, Mr. WYNN, Mr. ORTIZ, Mr. GONZALEZ, Mr. FROST, Mr. BELL, Mr. REYES, Mr. GREEN of Texas, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, Mr. RUSH, Ms. SCHAKOWSKY, Mr. EMANUEL, Mr. GUTIERREZ, Mr. LANTOS, Ms. LOFGREN, Ms. WOOLSEY, Mr. BACA, Mr. GEORGE MILLER of California, Mr. BERMAN, Mrs. DAVIS of California, Mrs. CAPPs, Mr. BECERRA, Ms. LEE, Ms. LINDA T. SÁNCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SOLIS, Ms. WATSON, Mr. SHAYS, and Mr. TIERNEY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend titles 23 and 49, United States Code, concerning length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes.

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”.

6 **SEC. 2. OPERATION OF RESTRICTED PROPERTY-CARRYING**
 7 **UNITS ON NATIONAL HIGHWAY SYSTEM.**

8 (a) RESTRICTED PROPERTY-CARRYING UNIT DE-
 9 FINED.—Section 31111(a)(1) of title 49, United States
 10 Code, is amended—

11 (1) by redesignating paragraph (3) as para-
 12 graph (4); and

13 (2) by inserting after paragraph (2) the fol-
 14 lowing:

15 “(3) RESTRICTED PROPERTY-CARRYING
 16 UNIT.—The term ‘restricted property-carrying unit’
 17 means any trailer, semi-trailer, container, or other
 18 property-carrying unit that is longer than 53 feet.”.

19 (b) PROHIBITION ON OPERATION OF RESTRICTED
 20 PROPERTY-CARRYING UNITS.—

1 (1) IN GENERAL.—Section 31111(b)(1)(C) of
2 title 49, United States Code, is amended to read as
3 follows:

4 “(C) allows operation on any segment of the
5 National Highway System, including the Interstate
6 System, of a restricted property-carrying unit unless
7 the operation is specified on the list published under
8 subsection (h);”.

9 (2) EFFECTIVE DATE.—The amendment made
10 by paragraph (1) shall take effect 270 days after the
11 date of enactment of this Act.

12 (c) LIMITATIONS.—Section 31111 of title 49, United
13 States Code, is amended by adding at the end the fol-
14 lowing:

15 “(h) RESTRICTED PROPERTY-CARRYING UNITS.—

16 “(1) APPLICABILITY OF PROHIBITION.—

17 “(A) IN GENERAL.—Notwithstanding sub-
18 section (b)(1)(C), a restricted property-carrying
19 unit may continue to operate on a segment of
20 the National Highway System if the operation
21 of such unit is specified on the list published
22 under paragraph (2).

23 “(B) APPLICABILITY OF STATE LAWS AND
24 REGULATIONS.—All operations specified on the
25 list published under paragraph (2) shall con-

1 tinue to be subject to all State statutes, regula-
2 tions, limitations and conditions, including rout-
3 ing-specific, commodity-specific, and configura-
4 tion-specific designations and all other restric-
5 tions, in force on June 1, 2003.

6 “(C) FIRE-FIGHTING UNITS.—Subsection
7 (b)(1)(C) shall not apply to the operation of a
8 restricted property-carrying unit that is used
9 exclusively for fire-fighting.

10 “(2) LISTING OF RESTRICTED PROPERTY-CAR-
11 RYING UNITS.—

12 “(A) IN GENERAL.—Not later than 60
13 days after the date of enactment of this sub-
14 section, the Secretary shall initiate a proceeding
15 to determine and publish a list of restricted
16 property-carrying units that were authorized by
17 State officials pursuant to State statute or reg-
18 ulation on June 1, 2003, and in actual and law-
19 ful operation on a regular or periodic basis (in-
20 cluding seasonal operations) on or before June
21 1, 2003.

22 “(B) LIMITATION.—A restricted property-
23 carrying unit may not be included on the list
24 published under subparagraph (A) on the basis
25 that a State law or regulation could have au-

1 thorized the operation of the unit at some prior
2 date by permit or otherwise.

3 “(C) PUBLICATION OF FINAL LIST.—Not
4 later than 270 days after the date of enactment
5 of this subsection, the Secretary shall publish a
6 final list of restricted property-carrying units
7 described in subparagraph (A).

8 “(D) UPDATES.—The Secretary shall up-
9 date the list published under subparagraph (C)
10 as necessary to reflect new designations made
11 to the National Highway System.

12 “(3) APPLICABILITY OF PROHIBITION.—The
13 prohibition established by subsection (b)(1)(C) shall
14 apply to any new designation made to the National
15 Highway System and remain in effect on those por-
16 tions of the National Highway System that cease to
17 be designated as part of the National Highway Sys-
18 tem.

19 “(4) LIMITATION ON STATUTORY CONSTRUC-
20 TION.—This subsection does not prevent a State
21 from further restricting in any manner or prohib-
22 iting the operation of a restricted property-carrying
23 unit; except that such restrictions or prohibitions
24 shall be consistent with the requirements of this sec-
25 tion and sections 31112 through 31114.”.

1 (d) ENFORCEMENT.—The second sentence of section
2 141(a) of title 23, United States Code, is amended by
3 striking “section 31112” and inserting “sections 31111
4 and 31112”.

5 **SEC. 3. OPERATION OF LONGER COMBINATION VEHICLES**
6 **ON NATIONAL HIGHWAY SYSTEM.**

7 (a) IN GENERAL.—Section 31112 of title 49, United
8 States Code, is amended—

9 (1) by redesignating subsections (f) and (g) as
10 subsections (g) and (h), respectively; and

11 (2) by inserting after subsection (e) the fol-
12 lowing:

13 “(f) NATIONAL HIGHWAY SYSTEM.—

14 “(1) GENERAL RULE.—A State may not allow,
15 on a segment of the National Highway System that
16 is not covered under subsection (b) or (c), the oper-
17 ation of a commercial motor vehicle combination (ex-
18 cept a vehicle or load that cannot be dismantled eas-
19 ily or divided easily and that has been issued a spe-
20 cial permit under applicable State law) with more
21 than one property-carrying unit (not including the
22 truck tractor) whose property-carrying units are
23 more than—

24 “(A) the maximum combination trailer,
25 semitrailer, or other type of length limitation al-

1 lowed by law or regulation of that State on
2 June 1, 2003; or

3 “(B) the length of the property-carrying
4 units of those commercial motor vehicle com-
5 binations, by specific configuration, in actual
6 and lawful operation on a regular or periodic
7 basis (including continuing seasonal operation)
8 in that State on or before June 1, 2003.

9 “(2) ADDITIONAL LIMITATIONS.—

10 “(A) APPLICABILITY OF STATE RESTRIC-
11 TIONS.—A commercial motor vehicle combina-
12 tion whose operation in a State is not prohib-
13 ited under paragraph (1) may continue to oper-
14 ate in the State on highways described in para-
15 graph (1) only in compliance with all State
16 laws, regulations, limitations, and conditions,
17 including routing-specific and configuration-spe-
18 cific designations and all other restrictions in
19 force in the State on June 1, 2003. However,
20 subject to regulations prescribed by the Sec-
21 retary under subsection (h), the State may
22 make minor adjustments of a temporary and
23 emergency nature to route designations and ve-
24 hicle operating restrictions in effect on June 1,

1 2003, for specific safety purposes and road con-
2 struction.

3 “(B) ADDITIONAL STATE RESTRICTIONS.—

4 This subsection does not prevent a State from
5 further restricting in any manner or prohibiting
6 the operation of a commercial motor vehicle
7 combination subject to this section, except that
8 such restrictions or prohibitions shall be con-
9 sistent with this section and sections 31113(a),
10 31113(b), and 31114.

11 “(C) MINOR ADJUSTMENTS.—A State
12 making a minor adjustment of a temporary and
13 emergency nature as authorized by subpara-
14 graph (A) or further restricting or prohibiting
15 the operation of a commercial motor vehicle
16 combination as authorized by subparagraph (B)
17 shall advise the Secretary not later than 30
18 days after the action. The Secretary shall pub-
19 lish a notice of the action in the Federal Reg-
20 ister.

21 “(3) LIST OF STATE LENGTH LIMITATIONS.—

22 “(A) STATE SUBMISSIONS.—Not later than
23 60 days after the date of enactment of this sub-
24 section, each State shall submit to the Sec-
25 retary for publication a complete list of State

1 length limitations applicable to commercial
2 motor vehicle combinations operating in the
3 State on the highways described in paragraph
4 (1). The list shall indicate the applicable State
5 laws and regulations associated with the length
6 limitations. If a State does not submit the in-
7 formation as required, the Secretary shall com-
8 plete and file the information for the State.

9 “(B) PUBLICATION OF INTERIM LIST.—

10 Not later than 90 days after the date of enact-
11 ment of this subsection, the Secretary shall
12 publish an interim list in the Federal Register
13 consisting of all information submitted under
14 subparagraph (A). The Secretary shall review
15 for accuracy all information submitted by a
16 State under subparagraph (A) and shall solicit
17 and consider public comment on the accuracy of
18 the information.

19 “(C) LIMITATION.—A law or regulation
20 may not be included on the list submitted by a
21 State or published by the Secretary merely be-
22 cause it authorized, or could have authorized,
23 by permit or otherwise, the operation of com-
24 mercial motor vehicle combinations not in ac-

1 tual operation on a regular or periodic basis on
2 or before June 1, 2003.

3 “(D) PUBLICATION OF FINAL LIST.—Ex-
4 cept as revised under this subparagraph or sub-
5 paragraph (E), the list shall be published as
6 final in the Federal Register not later than 270
7 days after the date of enactment of this sub-
8 section. In publishing the final list, the Sec-
9 retary shall make any revisions necessary to
10 correct inaccuracies identified under subpara-
11 graph (B). After publication of the final list,
12 commercial motor vehicle combinations prohib-
13 ited under paragraph (1) may not operate on a
14 highway described in paragraph (1) except as
15 published on the list.

16 “(E) INACCURACIES.—On the Secretary’s
17 own motion or on request by any person (in-
18 cluding a State), the Secretary shall review the
19 list published under subparagraph (D). If the
20 Secretary decides there is reason to believe a
21 mistake was made in the accuracy of the list,
22 the Secretary shall begin a proceeding to decide
23 whether a mistake was made. If the Secretary
24 decides there was a mistake, the Secretary shall
25 publish the correction.”.

1 (b) CONFORMING AMENDMENTS.—Section 31112(g)
2 of title 49, United States Code, is amended—

3 (1) in subsection (g)(1) (as redesignated by
4 subsection (a) of this section) by inserting “126(e)
5 or” before “127(d)”;

6 (2) in subsection (g)(3) (as redesignated by
7 subsection (a) of this section) by inserting “(or June
8 1, 2003, with respect to highways described in sub-
9 section (f)(1))” after “June 2, 1991”; and

10 (3) in paragraph (h)(2) (as redesignated by
11 subsection (a) of this section)—

12 (A) by striking “Not later than June 15,
13 1992, the Secretary” and inserting “The Sec-
14 retary”; and

15 (B) by inserting “or (f)” after “subsection
16 (d)”.

17 **SEC. 4. TERMINATION OF DETERMINATIONS OF GRAND-**
18 **FATHER RIGHTS.**

19 (a) IN GENERAL.—Section 127 of title 23, United
20 States Code, is amended by adding at the end the fol-
21 lowing:

22 “(h) GRANDFATHER RIGHTS.—

23 “(1) GENERAL RULE.—After the 270th day fol-
24 lowing the date of enactment of this subsection, a
25 State may not allow, on a segment of the Interstate

1 System, the operation of a vehicle or combination
2 (other than a longer combination vehicle) exceeding
3 an Interstate weight limit unless the operation is
4 specified on the list published under paragraph (2).

5 “(2) LIST OF VEHICLES AND COMBINATIONS.—

6 “(A) PROCEEDING.—Not later than 60
7 days after the date of enactment of this sub-
8 section, the Secretary shall initiate a proceeding
9 to determine and publish a list of vehicles and
10 combinations (other than longer combination
11 vehicles), otherwise exceeding an Interstate
12 weight limit, that the Department of Transpor-
13 tation, any other Federal agency, or a State has
14 determined on or before June 1, 2003, could be
15 lawfully operated within such State—

16 “(i) on July 1, 1956;

17 “(ii) in the case of the overall gross
18 weight of any group of 2 or more consecu-
19 tive axles, on the date of enactment of the
20 Federal-Aid Highway Amendments of
21 1974; or

22 “(iii) under a special rule applicable
23 to a State under subsection (a).

24 “(B) LIMITATIONS.—

1 “(i) ACTUAL AND LAWFUL OPER-
2 ATIONS REQUIRED.—An operation of a ve-
3 hicle or combination may be included on
4 the list published under subparagraph (A)
5 only if the vehicle or combination was in
6 actual and lawful operation in the State on
7 a regular or periodic basis on or before
8 June 1, 2003.

9 “(ii) STATE AUTHORITY NOT SUFFI-
10 CIENT.—An operation of a vehicle or com-
11 bination may not be included on the list
12 published under subparagraph (A) on the
13 basis that a State law or regulation could
14 have authorized the operation of the vehi-
15 cle or combination at some prior date by
16 permit or otherwise.

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

22 “(3) LIMITATION ON STATUTORY CONSTRUC-
23 TION.—This subsection does not prevent a State
24 from reducing the gross vehicle weight limitation,
25 the single and tandem axle weight limitations, or the

1 overall maximum gross weight on a group of 2 or
2 more consecutive axles applicable to portions of the
3 Interstate System in the State for operations on the
4 list published under paragraph (2)(C) but in no
5 event may any such reduction result in a limitation
6 that is less than an Interstate weight limit.

7 “(4) APPLICABILITY OF EXISTING REQUIRE-
8 MENTS.—All vehicles and combinations included on
9 the list published under paragraph (2) shall be sub-
10 ject to all routing-specific, commodity-specific, and
11 weight-specific designations in force in a State on
12 June 1, 2003.

13 “(5) INTERSTATE WEIGHT LIMIT DEFINED.—In
14 this subsection, the term ‘Interstate weight limit’
15 means the 80,000 pound gross vehicle weight limita-
16 tion, the 20,000 pound single axle weight limitation
17 (including enforcement tolerances), the 34,000
18 pound tandem axle weight limitation (including en-
19 forcement tolerances), and the overall maximum
20 gross weight (including enforcement tolerances) on a
21 group of 2 or more consecutive axles produced by
22 application of the formula in subsection (a).”.

23 (b) CONFORMING AMENDMENT.—The fourth sen-
24 tence of section 127(a) of title 23, United States Code,
25 is amended by striking “the State determines”.

1 **SEC. 5. NONDIVISIBLE LOAD PROCEEDING.**

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

4 “(i) NONDIVISIBLE LOADS.—

5 “(1) PROCEEDING.—Not later than 60 days
6 after the date of enactment of this subsection, the
7 Secretary shall initiate a proceeding to define the
8 term ‘vehicles and loads which cannot be easily dis-
9 mantled or divided’ as used in subsection (a) and
10 section 31112 of title 49.

11 “(2) LIST OF COMMODITIES.—

12 “(A) IN GENERAL.—The definition devel-
13 oped under paragraph (1) shall include a list of
14 commodities (or classes or types of commod-
15 ities) that do not qualify as nondivisible loads.

16 “(B) LIMITATION.—The list of commod-
17 ities developed under paragraph (1) shall not be
18 interpreted to be a comprehensive list of com-
19 modities that do not qualify as nondivisible
20 loads.

21 “(3) REGULATIONS.—Not later than 270 days
22 after the date of enactment of this subsection, the
23 Secretary shall issue final regulations setting forth
24 the determination of the Secretary made under para-
25 graph (1). The Secretary shall update the regula-
26 tions as necessary.

1 “(4) APPLICABILITY.—Regulations issued
2 under paragraph (2) shall apply to all vehicles and
3 loads operating on the National Highway System.

4 “(5) STATE REQUIREMENTS.—A State may es-
5 tablish any requirement that is not inconsistent with
6 regulations issued under paragraph (2).

7 “(6) STATEMENT OF POLICY.—The purpose of
8 this subsection is to promote conformity with Inter-
9 state weight limits to preserve publicly funded infra-
10 structure and protect motorists by limiting max-
11 imum vehicle weight on key portions of the Federal-
12 aid highway system.”.

13 **SEC. 6. WAIVERS OF WEIGHT LIMITATIONS DURING PERI-**
14 **ODS OF NATIONAL EMERGENCY.**

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

17 “(j) WAIVERS DURING PERIODS OF NATIONAL
18 EMERGENCY.—

19 “(1) IN GENERAL.—Notwithstanding any other
20 provision of this section or section 126, the Sec-
21 retary, in consultation with the Secretary of De-
22 fense, may waive or limit the application of any vehi-
23 cle weight limit established under this section or sec-
24 tion 126 with respect to a highway route during a

1 period of national emergency in order to respond to
2 the effects of the national emergency.

3 “(2) APPLICABILITY.—Emergency limits estab-
4 lished under paragraph (1) shall preempt any incon-
5 sistent State vehicle weight limits.”.

6 **SEC. 7. VEHICLE WEIGHT LIMITATIONS—NATIONAL HIGH-**
7 **WAY SYSTEM.**

8 (a) IN GENERAL.—Title 23, United States Code, is
9 amended by inserting after section 125 the following:

10 **“§ 126. Vehicle weight limitations—National Highway**
11 **System**

12 “(a) NON-INTERSTATE HIGHWAYS ON NHS.—

13 “(1) IN GENERAL.—After the 270th day fol-
14 lowing the date of enactment of this section, any
15 Interstate weight limit that applies to vehicles and
16 combinations (other than longer combination vehi-
17 cles) operating on the Interstate System in a State
18 under section 127 shall also apply to vehicles and
19 combinations (other than longer combination vehi-
20 cles) operating on non-Interstate segments of the
21 National Highway System in such State, unless such
22 segments are subject to lower State weight limits as
23 provided for in subsection (d).

24 “(2) EXISTING HIGHWAYS.—

1 “(A) IN GENERAL.—Notwithstanding para-
2 graph (1), in the case of a non-Interstate seg-
3 ment of the National Highway System that is
4 open to traffic on June 1, 2003, a State may
5 allow the operation of any vehicle or combina-
6 tion (other than a longer combination vehicle)
7 on such segment that the Secretary determines
8 under subsection (b) could be lawfully operated
9 on such segment on June 1, 2003.

10 “(B) APPLICABILITY OF STATE LAWS AND
11 REGULATIONS.—All operations described in
12 subparagraph (A) shall continue to be subject
13 to all State statutes, regulations, limitations
14 and conditions, including routing-specific, com-
15 modity-specific, and configuration-specific des-
16 ignations and all other restrictions, in force on
17 June 1, 2003.

18 “(3) NEW HIGHWAYS.—Subject to subsection
19 (d)(1), the gross vehicle weight limitations and axle
20 loading limitations applicable to all vehicles and
21 combinations (other than longer combination vehi-
22 cles) on a non-Interstate segment of the National
23 Highway System that is not open to traffic on June
24 1, 2003, shall be the Interstate weight limit.

25 “(b) LISTING OF VEHICLES AND COMBINATIONS.—

1 “(1) IN GENERAL.—The Secretary shall initiate
2 a proceeding to determine and publish a list of vehi-
3 cles and combinations (other than longer combina-
4 tion vehicles), otherwise exceeding an Interstate
5 weight limit, that could be lawfully operated on a
6 non-Interstate segment of the National Highway
7 System on June 1, 2003.

8 “(2) REQUIREMENTS.—In publishing a list of
9 vehicles and combinations under paragraph (1), the
10 Secretary shall identify—

11 “(A) the gross vehicle weight limitations
12 and axle loading limitations in each State appli-
13 cable, on June 1, 2003, to vehicles and com-
14 binations (other than longer combination vehi-
15 cles) on non-Interstate segments of the Na-
16 tional Highway System; and

17 “(B) operations of vehicles and combina-
18 tions (other than longer combination vehicles),
19 exceeding State gross vehicle weight limitations
20 and axle loading limitations identified under
21 subparagraph (A), which were in actual and
22 lawful operation on a regular or periodic basis
23 (including seasonal operations) on June 1,
24 2003.

1 “(3) LIMITATION.—An operation of a vehicle or
2 combination may not be included on the list pub-
3 lished under paragraph (1) on the basis that a State
4 law or regulation could have authorized such oper-
5 ation at some prior date by permit or otherwise.

6 “(4) PUBLICATION OF FINAL LIST.—Not later
7 than 270 days after the date of enactment of this
8 section, the Secretary shall publish a final list of ve-
9 hicles and combinations described in paragraph (1).

10 “(5) UPDATES.—The Secretary shall update
11 the list published under paragraph (1) as necessary
12 to reflect new designations made to the National
13 Highway System.

14 “(c) APPLICABILITY OF LIMITATIONS.—The limita-
15 tions established by subsection (a) shall apply to any new
16 designation made to the National Highway System and
17 remain in effect on those non-Interstate highways that
18 cease to be designated as part of the National Highway
19 System.

20 “(d) LIMITATIONS ON STATUTORY CONSTRUC-
21 TION.—

22 “(1) STATE ENFORCEMENT OF MORE RESTRIC-
23 TIVE WEIGHT LIMITS.—This section does not pre-
24 vent a State from maintaining or imposing a weight
25 limitation that is more restrictive than the Interstate

1 weight limit on vehicles or combinations (other than
2 longer combination vehicles) operating on a non-
3 Interstate segment of the National Highway System.

4 “(2) STATE ACTIONS TO REDUCE WEIGHT LIM-
5 ITS.—This section does not prevent a State from re-
6 ducing the State’s gross vehicle weight limitation,
7 single or tandem axle weight limitations, or the over-
8 all maximum gross weight on 2 or more consecutive
9 axles on any non-Interstate segment of the National
10 Highway System.

11 “(e) LONGER COMBINATION VEHICLES.—

12 “(1) PROHIBITION.—

13 “(A) IN GENERAL.—After the 270th day
14 following the date of enactment of this section,
15 a longer combination vehicle may continue to
16 operate on a non-Interstate segment of the Na-
17 tional Highway System only if the operation of
18 the longer combination vehicle configuration
19 type was authorized by State officials pursuant
20 to State statute or regulation on June 1, 2003,
21 and in actual and lawful operation on a regular
22 or periodic basis (including seasonal operations)
23 on or before June 1, 2003.

24 “(B) APPLICABILITY OF STATE LAWS AND
25 REGULATIONS.—All operations described in

1 subparagraph (A) shall continue to be subject
2 to all State statutes, regulations, limitations
3 and conditions, including routing-specific, com-
4 modity-specific, and configuration-specific des-
5 ignations and all other restrictions, in force on
6 June 1, 2003.

7 “(2) LISTING OF VEHICLES AND COMBINA-
8 TIONS.—

9 “(A) IN GENERAL.—Not later than 60
10 days after the date of enactment of this section,
11 the Secretary shall initiate a proceeding to de-
12 termine and publish a list of longer combination
13 vehicles that could be lawfully operated on non-
14 Interstate segments of the National Highway
15 System on June 1, 2003.

16 “(B) LIMITATION.—A longer combination
17 vehicle may not be included on the list pub-
18 lished under subparagraph (A) on the basis
19 that a State law or regulation could have au-
20 thorized the operation of such vehicle at some
21 prior date by permit or otherwise.

22 “(C) PUBLICATION OF FINAL LIST.—Not
23 later than 270 days after the date of enactment
24 of this section, the Secretary shall publish a

1 final list of longer combination vehicles de-
2 scribed in subparagraph (A).

3 “(D) UPDATES.—The Secretary shall up-
4 date the list published under subparagraph (A)
5 as necessary to reflect new designations made
6 to the National Highway System.

7 “(3) LIMITATION ON STATUTORY CONSTRUC-
8 TION.—This subsection does not prevent a State
9 from further restricting in any manner or prohib-
10 iting the operation of a longer combination vehicle;
11 except that such restrictions or prohibitions shall be
12 consistent with the requirements of section 127 of
13 this title and sections 31112 through 31114 of title
14 49, United States Code.

15 “(f) MODEL SCHEDULE OF FINES.—

16 “(1) IN GENERAL.—The Secretary, in consulta-
17 tion with the States, shall establish a model schedule
18 of fines to be assessed for violations of this section.

19 “(2) PURPOSE.—The purpose of the schedule of
20 fines shall be to ensure that fines are sufficient to
21 deter violations of the requirements of this section
22 and to permit States to recover costs associated with
23 damages caused to the National Highway System by
24 the operation of such vehicles.

1 “(3) ADOPTION BY STATES.—The Secretary
2 shall encourage but not require States to adopt the
3 schedule of fines.

4 “(g) DEFINITIONS.—In this section, the following
5 definitions apply:

6 “(1) INTERSTATE WEIGHT LIMIT.—The term
7 ‘Interstate weight limit’ has the meaning given such
8 term in section 127(h).

9 “(2) LONGER COMBINATION VEHICLE.—The
10 term ‘longer combination vehicle’ has the meaning
11 given such term in section 127(d).”.

12 (b) ENFORCEMENT OF REQUIREMENTS.—Section
13 141(a) of title 23, United States Code, is amended—

14 (1) by striking “the Federal-aid primary sys-
15 tem, the Federal-aid urban system, and the Federal-
16 aid secondary system, including the Interstate Sys-
17 tem” and inserting “the National Highway System,
18 including the Interstate System,”; and

19 (2) by striking “section 127” and inserting
20 “sections 126 and 127”.

21 (c) CONFORMING AMENDMENT.—The analysis for
22 title 23, United States Code, is amended by inserting after
23 the item relating to section 125 the following:

“126. Vehicle weight limitations—National Highway System.”.

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