

110TH CONGRESS  
1ST SESSION

# H. R. 3929

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.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 23, 2007

Mr. MCGOVERN (for himself, Mr. DELAHUNT, Mr. FILNER, Mr. GRIJALVA, Mr. GENE GREEN of Texas, Mr. GONZALEZ, Mr. HASTINGS of Florida, Mr. HINCHEY, Ms. ZOE LOFGREN of California, Mr. KUCINICH, Mr. SHAYS, Mr. WOLF, Ms. WOOLSEY, Mr. SCHIFF, Mr. VAN HOLLEN, Mr. SERRANO, Mr. FRANK of Massachusetts, Mr. ROTHMAN, and Mr. CAPUANO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## 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’ ”

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

3 (a) RESTRICTED PROPERTY-CARRYING UNIT DE-  
 4 FINED.—Section 31111(a) of title 49, United States Code,  
 5 is amended by adding at the end the following:

6 “(5) RESTRICTED PROPERTY-CARRYING  
 7 UNIT.—The term ‘restricted property-carrying unit’  
 8 means any trailer, semi-trailer, container, or other  
 9 property-carrying unit that is longer than 53 feet.”.

10 (b) PROHIBITION ON OPERATION OF RESTRICTED  
 11 PROPERTY-CARRYING UNITS.—

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

15 “(C) allows operation on any segment of the  
 16 National Highway System, including the Interstate  
 17 System, of a restricted property-carrying unit unless  
 18 the operation is specified on the list published under  
 19 subsection (h);”.

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

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

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

1 “(1) APPLICABILITY OF PROHIBITION.—

2 “(A) IN GENERAL.—Notwithstanding sub-  
3 section (b)(1)(C), a restricted property-carrying  
4 unit may continue to operate on a segment of  
5 the National Highway System if the operation  
6 of such unit is specified on the list published  
7 under paragraph (2).

8 “(B) APPLICABILITY OF STATE LAWS AND  
9 REGULATIONS.—All operations specified on the  
10 list published under paragraph (2) shall con-  
11 tinue to be subject to all State statutes, regula-  
12 tions, limitations, and conditions, including  
13 routing-specific, commodity-specific, and con-  
14 figuration-specific designations and all other re-  
15 strictions, in force on June 1, 2007.

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

20 “(2) LISTING OF RESTRICTED PROPERTY-CAR-  
21 RYING UNITS.—

22 “(A) IN GENERAL.—Not later than 60  
23 days after the date of enactment of this sub-  
24 section, the Secretary shall initiate a proceeding  
25 to determine and publish a list of restricted

1 property-carrying units that were authorized by  
2 State officials pursuant to State statute or reg-  
3 ulation on June 1, 2007, and in actual and law-  
4 ful operation on a regular or periodic basis (in-  
5 cluding seasonal operations) on or before June  
6 1, 2007.

7 “(B) LIMITATION.—A restricted property-  
8 carrying unit may not be included on the list  
9 published under subparagraph (A) on the basis  
10 that a State law or regulation could have au-  
11 thorized the operation of the unit at some prior  
12 date by permit or otherwise.

13 “(C) PUBLICATION OF FINAL LIST.—Not  
14 later than 270 days after the date of enactment  
15 of this subsection, the Secretary shall publish a  
16 final list of restricted property-carrying units  
17 described in subparagraph (A).

18 “(D) UPDATES.—The Secretary shall up-  
19 date the list published under subparagraph (C)  
20 as necessary to reflect new designations made  
21 to the National Highway System.

22 “(3) APPLICABILITY OF PROHIBITION.—The  
23 prohibition established by subsection (b)(1)(C) shall  
24 apply to any new designation made to the National  
25 Highway System and remain in effect on those por-

1 tions of the National Highway System that cease to  
2 be designated as part of the National Highway Sys-  
3 tem.

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

11 (d) ENFORCEMENT.—The second sentence of section  
12 141(a) of title 23, United States Code, is amended by  
13 striking “section 31112” and inserting “sections 31111  
14 and 31112”.

15 **SEC. 3. OPERATION OF LONGER COMBINATION VEHICLES**  
16 **ON NATIONAL HIGHWAY SYSTEM.**

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

19 (1) by redesignating subsections (f) and (g) as  
20 subsections (g) and (h), respectively; and

21 (2) by inserting after subsection (e) the fol-  
22 lowing:

23 “(f) NATIONAL HIGHWAY SYSTEM.—

24 “(1) GENERAL RULE.—A State may not allow,  
25 on a segment of the National Highway System that

1 is not covered under subsection (b) or (c), the oper-  
2 ation of a commercial motor vehicle combination (ex-  
3 cept a vehicle or load that cannot be dismantled eas-  
4 ily or divided easily and that has been issued a spe-  
5 cial permit under applicable State law) with more  
6 than one property-carrying unit (not including the  
7 truck tractor) whose property-carrying units are  
8 more than—

9 “(A) the maximum combination trailer,  
10 semitrailer, or other type of length limitation al-  
11 lowed by law or regulation of that State on  
12 June 1, 2007; or

13 “(B) the length of the property-carrying  
14 units of those commercial motor vehicle com-  
15 binations, by specific configuration, in actual  
16 and lawful operation on a regular or periodic  
17 basis (including continuing seasonal operation)  
18 in that State on or before June 1, 2007.

19 “(2) ADDITIONAL LIMITATIONS.—

20 “(A) APPLICABILITY OF STATE RESTRIC-  
21 TIONS.—A commercial motor vehicle combina-  
22 tion whose operation in a State is not prohib-  
23 ited under paragraph (1) may continue to oper-  
24 ate in the State on highways described in para-  
25 graph (1) only in compliance with all State

1 laws, regulations, limitations, and conditions,  
2 including routing-specific and configuration-spe-  
3 cific designations and all other restrictions in  
4 force in the State on June 1, 2007. However,  
5 subject to regulations prescribed by the Sec-  
6 retary under subsection (h), the State may  
7 make minor adjustments of a temporary and  
8 emergency nature to route designations and ve-  
9 hicle operating restrictions in effect on June 1,  
10 2007, for specific safety purposes and road con-  
11 struction.

12 “(B) ADDITIONAL STATE RESTRICTIONS.—  
13 This subsection does not prevent a State from  
14 further restricting in any manner or prohibiting  
15 the operation of a commercial motor vehicle  
16 combination subject to this section, except that  
17 such restrictions or prohibitions shall be con-  
18 sistent with this section and sections 31113(a),  
19 31113(b), and 31114.

20 “(C) MINOR ADJUSTMENTS.—A State  
21 making a minor adjustment of a temporary and  
22 emergency nature as authorized by subpara-  
23 graph (A) or further restricting or prohibiting  
24 the operation of a commercial motor vehicle  
25 combination as authorized by subparagraph (B)

1 shall advise the Secretary not later than 30  
2 days after the action. The Secretary shall pub-  
3 lish a notice of the action in the Federal Reg-  
4 ister.

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

6 “(A) STATE SUBMISSIONS.—Not later than  
7 60 days after the date of enactment of this  
8 paragraph, each State shall submit to the Sec-  
9 retary for publication a complete list of State  
10 length limitations applicable to commercial  
11 motor vehicle combinations operating in the  
12 State on the highways described in paragraph  
13 (1). The list shall indicate the applicable State  
14 laws and regulations associated with the length  
15 limitations. If a State does not submit the in-  
16 formation as required, the Secretary shall com-  
17 plete and file the information for the State.

18 “(B) PUBLICATION OF INTERIM LIST.—

19 Not later than 90 days after the date of enact-  
20 ment of this subsection, the Secretary shall  
21 publish an interim list in the Federal Register  
22 consisting of all information submitted under  
23 subparagraph (A). The Secretary shall review  
24 for accuracy all information submitted by a  
25 State under subparagraph (A) and shall solicit



1 and consider public comment on the accuracy of  
2 the information.

3 “(C) LIMITATION.—A law or regulation  
4 may not be included on the list submitted by a  
5 State or published by the Secretary merely be-  
6 cause it authorized, or could have authorized,  
7 by permit or otherwise, the operation of com-  
8 mercial motor vehicle combinations not in ac-  
9 tual operation on a regular or periodic basis on  
10 or before June 1, 2007.

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

24 “(E) INACCURACIES.—On the Secretary’s  
25 own motion or on request by any person (in-

1 including a State), the Secretary shall review the  
2 list published under subparagraph (D). If the  
3 Secretary decides there is reason to believe a  
4 mistake was made in the accuracy of the list,  
5 the Secretary shall begin a proceeding to decide  
6 whether a mistake was made. If the Secretary  
7 decides there was a mistake, the Secretary shall  
8 publish the correction.”.

9 (b) CONFORMING AMENDMENTS.—Section 31112 of  
10 title 49, United States Code, is amended—

11 (1) in subsection (g)(1) (as redesignated by  
12 subsection (a) of this section) by inserting “or  
13 127a(e)” after “127(d)”;

14 (2) in subsection (g)(3) (as redesignated by  
15 subsection (a) of this section) by inserting “(or June  
16 1, 2007, with respect to highways described in sub-  
17 section (f)(1))” after “June 2, 1991”; and

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

20 (A) by striking “Not later than June 15,  
21 1992, the Secretary” and inserting “The Sec-  
22 retary”; and

23 (B) by inserting “or (f)” after “subsection  
24 (d)”.

1 **SEC. 4. TERMINATION OF DETERMINATIONS OF GRAND-**  
2 **FATHER RIGHTS.**

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

6 “(i) GRANDFATHER RIGHTS.—

7 “(1) GENERAL RULE.—After the 270th day fol-  
8 lowing the date of enactment of this subsection, a  
9 State may not allow, on a segment of the Interstate  
10 System, the operation of a vehicle or combination  
11 (other than a longer combination vehicle) exceeding  
12 an Interstate weight limit unless the operation is  
13 specified on the list published under paragraph (2).

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

15 “(A) PROCEEDING.—Not later than 60  
16 days after the date of enactment of this sub-  
17 section, the Secretary shall initiate a proceeding  
18 to determine and publish a list of vehicles and  
19 combinations (other than longer combination  
20 vehicles), otherwise exceeding an Interstate  
21 weight limit, that the Department of Transpor-  
22 tation, any other Federal agency, or a State has  
23 determined on or before June 1, 2007, could be  
24 lawfully operated within such State—

25 “(i) on July 1, 1956;

1           “(ii) in the case of the overall gross  
2 weight of any group of 2 or more consecu-  
3 tive axles, on the date of enactment of the  
4 Federal-Aid Highway Amendments of  
5 1974; or

6           “(iii) under a special rule applicable  
7 to a State under subsection (a).

8           “(B) LIMITATIONS.—

9           “(i) ACTUAL AND LAWFUL OPER-  
10 ATIONS REQUIRED.—An operation of a ve-  
11 hicle or combination may be included on  
12 the list published under subparagraph (A)  
13 only if the vehicle or combination was in  
14 actual and lawful operation in the State on  
15 a regular or periodic basis on or before  
16 June 1, 2007.

17           “(ii) STATE AUTHORITY NOT SUFFI-  
18 CIENT.—An operation of a vehicle or com-  
19 bination may not be included on the list  
20 published under subparagraph (A) on the  
21 basis that a State law or regulation could  
22 have authorized the operation of the vehi-  
23 cle or combination at some prior date by  
24 permit or otherwise.

1           “(C) PUBLICATION OF FINAL LIST.—Not  
2 later than 270 days after the date of enactment  
3 of this subsection, the Secretary shall publish a  
4 final list of vehicles and combinations described  
5 in subparagraph (A).

6           “(3) LIMITATION ON STATUTORY CONSTRUC-  
7 TION.—This subsection does not prevent a State  
8 from reducing the gross vehicle weight limitation,  
9 the single and tandem axle weight limitations, or the  
10 overall maximum gross weight on a group of 2 or  
11 more consecutive axles applicable to portions of the  
12 Interstate System in the State for operations on the  
13 list published under paragraph (2)(C) but in no  
14 event may any such reduction result in a limitation  
15 that is less than an Interstate weight limit.

16           “(4) APPLICABILITY OF EXISTING REQUIRE-  
17 MENTS.—All vehicles and combinations included on  
18 the list published under paragraph (2) shall be sub-  
19 ject to all routing-specific, commodity-specific, and  
20 weight-specific designations in force in a State on  
21 June 1, 2007.

22           “(5) INTERSTATE WEIGHT LIMIT DEFINED.—In  
23 this subsection, the term ‘Interstate weight limit’  
24 means the 80,000 pound gross vehicle weight limita-  
25 tion, the 20,000 pound single axle weight limitation

1 (including enforcement tolerances), the 34,000  
2 pound tandem axle weight limitation (including en-  
3 forcement tolerances), and the overall maximum  
4 gross weight (including enforcement tolerances) on a  
5 group of 2 or more consecutive axles produced by  
6 application of the formula in subsection (a).”.

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

10 **SEC. 5. NONDIVISIBLE LOAD PROCEEDING.**

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

13 “(j) NONDIVISIBLE LOADS.—

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

20 “(2) LIST OF COMMODITIES.—

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

1           “(B) LIMITATION.—The list of commod-  
2           ities developed under paragraph (1) shall not be  
3           interpreted to be a comprehensive list of com-  
4           modities that do not qualify as nondivisible  
5           loads.

6           “(3) REGULATIONS.—Not later than 270 days  
7           after the date of enactment of this subsection, the  
8           Secretary shall issue final regulations setting forth  
9           the determination of the Secretary made under para-  
10          graph (1). The Secretary shall update the regula-  
11          tions as necessary.

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

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

18          “(6) STATEMENT OF POLICY.—The purpose of  
19          this subsection is to promote conformity with Inter-  
20          state weight limits to preserve publicly funded infra-  
21          structure and protect motorists by limiting max-  
22          imum vehicle weight on key portions of the Federal-  
23          aid highway system.”.

1 **SEC. 6. WAIVERS OF WEIGHT LIMITATIONS DURING PERI-**  
 2 **ODS OF NATIONAL EMERGENCY.**

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

5 “(k) **WAIVERS DURING PERIODS OF NATIONAL**  
 6 **EMERGENCY.**—

7 “(1) **IN GENERAL.**—Notwithstanding any other  
 8 provision of this section or section 127a, the Sec-  
 9 retary, in consultation with the Secretary of De-  
 10 fense, may waive or limit the application of any vehi-  
 11 cle weight limit established under this section or sec-  
 12 tion 127a with respect to a highway route during a  
 13 period of national emergency in order to respond to  
 14 the effects of the national emergency.

15 “(2) **APPLICABILITY.**—Emergency limits estab-  
 16 lished under paragraph (1) shall preempt any incon-  
 17 sistent State vehicle weight limits.”.

18 **SEC. 7. VEHICLE WEIGHT LIMITATIONS-NATIONAL HIGH-**  
 19 **WAY SYSTEM.**

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

22 **“§ 127a. Vehicle weight limitations-National Highway**  
 23 **System**

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

25 “(1) **IN GENERAL.**—After the 270th day fol-  
 26 lowing the date of enactment of this section, any



1 Interstate weight limit that applies to vehicles and  
2 combinations (other than longer combination vehi-  
3 cles) operating on the Interstate System in a State  
4 under section 127 shall also apply to vehicles and  
5 combinations (other than longer combination vehi-  
6 cles) operating on non-Interstate segments of the  
7 National Highway System in such State unless such  
8 segments are subject to lower State weight limits as  
9 provided for in subsection (d).

10 “(2) EXISTING HIGHWAYS.—

11 “(A) IN GENERAL.—Notwithstanding para-  
12 graph (1), in the case of a non-Interstate seg-  
13 ment of the National Highway System that is  
14 open to traffic on June 1, 2007, a State may  
15 allow the operation of any vehicle or combina-  
16 tion (other than a longer combination vehicle)  
17 on such segment that the Secretary determines  
18 under subsection (b) could be lawfully operated  
19 on such segment on June 1, 2007.

20 “(B) APPLICABILITY OF STATE LAWS AND  
21 REGULATIONS.—All operations described in  
22 subparagraph (A) shall continue to be subject  
23 to all State statutes, regulations, limitations  
24 and conditions, including routing-specific, com-  
25 modity-specific, and configuration-specific des-

1           ignations and all other restrictions, in force on  
2           June 1, 2007.

3           “(3) NEW HIGHWAYS.—Subject to subsection  
4           (d)(1), the gross vehicle weight limitations and axle  
5           loading limitations applicable to all vehicles and  
6           combinations (other than longer combination vehi-  
7           cles) on a non-Interstate segment of the National  
8           Highway System that is not open to traffic on June  
9           1, 2007, shall be the Interstate weight limit.

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

11           “(1) IN GENERAL.—The Secretary shall initiate  
12           a proceeding to determine and publish a list of vehi-  
13           cles and combinations (other than longer combina-  
14           tion vehicles), otherwise exceeding an Interstate  
15           weight limit, that could be lawfully operated on a  
16           non-Interstate segment of the National Highway  
17           System on June 1, 2007.

18           “(2) REQUIREMENTS.—In publishing a list of  
19           vehicles and combinations under paragraph (1), the  
20           Secretary shall identify—

21           “(A) the gross vehicle weight limitations  
22           and axle loading limitations in each State appli-  
23           cable, on June 1, 2007, to vehicles and com-  
24           binations (other than longer combination vehi-

1           cles) on non-Interstate segments of the Na-  
2           tional Highway System; and

3           “(B) operations of vehicles and combina-  
4           tions (other than longer combination vehicles),  
5           exceeding State gross vehicle weight limitations  
6           and axle loading limitations identified under  
7           subparagraph (A), which were in actual and  
8           lawful operation on a regular or periodic basis  
9           (including seasonal operations) on June 1,  
10          2007.

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

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

20          “(5) UPDATES.—The Secretary shall update  
21          the list published under paragraph (1) as necessary  
22          to reflect new designations made to the National  
23          Highway System.

24          “(c) APPLICABILITY OF LIMITATIONS.—The limita-  
25          tions established by subsection (a) shall apply to any new

1 designation made to the National Highway System and  
2 remain in effect on those non-Interstate highways that  
3 cease to be designated as part of the National Highway  
4 System.

5 “(d) LIMITATIONS ON STATUTORY CONSTRUCTION.—  
6 TION.—

7 “(1) STATE ENFORCEMENT OF MORE RESTRICTIVE WEIGHT LIMITS.—This section does not prevent a State from maintaining or imposing a weight limitation that is more restrictive than the Interstate weight limit on vehicles or combinations (other than longer combination vehicles) operating on a non-Interstate segment of the National Highway System.

14 “(2) STATE ACTIONS TO REDUCE WEIGHT LIMITS.—This section does not prevent a State from reducing the State’s gross vehicle weight limitation, single or tandem axle weight limitations, or the overall maximum gross weight on 2 or more consecutive axles on any non-Interstate segment of the National Highway System.

21 “(e) LONGER COMBINATION VEHICLES.—

22 “(1) PROHIBITION.—

23 “(A) IN GENERAL.—After the 270th day  
24 following the date of enactment of this section,  
25 a longer combination vehicle may continue to

1 operate on a non-Interstate segment of the Na-  
2 tional Highway System only if the operation of  
3 the longer combination vehicle configuration  
4 type was authorized by State officials pursuant  
5 to State statute or regulation on June 1, 2007,  
6 and in actual and lawful operation on a regular  
7 or periodic basis (including seasonal operations)  
8 on or before June 1, 2007.

9 “(B) APPLICABILITY OF STATE LAWS AND  
10 REGULATIONS.—All operations described in  
11 subparagraph (A) shall continue to be subject  
12 to all State statutes, regulations, limitations  
13 and conditions, including routing-specific, com-  
14 modity-specific, and configuration-specific des-  
15 ignations and all other restrictions, in force on  
16 June 1, 2007.

17 “(2) LISTING OF VEHICLES AND COMBINA-  
18 TIONS.—

19 “(A) IN GENERAL.—Not later than 60  
20 days after the date of enactment of this section,  
21 the Secretary shall initiate a proceeding to de-  
22 termine and publish a list of longer combination  
23 vehicles that could be lawfully operated on non-  
24 Interstate segments of the National Highway  
25 System on June 1, 2007.

1           “(B) LIMITATION.—A longer combination  
2 vehicle may not be included on the list pub-  
3 lished under subparagraph (A) on the basis  
4 that a State law or regulation could have au-  
5 thorized the operation of such vehicle at some  
6 prior date by permit or otherwise.

7           “(C) PUBLICATION OF FINAL LIST.—Not  
8 later than 270 days after the date of enactment  
9 of this section, the Secretary shall publish a  
10 final list of longer combination vehicles de-  
11 scribed in subparagraph (A).

12           “(D) UPDATES.—The Secretary shall up-  
13 date the list published under subparagraph (A)  
14 as necessary to reflect new designations made  
15 to the National Highway System.

16           “(3) LIMITATION ON STATUTORY CONSTRUC-  
17 TION.—This subsection does not prevent a State  
18 from further restricting in any manner or prohib-  
19 iting the operation of a longer combination vehicle;  
20 except that such restrictions or prohibitions shall be  
21 consistent with the requirements of section 127 of  
22 this title and sections 31112 through 31114 of title  
23 49, United States Code.

24           “(f) MODEL SCHEDULE OF FINES.—

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

4           “(2) PURPOSE.—The purpose of the schedule of  
5           fines shall be to ensure that fines are sufficient to  
6           deter violations of the requirements of this section  
7           and to permit States to recover costs associated with  
8           damages caused to the National Highway System by  
9           the operation of such vehicles.

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

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

15           “(1) INTERSTATE WEIGHT LIMIT.—The term  
16           ‘Interstate weight limit’ has the meaning given such  
17           term in section 127(i).

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

21           (b) ENFORCEMENT OF REQUIREMENTS.—Section  
22           141(a) of title 23, United States Code, is amended—

23           (1) by striking “the Federal-aid primary sys-  
24           tem, the Federal-aid urban system, and the Federal-  
25           aid secondary system, including the Interstate Sys-

1       tem” and inserting “the National Highway System,  
2       including the Interstate System,”; and

3               (2) by striking “section 127” and inserting  
4       “sections 127 and 127a”.

5       (c) CONFORMING AMENDMENT.—The analysis for  
6       title 23, United States Code, is amended by inserting after  
7       the item relating to section 127 the following:

“127a. Vehicle weight limitations—National Highway System.”.

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