

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3021

To amend title 49, United States Code, with respect to length and weight limitations for buses, trucks, and other large vehicles on Federal highways, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 15, 2008

Mr. LAUTENBERG (for himself and Mrs. MCCASKILL) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend title 49, United States Code, with respect to length and weight limitations for buses, trucks, and other large vehicles on Federal 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 Truck Operations  
5       and 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)(1) of title 49, United States  
 5 Code, is amended—

6 (1) by redesignating paragraph (4) as para-  
 7 graph (5); and

8 (2) by inserting after paragraph (3) the fol-  
 9 lowing:

10 “(4) RESTRICTED PROPERTY-CARRYING  
 11 UNIT.—The term ‘restricted property-carrying unit’  
 12 means any trailer, semi-trailer, container, or other  
 13 property-carrying unit that is longer than 53 feet.”.

14 (b) PROHIBITION ON OPERATION OF RESTRICTED  
 15 PROPERTY-CARRYING UNITS.—

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

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

24 (2) EFFECTIVE DATE.—The amendment made  
 25 by paragraph (1) shall take effect 1 year after the  
 26 date of enactment of this Act.

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

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

5 “(1) APPLICABILITY OF PROHIBITION.—

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

12 “(B) APPLICABILITY OF STATE LAWS AND  
13 REGULATIONS.—All operations specified on the  
14 list published under paragraph (2) shall con-  
15 tinue to be subject to all State statutes, regula-  
16 tions, limitations and conditions, including rout-  
17 ing-specific, commodity-specific, and configura-  
18 tion-specific designations and all other restric-  
19 tions, in force on June 1, 2003.

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

24 “(2) LISTING OF RESTRICTED PROPERTY-CAR-  
25 RYING UNITS.—

1           “(A) IN GENERAL.—Not later than 60  
2 days after the date of enactment of the Safe  
3 Truck Operations and Preservation Act, the  
4 Secretary shall initiate a proceeding to deter-  
5 mine and publish a list of restricted property-  
6 carrying units that were authorized by State of-  
7 ficials pursuant to State statute or regulation  
8 on June 1, 2003, and in actual and lawful oper-  
9 ation on a regular or periodic basis (including  
10 seasonal operations) on or before June 1, 2003.

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

17           “(C) PUBLICATION OF FINAL LIST.—Not  
18 later than 1 year after the date of enactment of  
19 the Safe Truck Operations and Preservation  
20 Act, the Secretary shall publish a final list of  
21 restricted property-carrying units described in  
22 subparagraph (A).

23           “(D) UPDATES.—The Secretary shall up-  
24 date the list published under subparagraph (C)

1 as necessary to reflect new designations made  
2 to the National Highway System.

3 “(3) APPLICABILITY OF PROHIBITION.—The  
4 prohibition established by subsection (b)(1)(C) shall  
5 apply to any new designation made to the National  
6 Highway System and remain in effect on those por-  
7 tions of the National Highway System that cease to  
8 be designated as part of the National Highway Sys-  
9 tem.

10 “(4) LIMITATION ON STATUTORY CONSTRUC-  
11 TION.—This subsection does not prevent a State  
12 from further restricting in any manner or prohib-  
13 iting the operation of a restricted property-carrying  
14 unit if the restrictions or prohibitions are consistent  
15 with the requirements of this section and sections  
16 31112 through 31114.”.

17 (d) CONFORMING AMENDMENT.—The second sen-  
18 tence of section 141(a) of title 23, United States Code,  
19 is amended by striking “section 31112” and inserting  
20 “sections 31111 and 31112”.

21 **SEC. 3. OPERATION OF LONGER COMBINATION VEHICLES**  
22 **ON NATIONAL HIGHWAY SYSTEM.**

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

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

3           (2) by inserting after subsection (e) the fol-  
4 lowing:

5           “(f) NATIONAL HIGHWAY SYSTEM.—

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

16           “(A) the maximum combination trailer,  
17 semitrailer, or other type of length limitation al-  
18 lowed by law or regulation of that State on  
19 June 1, 2003, or

20           “(B) the length of the property-carrying  
21 units of those commercial motor vehicle com-  
22 binations, by specific configuration, in actual  
23 and lawful operation on a regular or periodic  
24 basis (including continuing seasonal operation)  
25 in that State on or before June 1, 2003.

1 “(2) ADDITIONAL LIMITATIONS.—

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

19 “(B) ADDITIONAL STATE RESTRICTIONS.—  
20 This subsection does not prevent a State from  
21 further restricting in any manner or prohibiting  
22 the operation of a commercial motor vehicle  
23 combination subject to this section if the re-  
24 strictions or prohibitions are consistent with

1 this section and sections 31113(a), 31113(b),  
2 and 31114.

3 “(C) MINOR ADJUSTMENTS.—A State  
4 making a minor adjustment of a temporary and  
5 emergency nature as authorized by subpara-  
6 graph (A) or further restricting or prohibiting  
7 the operation of a commercial motor vehicle  
8 combination as authorized by subparagraph (B)  
9 shall advise the Secretary not later than 30  
10 days after the action. The Secretary shall pub-  
11 lish a notice of the action in the Federal Reg-  
12 ister.

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

14 “(A) STATE SUBMISSIONS.—Not later than  
15 60 days after the date of enactment of the Safe  
16 Truck Operations and Preservation Act, each  
17 State shall submit to the Secretary for publica-  
18 tion a complete list of State length limitations  
19 applicable to commercial motor vehicle combina-  
20 tions operating in the State on the highways de-  
21 scribed in paragraph (1). The list shall indicate  
22 the applicable State laws and regulations asso-  
23 ciated with the length limitations. If a State  
24 does not submit the information as required,



1 the Secretary shall complete and file the infor-  
2 mation for the State.

3 “(B) PUBLICATION OF INTERIM LIST.—

4 Not later than 90 days after the date of enact-  
5 ment of the Safe Truck Operations and Preser-  
6 vation Act, the Secretary shall publish an in-  
7 terim list in the Federal Register consisting of  
8 all information submitted under subparagraph  
9 (A). The Secretary shall review for accuracy all  
10 information submitted by a State under sub-  
11 paragraph (A) and shall solicit and consider  
12 public comment on the accuracy of the informa-  
13 tion.

14 “(C) LIMITATION.—A law or regulation  
15 may not be included on the list submitted by a  
16 State or published by the Secretary merely be-  
17 cause it authorized, or could have authorized,  
18 by permit or otherwise, the operation of com-  
19 mercial motor vehicle combinations not in ac-  
20 tual operation on a regular or periodic basis on  
21 or before June 1, 2003.

22 “(D) PUBLICATION OF FINAL LIST.—Ex-  
23 cept as revised under this subparagraph or sub-  
24 paragraph (E), the list shall be published as  
25 final in the Federal Register not later than 1

1 year after the date of enactment of the Safe  
2 Truck Operations and Preservation Act. In  
3 publishing the final list, the Secretary shall  
4 make any revisions necessary to correct inaccuracies identified under subparagraph (B).  
5 After publication of the final list, commercial  
6 motor vehicle combinations prohibited under  
7 paragraph (1) may not operate on a highway  
8 described in paragraph (1) except as published  
9 on the list.  
10

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

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

23 (1) by inserting “126(e) or” before “127(d)” in  
24 paragraph (1) of subsection (g) (as redesignated by  
25 subsection (a) of this section);

1           (2) by inserting “(or June 1, 2003, with respect  
2           to highways described in subsection (f)(1))” after  
3           “June 2, 1991” in paragraph (3) of subsection (g)  
4           (as redesignated by subsection (a) of this section);

5           (3) by striking “Not later than June 15, 1992,  
6           the Secretary” and inserting “The Secretary”; and

7           (4) by inserting “or (f)” after “subsection (d)”  
8           in paragraph (2) of subsection (h) (as redesignated  
9           by subsection (a) of this section).

10 **SEC. 4. TERMINATION OF DETERMINATIONS OF GRAND-**  
11 **FATHER RIGHTS.**

12           (a) **IN GENERAL.**—Notwithstanding any provision of  
13 law to the contrary, a State may not allow, on a segment  
14 of the Interstate System, the operation of a vehicle or com-  
15 bination (other than a longer combination vehicle) exceed-  
16 ing an Interstate weight limit more than 1 year after the  
17 date of enactment of this Act unless the operation is speci-  
18 fied on the list published under subsection (b).

19           (b) **LIST OF VEHICLES AND COMBINATIONS.**—

20           (1) **PROCEEDING.**—Not later than 60 days  
21 after the date of enactment of this Act, the Sec-  
22 retary of Transportation shall initiate a proceeding  
23 to determine and publish a list of vehicles and com-  
24 binations (other than longer combination vehicles),  
25 otherwise exceeding an Interstate weight limit, that

1 the Department of Transportation, any other Fed-  
2 eral agency, or a State has determined on or before  
3 June 1, 2003, could be lawfully operated within such  
4 State—

5 (A) on July 1, 1956;

6 (B) in the case of the overall gross weight  
7 of any group of 2 or more consecutive axles, on  
8 the date of enactment of the Federal-Aid High-  
9 way Amendments of 1974; or

10 (C) under a special rule applicable to a  
11 State under section 127(a) of title 23, United  
12 States Code.

13 (2) LIMITATIONS.—

14 (A) ACTUAL AND LAWFUL OPERATIONS  
15 REQUIRED.—An operation of a vehicle or com-  
16 bination may be included on the list published  
17 under paragraph (1) only if the vehicle or com-  
18 bination was in actual and lawful operation in  
19 the State on a regular or periodic basis on or  
20 before June 1, 2003.

21 (B) STATE AUTHORITY NOT SUFFI-  
22 CIENT.—An operation of a vehicle or combina-  
23 tion may not be included on the list published  
24 under paragraph (1) on the basis that a State  
25 law or regulation could have authorized the op-

1           eration of the vehicle or combination at some  
2           prior date by permit or otherwise.

3           (3) PUBLICATION OF FINAL LIST.—Not later  
4           than 1 year after the date of enactment of this Act,  
5           the Secretary shall publish a final list of vehicles and  
6           combinations described in paragraph (1).

7           (c) LIMITATION ON STATUTORY CONSTRUCTION.—  
8           This section does not prevent a State from reducing the  
9           gross vehicle weight limitation, the single and tandem axle  
10          weight limitations, or the overall maximum gross weight  
11          on a group of 2 or more consecutive axles applicable to  
12          portions of the Interstate System in the State for oper-  
13          ations on the list published under subsection (b)(3) as long  
14          as no such reduction results in a limitation that is less  
15          than an Interstate weight limit.

16          (d) APPLICABILITY OF EXISTING REQUIREMENTS.—  
17          All vehicles and combinations included on the list pub-  
18          lished under subsection (b) shall be subject to all routing-  
19          specific, commodity-specific, and weight-specific designa-  
20          tions in force in a State on June 1, 2003.

21          (e) INTERSTATE WEIGHT LIMIT DEFINED.—In this  
22          section, the term “Interstate weight limit” means the  
23          80,000 pound gross vehicle weight limitation, the 20,000  
24          pound single axle weight limitation (including enforcement  
25          tolerances), the 34,000 pound tandem axle weight limita-

1 tion (including enforcement tolerances), and the overall  
2 maximum gross weight (including enforcement tolerances)  
3 on a group of 2 or more consecutive axles produced by  
4 application of the formula in section 127(a) of title 23,  
5 United States Code.

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

9 **SEC. 5. NONDIVISIBLE LOAD PROCEEDING.**

10 (a) NONDIVISIBLE LOAD PROCEEDING.—Not later  
11 than 60 days after the date of enactment of this Act, the  
12 Secretary of Transportation shall initiate a proceeding to  
13 define the term “vehicles and loads which cannot be easily  
14 dismantled or divided” as used in section 31112 of title  
15 49, United States Code, and section 127(a) of title 23,  
16 United States Code.

17 (b) LIST OF COMMODITIES.—

18 (1) IN GENERAL.—The definition developed  
19 under subsection (a) shall include a list of commod-  
20 ities (or classes or types of commodities) that do not  
21 qualify as nondivisible loads.

22 (2) LIMITATION.—The list of commodities de-  
23 veloped under subsection (a) shall not be interpreted  
24 to be a comprehensive list of commodities that do  
25 not qualify as nondivisible loads.

1 (c) REGULATIONS.—Not later than 1 year after the  
2 date of enactment of this Act, the Secretary shall issue  
3 final regulations setting forth the determination of the  
4 Secretary made under subsection (a). The Secretary shall  
5 update the regulations as necessary.

6 (d) APPLICABILITY.—Regulations issued under sub-  
7 section (b) shall apply to all vehicles and loads operating  
8 on the National Highway System.

9 (e) STATE REQUIREMENTS.—A State may establish  
10 any requirement that is not inconsistent with regulations  
11 issued under subsection (b).

12 (f) STATEMENT OF POLICY.—The purpose of this  
13 section is to promote conformity with Interstate weight  
14 limits to preserve publicly funded infrastructure and pro-  
15 tect motorists by limiting maximum vehicle weight on key  
16 portions of the Federal-aid highway system.

17 **SEC. 6. WAIVERS OF WEIGHT LIMITATIONS DURING PERI-**  
18 **ODS OF NATIONAL EMERGENCY.**

19 (a) IN GENERAL.—Notwithstanding any other provi-  
20 sion of law, the Secretary of Transportation, in consulta-  
21 tion with the Secretary of Defense, may waive or limit the  
22 application of any vehicle weight limit established under  
23 this section 126 or 127 of title 23, United States Code,  
24 with respect to a highway route during a period of national

1 emergency in order to respond to the effects of the na-  
2 tional emergency.

3 (b) APPLICABILITY.—Emergency limits established  
4 under subsection (a) shall preempt any inconsistent State  
5 vehicle weight limits.

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

8 (a) NON-INTERSTATE HIGHWAYS ON NATIONAL  
9 HIGHWAY SYSTEM.—

10 (1) IN GENERAL.—After the 270th day after  
11 the date of enactment of this Act, any Interstate  
12 weight limit that applies to vehicles and combina-  
13 tions (other than longer combination vehicles) oper-  
14 ating on the Interstate System in a State under sec-  
15 tion 127 of title 23, United States Code, shall also  
16 apply to vehicles and combinations (other than  
17 longer combination vehicles) operating on non-Inter-  
18 state segments of the National Highway System in  
19 such State, unless such segments are subject to  
20 lower State weight limits as provided for in sub-  
21 section (d).

22 (2) EXISTING HIGHWAYS.—

23 (A) IN GENERAL.—Notwithstanding para-  
24 graph (1), in the case of a non-Interstate seg-  
25 ment of the National Highway System that is



1 open to traffic on June 1, 2003, a State may  
2 allow the operation of any vehicle or combina-  
3 tion (other than a longer combination vehicle)  
4 on such segment that the Secretary determines  
5 under subsection (b) could be lawfully operated  
6 on such segment on June 1, 2003.

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

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

22 (b) LISTING OF VEHICLES AND COMBINATIONS.—

23 (1) IN GENERAL.—The Secretary of Transpor-  
24 tation shall initiate a proceeding to determine and  
25 publish a list of vehicles and combinations (other

1 than longer combination vehicles), otherwise exceed-  
2 ing an Interstate weight limit, that could be lawfully  
3 operated on a non-Interstate segment of the Na-  
4 tional Highway System on June 1, 2003.

5 (2) REQUIREMENTS.—In publishing a list of ve-  
6 hicles and combinations under paragraph (1), the  
7 Secretary shall identify—

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

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

22 (3) LIMITATION.—An operation of a vehicle or  
23 combination may not be included on the list pub-  
24 lished under paragraph (1) on the basis that a State

1 law or regulation could have authorized such oper-  
2 ation at some prior date by permit or otherwise.

3 (4) PUBLICATION OF FINAL LIST.—Not later  
4 than 1 year after the date of enactment of this Act,  
5 the Secretary shall publish a final list of vehicles and  
6 combinations described in paragraph (1).

7 (5) UPDATES.—The Secretary shall update the  
8 list published under paragraph (1) as necessary to  
9 reflect new designations made to the National High-  
10 way System.

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

17 (d) LIMITATIONS ON STATUTORY CONSTRUCTION.—

18 (1) STATE ENFORCEMENT OF MORE RESTRICTIVE WEIGHT LIMITS.—This section does not pre-  
19 vent a State from maintaining or imposing a weight  
20 limitation that is more restrictive than the Interstate  
21 weight limit on vehicles or combinations (other than  
22 longer combination vehicles) operating on a non-  
23 Interstate segment of the National Highway System.  
24

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

8           (e) LONGER COMBINATION VEHICLES.—

9           (1) PROHIBITION.—

10           (A) IN GENERAL.—After the 270th day  
11           after the date of enactment of this Act, a longer  
12           combination vehicle may continue to operate on  
13           a non-Interstate segment of the National High-  
14           way System only if the operation of the longer  
15           combination vehicle configuration type was au-  
16           thorized by State officials pursuant to State  
17           statute or regulation on June 1, 2003, and in  
18           actual and lawful operation on a regular or  
19           periodic basis (including seasonal operations) on  
20           or before June 1, 2003.

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

1           modity-specific, and configuration-specific des-  
2           ignations and all other restrictions, in force on  
3           June 1, 2003.

4           (2) LISTING OF VEHICLES AND COMBINA-  
5           TIONS.—

6                   (A) IN GENERAL.—Not later than 60 days  
7           after the date of enactment of this Act, the Sec-  
8           retary shall initiate a proceeding to determine  
9           and publish a list of longer combination vehicles  
10          that could be lawfully operated on non-Inter-  
11          state segments of the National Highway System  
12          on June 1, 2003.

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

19                   (C) PUBLICATION OF FINAL LIST.—Not  
20          later than 1 year after the date of enactment of  
21          this Act, the Secretary shall publish a final list  
22          of longer combination vehicles described in sub-  
23          paragraph (A).

24                   (D) UPDATES.—The Secretary shall up-  
25          date the list published under subparagraph (A)

1 as necessary to reflect new designations made  
2 to the National Highway System.

3 (3) LIMITATION ON STATUTORY CONSTRUCTION.—This subsection does not prevent a State  
4 from further restricting in any manner or prohib-  
5 iting the operation of a longer combination vehicle if  
6 the restrictions or prohibitions are consistent with  
7 the requirements of section 127 of this title and sec-  
8 tions 31112 through 31114 of title 49, United  
9 States Code.  
10

11 (f) MODEL SCHEDULE OF FINES.—

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

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

21 (3) ADOPTION BY STATES.—The Secretary  
22 shall encourage but not require States to adopt the  
23 schedule of fines.

24 (g) DEFINITIONS.—In this section:

1           (1) INTERSTATE WEIGHT LIMIT.—The term  
2           “Interstate weight limit” has the meaning given that  
3           term in section 127(h) of title 23, United States  
4           Code.

5           (2) LONGER COMBINATION VEHICLE.—The  
6           term “longer combination vehicle” has the meaning  
7           given that term in section 127(d) of that title.

8           (b) CONFORMING AMENDMENTS.—Section 141(a) of  
9           title 23, United States Code, is amended—

10           (1) by striking “the Federal-aid primary sys-  
11           tem, the Federal-aid urban system, and the Federal-  
12           aid secondary system, including the Interstate Sys-  
13           tem” and inserting “the National Highway System,  
14           including the Interstate System,”; and

15           (2) by striking “section 127” and inserting  
16           “sections 126 and 127”.

○