

111TH CONGRESS
1ST SESSION

H. R. 1618

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

MARCH 19, 2009

Mr. MCGOVERN (for himself, Mr. KIRK, Ms. BERKLEY, Mr. HASTINGS of Florida, Mr. HINCHEY, Ms. WATSON, Mr. SESTAK, Mr. WOLF, Mr. DELAHUNT, Mr. FILNER, Mr. KUCINICH, Mr. HOLT, Mr. NADLER of New York, Mr. WATT, Ms. MCCOLLUM, Mr. CULBERSON, Mrs. CAPPS, Mr. CAPUANO, Mr. STARK, Mr. ORTIZ, Mr. KILDEE, Mr. GRIJALVA, Mr. SCHIFF, Mr. VAN HOLLEN, Mr. GENE GREEN of Texas, Mr. DOYLE, Mr. ROTHMAN of New Jersey, Mr. BACA, Mr. WAXMAN, Mr. CONNOLLY of Virginia, Mr. McDERMOTT, Mr. MARKEY of Massachusetts, Ms. CASTOR of Florida, Mr. RUSH, Ms. WOOLSEY, Mr. BILBRAY, Ms. SLAUGHTER, Mr. PLATTS, Mr. TIERNEY, Mr. BRADY of Pennsylvania, Mr. AL GREEN of Texas, Ms. NORTON, Mr. POSEY, Mr. MEEK of Florida, Mr. MURTHA, Mr. ELLISON, Mr. JACKSON of Illinois, Mrs. BIGGERT, and Mr. FRANK of Massachusetts) 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Safe Highways and
3 Infrastructure Preservation Act”.

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

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

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

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

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

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

23 (2) EFFECTIVE DATE.—The amendment made
24 by paragraph (1) shall take effect 270 days after the
25 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
17 routing-specific, commodity-specific, and con-
18 figuration-specific designations and all other re-
19 strictions, in force on June 1, 2008.

20 “(C) FIREFIGHTING 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 firefighting.

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 this sub-
3 section, the Secretary shall initiate a proceeding
4 to determine and publish a list of restricted
5 property-carrying units that were authorized by
6 State officials pursuant to State statute or reg-
7 ulation on June 1, 2008, and in actual and law-
8 ful operation on a regular or periodic basis (in-
9 cluding seasonal operations) on or before June
10 1, 2008.

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 270 days after the date of enactment
19 of this subsection, the Secretary shall publish a
20 final list of restricted property-carrying units
21 described in subparagraph (A).

22 “(D) UPDATES.—The Secretary shall up-
23 date the list published under subparagraph (C)
24 as necessary to reflect new designations made
25 to the National Highway System.

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

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

15 (d) ENFORCEMENT.—The second sentence of section
16 141(a) of title 23, United States Code, is amended by
17 striking “section 31112” and inserting “sections 31111
18 and 31112”.

19 **SEC. 3. OPERATION OF LONGER COMBINATION VEHICLES**
20 **ON NATIONAL HIGHWAY SYSTEM.**

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

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

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

3 “(f) NATIONAL HIGHWAY SYSTEM.—

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

14 “(A) the maximum combination trailer,
15 semitrailer, or other type of length limitation al-
16 lowed by law or regulation of that State on
17 June 1, 2008; or

18 “(B) the length of the property-carrying
19 units of those commercial motor vehicle com-
20 binations, by specific configuration, in actual
21 and lawful operation on a regular or periodic
22 basis (including continuing seasonal operation)
23 in that State on or before June 1, 2008.

24 “(2) ADDITIONAL LIMITATIONS.—

1 “(A) APPLICABILITY OF STATE RESTRIC-
2 TIONS.—A commercial motor vehicle combina-
3 tion whose operation in a State is not prohib-
4 ited under paragraph (1) may continue to oper-
5 ate in the State on highways described in para-
6 graph (1) only in compliance with all State
7 laws, regulations, limitations, and conditions,
8 including routing-specific and configuration-spe-
9 cific designations and all other restrictions in
10 force in the State on June 1, 2008. However,
11 subject to regulations prescribed by the Sec-
12 retary under subsection (h), the State may
13 make minor adjustments of a temporary and
14 emergency nature to route designations and ve-
15 hicle operating restrictions in effect on June 1,
16 2008, for specific safety purposes and road con-
17 struction.

18 “(B) ADDITIONAL STATE RESTRICTIONS.—
19 This subsection does not prevent a State from
20 further restricting in any manner or prohibiting
21 the operation of a commercial motor vehicle
22 combination subject to this section, except that
23 such restrictions or prohibitions shall be con-
24 sistent with this section and sections 31113(a),
25 31113(b), and 31114.

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

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

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

24 “(B) PUBLICATION OF INTERIM LIST.—

25 Not later than 90 days after the date of enact-

1 ment of this subsection, the Secretary shall
2 publish an interim list in the Federal Register
3 consisting of all information submitted under
4 subparagraph (A). The Secretary shall review
5 for accuracy all information submitted by a
6 State under subparagraph (A) and shall solicit
7 and consider public comment on the accuracy of
8 the information.

9 “(C) LIMITATION.—A law or regulation
10 may not be included on the list submitted by a
11 State or published by the Secretary merely be-
12 cause it authorized, or could have authorized,
13 by permit or otherwise, the operation of com-
14 mercial motor vehicle combinations not in ac-
15 tual operation on a regular or periodic basis on
16 or before June 1, 2008.

17 “(D) PUBLICATION OF FINAL LIST.—Ex-
18 cept as revised under this subparagraph or sub-
19 paragraph (E), the list shall be published as
20 final in the Federal Register not later than 270
21 days after the date of enactment of this sub-
22 section. In publishing the final list, the Sec-
23 retary shall make any revisions necessary to
24 correct inaccuracies identified under subpara-
25 graph (B). After publication of the final list,

1 commercial motor vehicle combinations prohib-
2 ited under paragraph (1) may not operate on a
3 highway described in paragraph (1) except as
4 published on the list.

5 “(E) INACCURACIES.—On the Secretary’s
6 own motion or on request by any person (in-
7 cluding a State), the Secretary shall review the
8 list published under subparagraph (D). If the
9 Secretary decides there is reason to believe a
10 mistake was made in the accuracy of the list,
11 the Secretary shall begin a proceeding to decide
12 whether a mistake was made. If the Secretary
13 decides there was a mistake, the Secretary shall
14 publish the correction.”.

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

17 (1) in subsection (g)(1) (as redesignated by
18 subsection (a) of this section) by inserting “or
19 127a(e)” after “127(d)”;

20 (2) in subsection (g)(3) (as redesignated by
21 subsection (a) of this section) by inserting “(or June
22 1, 2008, with respect to highways described in sub-
23 section (f)(1))” after “June 2, 1991”; and

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

1 (A) by striking “Not later than June 15,
2 1992, the Secretary” and inserting “The Sec-
3 retary”; and

4 (B) by inserting “or (f)” after “subsection
5 (d)”.

6 **SEC. 4. TERMINATION OF DETERMINATIONS OF GRAND-**
7 **FATHER RIGHTS.**

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

11 “(i) GRANDFATHER RIGHTS.—

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

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

20 “(A) PROCEEDING.—Not later than 60
21 days after the date of enactment of this sub-
22 section, the Secretary shall initiate a proceeding
23 to determine and publish a list of vehicles and
24 combinations (other than longer combination
25 vehicles), otherwise exceeding an Interstate

1 weight limit, that the Department of Transpor-
2 tation, any other Federal agency, or a State has
3 determined on or before June 1, 2008, could be
4 lawfully operated within such State—

5 “(i) on July 1, 1956;

6 “(ii) in the case of the overall gross
7 weight of any group of 2 or more consecu-
8 tive axles, on the date of enactment of the
9 Federal-Aid Highway Amendments of
10 1974; or

11 “(iii) under a special rule applicable
12 to a State under subsection (a).

13 “(B) LIMITATIONS.—

14 “(i) ACTUAL AND LAWFUL OPER-
15 ATIONS REQUIRED.—An operation of a ve-
16 hicle or combination may be included on
17 the list published under subparagraph (A)
18 only if the vehicle or combination was in
19 actual and lawful operation in the State on
20 a regular or periodic basis on or before
21 June 1, 2008.

22 “(ii) STATE AUTHORITY NOT SUFFI-
23 CIENT.—An operation of a vehicle or com-
24 bination may not be included on the list
25 published under subparagraph (A) on the

1 basis that a State law or regulation could
2 have authorized the operation of the vehi-
3 cle or combination at some prior date by
4 permit or otherwise.

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

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

20 “(4) APPLICABILITY OF EXISTING REQUIRE-
21 MENTS.—All vehicles and combinations included on
22 the list published under paragraph (2) shall be sub-
23 ject to all routing-specific, commodity-specific, and
24 weight-specific designations in force in a State on
25 June 1, 2008.

1 “(5) INTERSTATE WEIGHT LIMIT DEFINED.—In
2 this subsection, the term ‘Interstate weight limit’
3 means the 80,000 pound gross vehicle weight limita-
4 tion, the 20,000 pound single axle weight limitation
5 (including enforcement tolerances), the 34,000
6 pound tandem axle weight limitation (including en-
7 forcement tolerances), and the overall maximum
8 gross weight (including enforcement tolerances) on a
9 group of 2 or more consecutive axles produced by
10 application of the formula in subsection (a).”.

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

14 **SEC. 5. NONDIVISIBLE LOAD PROCEEDING.**

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

17 “(j) NONDIVISIBLE LOADS.—

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

24 “(2) LIST OF COMMODITIES.—

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

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

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

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

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

22 “(6) STATEMENT OF POLICY.—The purpose of
23 this subsection is to promote conformity with Inter-
24 state weight limits to preserve publicly funded infra-
25 structure and protect motorists by limiting max-

1 imum vehicle weight on key portions of the Federal-
2 aid highway system.”.

3 **SEC. 6. WAIVERS OF WEIGHT LIMITATIONS DURING PERI-**
4 **ODS OF NATIONAL EMERGENCY.**

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

7 “(k) WAIVERS DURING PERIODS OF NATIONAL
8 EMERGENCY.—

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

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

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

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

1 **“§ 127a. Vehicle weight limitations—National High-**
2 **way System**

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

4 “(1) IN GENERAL.—After the 270th day fol-
5 lowing the date of enactment of this section, any
6 Interstate weight limit that applies to vehicles and
7 combinations (other than longer combination vehi-
8 cles) operating on the Interstate System in a State
9 under section 127 shall also apply to vehicles and
10 combinations (other than longer combination vehi-
11 cles) operating on non-Interstate segments of the
12 National Highway System in such State unless such
13 segments are subject to lower State weight limits as
14 provided for in subsection (d).

15 “(2) EXISTING HIGHWAYS.—

16 “(A) IN GENERAL.—Notwithstanding para-
17 graph (1), in the case of a non-Interstate seg-
18 ment of the National Highway System that is
19 open to traffic on June 1, 2008, a State may
20 allow the operation of any vehicle or combina-
21 tion (other than a longer combination vehicle)
22 on such segment that the Secretary determines
23 under subsection (b) could be lawfully operated
24 on such segment on June 1, 2008.

25 “(B) APPLICABILITY OF STATE LAWS AND
26 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, 2008.

7 “(3) NEW HIGHWAYS.—Subject to subsection
8 (d)(1), the gross vehicle weight limitations and axle
9 loading limitations applicable to all vehicles and
10 combinations (other than longer combination vehi-
11 cles) on a non-Interstate segment of the National
12 Highway System that is not open to traffic on June
13 1, 2008, shall be the Interstate weight limit.

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

15 “(1) IN GENERAL.—The Secretary shall initiate
16 a proceeding to determine and publish a list of vehi-
17 cles and combinations (other than longer combina-
18 tion vehicles), otherwise exceeding an Interstate
19 weight limit, that could be lawfully operated on a
20 non-Interstate segment of the National Highway
21 System on June 1, 2008.

22 “(2) REQUIREMENTS.—In publishing a list of
23 vehicles and combinations under paragraph (1), the
24 Secretary shall identify—

1 “(A) the gross vehicle weight limitations
2 and axle loading limitations in each State appli-
3 cable, on June 1, 2008, to vehicles and com-
4 binations (other than longer combination vehi-
5 cles) on non-Interstate segments of the Na-
6 tional Highway System; and

7 “(B) operations of vehicles and combina-
8 tions (other than longer combination vehicles),
9 exceeding State gross vehicle weight limitations
10 and axle loading limitations identified under
11 subparagraph (A), which were in actual and
12 lawful operation on a regular or periodic basis
13 (including seasonal operations) on June 1,
14 2008.

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

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

24 “(5) UPDATES.—The Secretary shall update
25 the list published under paragraph (1) as necessary

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

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

9 “(d) LIMITATIONS ON STATUTORY CONSTRUC-
10 TION.—

11 “(1) STATE ENFORCEMENT OF MORE RESTRIC-
12 TIVE WEIGHT LIMITS.—This section does not pre-
13 vent a State from maintaining or imposing a weight
14 limitation that is more restrictive than the Interstate
15 weight limit on vehicles or combinations (other than
16 longer combination vehicles) operating on a non-
17 Interstate segment of the National Highway System.

18 “(2) STATE ACTIONS TO REDUCE WEIGHT LIM-
19 ITS.—This section does not prevent a State from re-
20 ducing the State’s gross vehicle weight limitation,
21 single or tandem axle weight limitations, or the over-
22 all maximum gross weight on 2 or more consecutive
23 axles on any non-Interstate segment of the National
24 Highway System.

25 “(e) LONGER COMBINATION VEHICLES.—

1 “(1) PROHIBITION.—

2 “(A) IN GENERAL.—After the 270th day
3 following the date of enactment of this section,
4 a longer combination vehicle may continue to
5 operate on a non-Interstate segment of the Na-
6 tional Highway System only if the operation of
7 the longer combination vehicle configuration
8 type was authorized by State officials pursuant
9 to State statute or regulation on June 1, 2008,
10 and in actual and lawful operation on a regular
11 or periodic basis (including seasonal operations)
12 on or before June 1, 2008.

13 “(B) APPLICABILITY OF STATE LAWS AND
14 REGULATIONS.—All operations described in
15 subparagraph (A) shall continue to be subject
16 to all State statutes, regulations, limitations
17 and conditions, including routing-specific, com-
18 modity-specific, and configuration-specific des-
19 ignations and all other restrictions, in force on
20 June 1, 2008.

21 “(2) LISTING OF VEHICLES AND COMBINA-
22 TIONS.—

23 “(A) IN GENERAL.—Not later than 60
24 days after the date of enactment of this section,
25 the Secretary shall initiate a proceeding to de-

1 termine and publish a list of longer combination
2 vehicles that could be lawfully operated on non-
3 Interstate segments of the National Highway
4 System on June 1, 2008.

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

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

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

20 “(3) LIMITATION ON STATUTORY CONSTRUC-
21 TION.—This subsection does not prevent a State
22 from further restricting in any manner or prohib-
23 iting the operation of a longer combination vehicle;
24 except that such restrictions or prohibitions shall be
25 consistent with the requirements of section 127 of

1 this title and sections 31112 through 31114 of title
2 49, United States Code.

3 “(f) MODEL SCHEDULE OF FINES.—

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

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

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

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

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

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

24 (b) ENFORCEMENT OF REQUIREMENTS.—Section
25 141(a) of title 23, United States Code, is amended—

1 (1) by striking “the Federal-aid primary sys-
2 tem, the Federal-aid urban system, and the Federal-
3 aid secondary system, including the Interstate Sys-
4 tem” and inserting “the National Highway System,
5 including the Interstate System,”; and

6 (2) by striking “section 127” and inserting
7 “sections 127 and 127a”.

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

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

○