

113TH CONGRESS
1ST SESSION

S. 880

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

IN THE SENATE OF THE UNITED STATES

MAY 7, 2013

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

A BILL

To amend titles 23 and 49, United States Code, to modify provisions relating to the 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 of 2013”.

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

3 (a) DEFINITION OF RESTRICTED PROPERTY-CAR-
 4 RYING UNIT.—Section 31111(a) of title 49, United States
 5 Code, is amended—

6 (1) by redesignating paragraph (3) as para-
 7 graph (5);

8 (2) by redesignating paragraph (2) as para-
 9 graph (3);

10 (3) by redesignating paragraph (4) as para-
 11 graph (2); and

12 (4) by inserting after paragraph (3) the fol-
 13 lowing:

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

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

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

23 “(C) allows operation on any segment of the
 24 National Highway System, including the Interstate
 25 System, of a restricted property-carrying unit unless

1 the operation is specified on the list published under
2 subsection (h)(2);”.

3 (2) EFFECTIVE DATE.—The amendment made
4 by paragraph (1) shall take effect on the date that
5 is 90 days after the date of the enactment of this
6 Act.

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

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

11 “(1) APPLICABILITY OF PROHIBITION.—

12 “(A) IN GENERAL.—Notwithstanding sub-
13 section (b)(1)(C), a restricted property-carrying
14 unit may continue to operate on a segment of
15 the National Highway System if the operation
16 of the unit is specified on the list published
17 under paragraph (2).

18 “(B) APPLICABILITY OF STATE LAWS AND
19 REGULATIONS.—All operations specified on the
20 list published under paragraph (2) shall con-
21 tinue to be subject to all State laws, limitations,
22 and conditions, including routing-specific, com-
23 modity-specific, and configuration-specific des-
24 ignations and all other restrictions, in effect as
25 of June 1, 2008.

1 “(C) FIREFIGHTING UNITS.—Subsection
2 (b)(1)(C) shall not apply to the operation of a
3 restricted property-carrying unit that is used
4 exclusively for firefighting.

5 “(2) LISTING OF RESTRICTED PROPERTY-CAR-
6 RYING UNITS.—

7 “(A) IN GENERAL.—Not later than 30
8 days after the date of the enactment of the Safe
9 Highways and Infrastructure Preservation Act
10 of 2013, the Secretary shall initiate a pro-
11 ceeding to determine and publish a list of re-
12 stricted property-carrying units that were—

13 “(i) authorized by State officials pur-
14 suant to State law as of June 1, 2008; and

15 “(ii) in actual and lawful operation on
16 a regular or periodic basis (including sea-
17 sonal operations) on or before June 1,
18 2008.

19 “(B) LIMITATION.—A restricted property-
20 carrying unit may not be included on the list
21 published under subparagraph (A) on the basis
22 that a State law could have authorized the op-
23 eration of the unit as of a prior date, by permit
24 or otherwise.

1 “(C) PUBLICATION OF FINAL LIST.—Not
2 later than 90 days after the date of the enact-
3 ment of the Safe Highways and Infrastructure
4 Preservation Act of 2013, the Secretary shall
5 publish a final list of restricted property-car-
6 rying units described in subparagraph (A).

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

11 “(3) APPLICABILITY OF PROHIBITION.—The
12 prohibition established under subsection (b)(1)(C)
13 shall—

14 “(A) apply to any new designation made to
15 the National Highway System; and

16 “(B) remain in effect on those portions of
17 the National Highway System that cease to be
18 designated as part of the National Highway
19 System.

20 “(4) LIMITATION ON STATUTORY CONSTRUC-
21 TION.—Nothing in this subsection may be construed
22 to prevent a State from further restricting in any
23 manner or prohibiting the operation of a restricted
24 property-carrying unit, except that any such restric-

1 tion or prohibition shall be consistent with the provi-
2 sions of this subchapter.”.

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

7 **SEC. 3. OPERATION OF LONGER COMBINATION VEHICLES**
8 **ON NATIONAL HIGHWAY SYSTEM.**

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

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

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

15 “(f) NATIONAL HIGHWAY SYSTEM.—

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

1 “(A) the maximum combination trailer,
2 semitrailer, or other type of length limitation al-
3 lowed by applicable State law as of June 1,
4 2008; or

5 “(B) the length of the property-carrying
6 units of those commercial motor vehicle com-
7 binations, by specific configuration, in actual
8 and lawful operation on a regular or periodic
9 basis (including continuing seasonal operation)
10 in that State on or before June 1, 2008.

11 “(2) ADDITIONAL LIMITATIONS.—

12 “(A) APPLICABILITY OF STATE RESTRIC-
13 TIONS.—

14 “(i) IN GENERAL.—Subject to clause
15 (ii), a commercial motor vehicle combina-
16 tion that is not prohibited from operating
17 in a State under paragraph (1) may con-
18 tinue to operate in that State on highways
19 described in paragraph (1) if such oper-
20 ation complies with all applicable State
21 laws, limitations, and conditions, including
22 routing-specific and configuration-specific
23 designations, and all other restrictions in
24 effect in that State as of June 1, 2008.

1 “(ii) MINOR ADJUSTMENTS.—Subject
2 to regulations promulgated by the Sec-
3 retary under subsection (h), a State may
4 make minor temporary and emergency ad-
5 justments to route designations and vehicle
6 operating restrictions in effect as of June
7 1, 2008, for specific safety purposes and
8 road construction.

9 “(B) ADDITIONAL STATE RESTRICTIONS.—
10 Nothing in this subsection may be construed to
11 prevent a State from further restricting or pro-
12 hibiting the operation of a commercial motor
13 vehicle combination subject to this section, ex-
14 cept that such a restriction or prohibition shall
15 be consistent with this section and sections
16 31113(a), 31113(b), and 31114.

17 “(C) MINOR ADJUSTMENTS.—

18 “(i) IN GENERAL.—Not later than 30
19 days after the date on which a State
20 makes a minor adjustment of a temporary
21 and emergency nature in accordance with
22 subparagraph (A)(ii) or further restricting
23 or prohibiting the operation of a commer-
24 cial motor vehicle combination in accord-

1 ance with subparagraph (B), the State
2 shall advise the Secretary of the action.

3 “(ii) PUBLICATION.—The Secretary
4 shall publish a notice of an action taken by
5 a State under clause (i) in the Federal
6 Register.

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

8 “(A) STATE SUBMISSIONS.—

9 “(i) IN GENERAL.—Not later than 30
10 days after the date of the enactment of the
11 Safe Highways and Infrastructure Preser-
12 vation Act of 2013, each State shall sub-
13 mit to the Secretary a complete list of
14 State length limitations applicable to com-
15 mercial motor vehicle combinations oper-
16 ating in the State on the highways de-
17 scribed in paragraph (1), including the ap-
18 plicable State laws associated with the
19 length limitations.

20 “(ii) FAILURE TO SUBMIT.—If a State
21 fails to submit the information required
22 under clause (i), the Secretary shall com-
23 pile and file the information on behalf of
24 the State.

1 “(B) PUBLICATION OF INTERIM LIST.—

2 The Secretary shall—

3 “(i) publish an interim list in the Fed-
4 eral Register consisting of all information
5 submitted under subparagraph (A) not
6 later than 60 days after the date of the en-
7 actment of the Safe Highways and Infra-
8 structure Preservation Act of 2013;

9 “(ii) review for accuracy all informa-
10 tion submitted by a State under subpara-
11 graph (A); and

12 “(iii) solicit and consider public com-
13 ment on the accuracy of the information.

14 “(C) LIMITATION.—A law may not be in-
15 cluded on the list submitted by a State or pub-
16 lished by the Secretary merely because the law
17 authorized, or could have authorized, by permit
18 or otherwise, the operation of commercial motor
19 vehicle combinations not in actual operation on
20 a regular or periodic basis on or before June 1,
21 2008.

22 “(D) PUBLICATION OF FINAL LIST.—

23 “(i) IN GENERAL.—Not later than 90
24 days after the date of the enactment of the
25 Safe Highways and Infrastructure Preser-

1 vation Act of 2013, the Secretary shall
2 publish a final version of the list described
3 in subparagraph (B) in the Federal Reg-
4 ister, as revised under this subparagraph
5 or subparagraph (E).

6 “(ii) REVISIONS.—In publishing the
7 final list, the Secretary shall make any re-
8 visions necessary to correct inaccuracies
9 identified under subparagraph (B).

10 “(iii) PROHIBITION ON OPERATION.—
11 After the final list is published under this
12 subparagraph, commercial motor vehicle
13 combinations prohibited under paragraph
14 (1) may not operate on a highway de-
15 scribed in paragraph (1) unless included
16 on the list.

17 “(E) INACCURACIES.—

18 “(i) IN GENERAL.—On the motion of
19 the Secretary or on request by any person
20 (including a State), the Secretary shall re-
21 view the list published under subparagraph
22 (D).

23 “(ii) DETERMINATION.—If the Sec-
24 retary determines that there is reason to

1 believe a mistake was made in the accuracy
2 of the list—

3 “(I) the Secretary shall begin a
4 proceeding to determine whether a
5 mistake was made; and

6 “(II) if the Secretary makes an
7 affirmative determination under sub-
8 clause (I), the Secretary shall publish
9 the appropriate correction.”.

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

12 (1) in subsection (d)(1), by striking “subsection
13 (g)(2) of this section” and inserting “subsection
14 (h)(2)”;

15 (2) in subsection (g), as redesignated by sub-
16 section (a)(1)—

17 (A) in paragraph (1), by inserting “or
18 127A(e)” after “127(d)”; and

19 (B) in paragraph (3), by inserting “(or
20 June 1, 2008, with respect to highways de-
21 scribed in subsection (f)(1))” after “June 2,
22 1991”; and

23 (3) in paragraph (h)(2), as redesignated by
24 subsection (a)—

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

4 (B) by striking “of this section” and in-
5 serting “or (f)”.

6 **SEC. 4. TERMINATION OF DETERMINATIONS OF GRAND-**
7 **FATHERED 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) GRANDFATHERED RIGHTS.—

12 “(1) DEFINITION OF INTERSTATE WEIGHT
13 LIMIT.—In this subsection and in section 127A, the
14 term ‘Interstate weight limit’ means the 80,000-
15 pound gross vehicle weight limitation, the 20,000-
16 pound single axle weight limitation (including en-
17 forcement tolerances), the 34,000-pound tandem
18 axle weight limitation (including enforcement toler-
19 ances), and the overall maximum gross weight (in-
20 cluding enforcement tolerances) limitation on a
21 group of 2 or more consecutive axles produced by
22 application of the formula under subsection (a)(2).

23 “(2) LIMITATION.—Beginning 90 days after the
24 date of the enactment of the Safe Highways and In-
25 frastructure Preservation Act of 2013, a State may

1 not allow, on a segment of the Interstate System,
 2 the operation of a vehicle or combination (other than
 3 a longer combination vehicle) exceeding an Inter-
 4 state weight limit unless the operation is specified on
 5 the list published under paragraph (3).

6 “(3) LIST OF VEHICLES AND COMBINATIONS.—

7 “(A) PROCEEDING.—Not later than 30
 8 days after the date of the enactment of this
 9 subsection, the Secretary shall initiate a pro-
 10 ceeding to determine and publish a list of vehi-
 11 cles and combinations (other than longer com-
 12 bination vehicles) otherwise exceeding an Inter-
 13 state weight limit that the Department of
 14 Transportation, any other Federal agency, or a
 15 State has determined, on or before June 1,
 16 2008, could have been or could be lawfully oper-
 17 ated within the State—

18 “(i) on July 1, 1956;

19 “(ii) in the case of the overall gross
 20 weight of any group of 2 or more consecu-
 21 tive axles, on January 4, 1975; 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, 2008.

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 could have author-
14 ized the operation of the vehicle or com-
15 bination as of a prior date by permit or
16 otherwise.

17 “(C) PUBLICATION OF FINAL LIST.—Not
18 later than 90 days after the date of the enact-
19 ment of this subsection, the Secretary shall
20 publish a final list of vehicles and combinations
21 described in subparagraph (A).

22 “(4) LIMITATION ON EFFECT OF SUB-
23 SECTION.—

24 “(A) IN GENERAL.—Except as provided in
25 subparagraph (B), nothing in this subsection

1 may be construed to prevent a State from re-
 2 ducing the gross vehicle weight limitation, the
 3 single and tandem axle weight limitations, or
 4 the overall maximum gross weight on a group
 5 of 2 or more consecutive axles applicable to por-
 6 tions of the Interstate System in the State for
 7 operations on the list published under para-
 8 graph (3)(C).

9 “(B) LIMITATION.—A reduction described
 10 in subparagraph (A) may not result in a limita-
 11 tion that is less than an Interstate weight limit.

12 “(5) APPLICABILITY OF EXISTING REQUIRE-
 13 MENTS.—All vehicles and combinations included on
 14 the list published under paragraph (3) shall be sub-
 15 ject to all routing-specific, commodity-specific, and
 16 weight-specific designations in effect in a State as of
 17 June 1, 2008.”.

18 (b) CONFORMING AMENDMENT.—Section 127(a)(4)
 19 of title 23, United States Code, is amended by striking
 20 “the State determines”.

21 **SEC. 5. NONDIVISIBLE LOAD PROCEEDING.**

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

25 “(j) NONDIVISIBLE LOADS.—

1 “(1) STATEMENT OF POLICY.—The purpose of
2 this subsection is to promote conformity with Inter-
3 state weight limits to preserve publicly funded infra-
4 structure and protect motorists by limiting max-
5 imum vehicle weight on key portions of the Federal-
6 aid highway system.

7 “(2) PROCEEDING.—Not later than 30 days
8 after the date of the enactment of the Safe High-
9 ways and Infrastructure Preservation Act of 2013,
10 the Secretary shall initiate a proceeding to define
11 the term ‘vehicles and loads that cannot be easily
12 dismantled or divided’ as used in subsection (a) and
13 section 31112 of title 49.

14 “(3) LIST OF COMMODITIES.—

15 “(A) IN GENERAL.—The definition devel-
16 oped under subparagraph (A) shall include a
17 list of commodities (or classes or types of com-
18 modities) that do not qualify as nondivisible
19 loads.

20 “(B) LIMITATION.—The list of commod-
21 ities developed under paragraph (2) shall not be
22 interpreted to be a comprehensive list of com-
23 modities that do not qualify as nondivisible
24 loads.

25 “(4) REGULATIONS.—The Secretary shall—

1 “(A) promulgate final regulations setting
 2 forth the determination of the Secretary made
 3 under paragraph (2) not later than 90 days
 4 after the date of enactment of the Safe High-
 5 ways and Infrastructure Preservation Act of
 6 2013; and

7 “(B) update such regulations, as nec-
 8 essary.

9 “(5) APPLICABILITY.—Regulations promulgated
 10 under paragraph (4) shall apply to all vehicles and
 11 loads operating on the National Highway System.

12 “(6) STATE REQUIREMENTS.—A State may es-
 13 tablish any requirement that is not inconsistent with
 14 regulations promulgated under paragraph (4).”.

15 **SEC. 6. WAIVERS OF WEIGHT LIMITATIONS DURING PERI-**
 16 **ODS OF NATIONAL EMERGENCY.**

17 Section 127 of title 23, United States Code, as
 18 amended by sections 4 and 5, is further amended by add-
 19 ing at the end the following:

20 “(k) WAIVERS DURING PERIODS OF NATIONAL
 21 EMERGENCY.—

22 “(1) IN GENERAL.—Notwithstanding any other
 23 provision of this section or section 127A, the Sec-
 24 retary, in consultation with the Secretary of De-
 25 fense, may waive or limit the application of any vehi-

1 cle weight limit established under this section or sec-
 2 tion 127A with respect to a highway route during a
 3 period of national emergency in order to respond to
 4 the effects of the national emergency.

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

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

10 (a) IN GENERAL.—Chapter 1 of title 23, United
 11 States Code, is amended—

12 (1) in section 127(d)(4), by inserting “and in
 13 section 127A” after “this section”; and

14 (2) by inserting after section 127 the following:

15 **“§ 127A. Vehicle weight limitations—National High-**
 16 **way System**

17 **“(a) NON-INTERSTATE HIGHWAYS ON NATIONAL**
 18 **HIGHWAY SYSTEM.—**

19 **“(1) IN GENERAL.—**Beginning 90 days after
 20 the date of the enactment of the Safe Highways and
 21 Infrastructure Preservation Act of 2013, any Inter-
 22 state weight limit that applies to vehicles and com-
 23 binations (other than longer combination vehicles)
 24 operating on the Interstate System in a State under
 25 section 127 shall apply to vehicles and combinations

1 (other than longer combination vehicles) operating
2 on non-Interstate segments of the National Highway
3 System in the State unless the segments are subject
4 to lower State weight limits as provided for under
5 subsection (d).

6 “(2) EXISTING HIGHWAYS.—

7 “(A) IN GENERAL.—Notwithstanding para-
8 graph (1), in the case of a non-Interstate seg-
9 ment of the National Highway System that is
10 open to traffic on June 1, 2008, a State may
11 allow the operation of any vehicle or combina-
12 tion (other than a longer combination vehicle)
13 on the segment that the Secretary determines
14 under subsection (b) could have been lawfully
15 operated on the segment on June 1, 2008.

16 “(B) APPLICABILITY OF STATE LAWS.—All
17 operations described in subparagraph (A) shall
18 continue to be subject to all State laws, limita-
19 tions, and conditions, including routing-specific,
20 commodity-specific, and configuration-specific
21 designations and all other restrictions, in effect
22 as of June 1, 2008.

23 “(3) NEW HIGHWAYS.—Subject to subsection
24 (d)(1), the gross vehicle weight limitations and axle
25 loading limitations applicable to all vehicles and

1 combinations (other than longer combination vehi-
2 cles) on a non-Interstate segment of the National
3 Highway System that was not open to traffic on
4 June 1, 2008, shall be the Interstate weight limit.

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

6 “(1) IN GENERAL.—The Secretary shall initiate
7 a proceeding to determine and publish a list of vehi-
8 cles and combinations (other than longer combina-
9 tion vehicles), otherwise exceeding an Interstate
10 weight limit, that could be lawfully operated on a
11 non-Interstate segment of the National Highway
12 System on June 1, 2008.

13 “(2) REQUIREMENTS.—In publishing a list of
14 vehicles and combinations under paragraph (1), the
15 Secretary shall identify—

16 “(A) the gross vehicle weight limitations
17 and axle loading limitations in each State appli-
18 cable, as of June 1, 2008, to vehicles and com-
19 binations (other than longer combination vehi-
20 cles) on non-Interstate segments of the Na-
21 tional Highway System; and

22 “(B) operations of vehicles and combina-
23 tions (other than longer combination vehicles),
24 exceeding State gross vehicle weight limitations
25 and axle loading limitations identified under

1 subparagraph (A), that were in actual and law-
2 ful operation on a regular or periodic basis (in-
3 cluding seasonal operations) as of June 1,
4 2008.

5 “(3) LIMITATION.—An operation of a vehicle or
6 combination may not be included on the list pub-
7 lished under paragraph (1) on the basis that a State
8 law (including a regulation) could have authorized
9 the operation on a prior date by permit or otherwise.

10 “(4) PUBLICATION OF FINAL LIST.—Not later
11 than 90 days after the date of the enactment of the
12 Safe Highways and Infrastructure Preservation Act
13 of 2013, the Secretary shall publish a final list of ve-
14 hicles and combinations described in paragraph (1).

15 “(5) UPDATES.—The Secretary shall update
16 the list published under paragraph (4) as necessary
17 to reflect new designations made to the National
18 Highway System.

19 “(c) APPLICABILITY OF LIMITATIONS.—The limita-
20 tions established under subsection (a) shall—

21 “(1) apply to any new designation made to the
22 National Highway System; and

23 “(2) remain in effect on those non-Interstate
24 highways that cease to be designated as part of the
25 National Highway System.

1 “(d) LIMITATIONS ON STATUTORY CONSTRUC-
2 TION.—

3 “(1) STATE ENFORCEMENT OF MORE RESTRIC-
4 TIVE WEIGHT LIMITS.—Nothing in this section may
5 be construed to prevent a State from maintaining or
6 imposing a weight limitation that is more restrictive
7 than the Interstate weight limit on vehicles or com-
8 binations (other than longer combination vehicles)
9 operating on a non-Interstate segment of the Na-
10 tional Highway System.

11 “(2) STATE ACTIONS TO REDUCE WEIGHT LIM-
12 ITS.—Nothing in this section may be construed to
13 prevent a State from reducing the gross vehicle
14 weight limitation, single or tandem axle weight limi-
15 tations, or the overall maximum gross weight on 2
16 or more consecutive axles of the State on any non-
17 Interstate segment of the National Highway System.

18 “(e) LONGER COMBINATION VEHICLES.—

19 “(1) PROHIBITION.—

20 “(A) IN GENERAL.—Beginning 90 days
21 after the date of the enactment of the Safe
22 Highways and Infrastructure Preservation Act
23 of 2013, a longer combination vehicle may con-
24 tinue to operate on a non-Interstate segment of
25 the National Highway System only if the oper-

1 ation of the longer combination vehicle configura-
2 tion type was—

3 “(i) authorized by State officials pur-
4 suant to State law (including a regulation)
5 as of June 1, 2008; and

6 “(ii) in actual and lawful operation on
7 a regular or periodic basis (including sea-
8 sonal operations) on or before June 1,
9 2008.

10 “(B) APPLICABILITY OF STATE LAWS.—All
11 operations described in subparagraph (A) shall
12 continue to be subject to all State laws, limita-
13 tions, and conditions, including routing-specific,
14 commodity-specific, and configuration-specific
15 designations and all other restrictions, in effect
16 as of June 1, 2008.

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

19 “(A) IN GENERAL.—Not later than 30
20 days after the date of enactment of the Safe
21 Highways and Infrastructure Preservation Act
22 of 2013, the Secretary shall initiate a pro-
23 ceeding to determine and publish a list of
24 longer combination vehicles that could be law-

1 fully operated on non-Interstate segments of the
2 National Highway System as of June 1, 2008.

3 “(B) LIMITATION.—A longer combination
4 vehicle may not be included on the list pub-
5 lished under subparagraph (A) on the basis
6 that a State law (including a regulation) could
7 have authorized the operation of the vehicle on
8 a prior date by permit or otherwise.

9 “(C) PUBLICATION OF FINAL LIST.—Not
10 later than 90 days after the date of enactment
11 of the Safe Highways and Infrastructure Pres-
12 ervation Act of 2013, the Secretary shall pub-
13 lish a final list of longer combination vehicles
14 described in subparagraph (A).

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

19 “(3) LIMITATION ON STATUTORY CONSTRUC-
20 TION.—Nothing in this subsection may be construed
21 to prevent a State from further restricting in any
22 manner or prohibiting the operation of a longer com-
23 bination vehicle, except that any such restriction or
24 prohibition shall be consistent with section 127 of

1 this title and sections 31112 through 31114 of title
2 49.

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) PURPOSES.—The purposes of the schedule
8 of fines shall be—

9 “(A) to ensure that fines are sufficient to
10 deter violations of this section; and

11 “(B) to permit States to recover costs as-
12 sociated with damage caused to the National
13 Highway System by the operation of vehicles.

14 “(3) ADOPTION BY STATES.—The Secretary
15 shall encourage States to adopt the schedule of
16 fines.”.

17 (b) ENFORCEMENT OF REQUIREMENTS.—Section
18 141(a) of title 23, United States Code, is amended by
19 striking “the Federal-aid primary system, the Federal-aid
20 urban system, and the Federal-aid secondary system, in-
21 cluding the Interstate System in accordance with section
22 127 of this title” and inserting “the National Highway
23 System, including the Interstate System, in accordance
24 with sections 127 and 127A”.

1 (c) CONFORMING AMENDMENT.—The chapter anal-
2 ysis for title 23, United States Code, is amended by insert-
3 ing after the item relating to section 127 the following:

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

