



U.S. Department of
Transportation
**Federal Highway
Administration**

Memorandum

Subject: Information: “Transportation, Housing and Urban Development, and Related Agencies Consolidated Appropriations Act, 2019”
Truck Size and Weight Provisions

Date: October 25, 2019

From: Martin C. Knopp
Associate Administrator for Operations

Reply HOFM-1
to Attn.
of:

To: Division Administrators
Directors of Field Services
Director of Technical Services

On February 15, 2019, the President signed the Consolidated Appropriations Act 2019 (P.L. 116-6) (“Act”) into law. The Act made appropriations for the Federal Highway Administration and other agencies for the fiscal year ending September 30, 2019.

This memorandum provides information about truck size and weight provisions included in the Act:

- Vehicle weight limitations—Specified segments of the William H. Natcher Parkway (to be designated as a spur of Interstate Route 65), and the Julian M. Carroll (Purchase) Parkway, (to be designated as Interstate Route 69) in Kentucky (Sec. 421),
- Vehicle weight limitations—Natural Gas and Electric Battery Vehicles (Sec. 422), which adds to existing vehicle weight limitation exemptions vehicles powered primarily by means of electric battery power and clarifies that these vehicles may exceed the weight limit on the power unit by up to 2,000 pounds.
- Special Rules for specified routes in Oregon regarding Property-carrying unit limitations (Sec. 423), which authorizes Oregon to allow the operation of certain truck-tractor combinations on specified routes.

For your information, please reference the attachment for more details on the provisions. If you have questions, please contact Vince Mantero, 202-366-2997, or John Berg, 202-740-4602, in the Office of Operations.

Attachment

2019 Appropriations TRUCK SIZE AND WEIGHT PROVISIONS

A. BACKGROUND

Section 127 of title 23, U.S.C., establishes weight limitations for vehicles operating on the Interstate System. The maximum weight limitations are: 20,000 pounds on a single axle; 34,000 pounds on a tandem axle; and 80,000 pounds gross weight, unless the Federal Bridge Formula dictates a lower weight limit. Section 127 states that the overall gross weight may not exceed 80,000 pounds, including all enforcement tolerances, except for those vehicles and loads which cannot be easily dismantled or divided, and have been issued permits in accordance with applicable State laws.

Section 31112 of title 49, U.S.C. establishes limitations with respect length of property carrying units.

B. GOVERNING AUTHORITIES: The Consolidated Appropriations Act for 2019 (Public Law 116-9) (“Act”) amended truck size and weight provisions in:

1. 23 U.S.C. 127 - Vehicle weight limitations - Interstate System.
2. 49 U.S.C. 31112 - Property-carrying unit limitation

C. DESCRIPTION OF 2019 CONSOLIDATED APPROPRIATIONS ACT—TRUCK SIZE AND WEIGHT PROVISIONS

Section 421 amended 23 U.S.C. 127(l)—Vehicle weight limitations—Interstate System

The amended statute at 23 U.S.C. 127(l) provides, in relevant part:

Operation of vehicles on certain Kentucky highways.

(1) In general.--If any segment of highway described in paragraph (2) is designated as a route on the Interstate System, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a).

(2) Description of highway segments.--The highway segments referred to in paragraph (1) are as follows:

(A) Interstate Route 69 in Kentucky (formerly the Wendell H. Ford (Western Kentucky) Parkway) from the Interstate Route 24 Interchange, near Eddyville, to the Edward T. Breathitt (Pennyrile) Parkway Interchange.

(B) The Edward T. Breathitt (Pennyrile) Parkway (to be designated as Interstate Route 69) in Kentucky from the Wendell H. Ford (Western Kentucky) Parkway Interchange to near milepost 77, and on new alignment to an interchange on the Audubon Parkway, if the segment is designated as part of the Interstate System.

(3) Additional highway segments.—

(A) In general.--If any segment of highway described in clause (i) or (ii) of this subparagraph is designated as a route of the Interstate System, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a), except that such vehicle shall not exceed a gross vehicle weight of 120,000 pounds. The highway segments referred to in this paragraph are as follows:

(i) The William H. Natcher Parkway (to be designated as a spur of Interstate Route 65) from Interstate Route 65 in Bowling Green, Kentucky, to United States Route 60 in Owensboro, Kentucky.

(ii) The Julian M. Carroll (Purchase) Parkway (to be designated as Interstate Route 69) in Kentucky from the Tennessee state line to the interchange with Interstate Route 24, near Calvert City.

(B) Nondivisible load or vehicle.--Nothing in this paragraph shall prohibit the State from issuing a permit for a nondivisible load or vehicle with a gross vehicle weight that exceeds 120,000 pounds.

Section 422 amended 23 U.S.C. 127(s)—Vehicle weight limitations—Interstate System

The amended statute at 23 U.S.C. 127(s) provides, in relevant part:

Natural gas and electric battery vehicles.--A vehicle, if operated by an engine fueled primarily by natural gas or powered primarily by means of electric battery power, may exceed the weight limit on the power unit by up to 2,000 pounds (up to a maximum gross vehicle weight of 82,000 pounds) under this section.

Section 423 amended 49 U.S.C. 31112(c)—Special rules for Wyoming, Ohio, Alaska, Iowa, Nebraska, Kansas, and Oregon.

The amended statute at 49 U.S.C. 31112(c)(6) provides, in relevant part:

Special rules for Wyoming, Ohio, Alaska, Iowa, Nebraska, Kansas, and Oregon.--In addition to the vehicles allowed under subsection (b) of this section—

* * *

Oregon may allow the operation of a truck tractor and 2 property-carrying units not in actual lawful operation on a regular or periodic basis on June 1, 1991, if—

(A) the length of the property-carrying units does not exceed 82 feet 8 inches;

(B) the combination is used only to transport sugar beets; and

(C) the operation occurs on United States Route 20, United States Route 26, United States Route 30, or Oregon Route 201 in the vicinity, or between any, of—

- (i) Vale, Oregon;
- (ii) Ontario, Oregon; or
- (iii) Nyssa, Oregon.

E. QUESTIONS AND ANSWERS

Vehicle weight limitations—Interstate System in Kentucky—23 U.S.C. 127(l)

Question 1: Are the changes made in the Act regarding the Interstate weight limits in Kentucky permanent?

Answer 1: Yes. In addition, the provisions in 23 U.S.C. 127(s) and 49 U.S.C. 31112(c) are also permanent.

Question 2: Are the Federal Interstate vehicle weight limits in 23 U.S.C. 127, 20,000 pounds on single axle, 34,000 pounds on a tandem axle, 80,000 gross vehicle weight, the Federal bridge formula, and oversize permit allowances applicable on the relevant highway segments in Kentucky?

Answer 2: Any vehicle that could operate legally on the segments described in 23 U.S.C. 127(l) as of February 15, 2019, may continue to operate on that segment, if such segment is converted to an Interstate Highway. However, a State may issue a permit restricting the operation of a nondivisible load or vehicle with a gross vehicle weight that exceeds 120,000 pounds.

Vehicle weight limitations—Interstate System—Natural Gas Vehicles and Electric Battery Vehicles 23 U.S.C. 127(s)

Question 1: Did the Act affect FHWA guidance relating to Natural Gas Vehicles under the Fixing America's Surface Transportation Act ("FAST Act") (P.L. 114-357)?

Answer 1: Yes, because the Act revised these provisions, FHWA has updated its guidance on 23 U.S.C. 127(s) relating to Natural Gas and Electric Battery Vehicles. These updates are available in this memo and updated FAST Act guidance may also be found at:

https://ops.fhwa.dot.gov/freight/pol_plng_finance/policy/fastact/tswprovisions/index.htm
See questions #11-14 under "Interstate Weight Limits (FAST Act Section 1410).

Question 2 (FAST Act Question #11 [revised October 25, 2019]): What is the Federal weight allowance for Natural Gas Vehicles and Electric Battery Vehicles?

Answer 2: A Natural Gas Vehicle or Electric Battery Vehicle, if operated by an engine fueled primarily by natural gas or powered primarily by means of electric battery power, may exceed the weight limit on the power unit by up to 2,000 pounds (up to a maximum gross vehicle weight of 82,000 pounds) under 23 U.S.C. 127(s).

Question 2 (FAST Act Question #12 [revised October 25, 2019]): Does the weight allowance only apply to the Gross Vehicle Weight (GVW)?

Answer 2: No, a vehicle may exceed the limits on the power unit for: the single axle, tandem axle, and Federal bridge formula maximum weights, provided that the weight on the power unit does not exceed 2,000 pounds, and total GVW does not exceed 82,000 pounds.

Question 3 (FAST Act Question #13 [revised October 25, 2019]): May the weight allowance for Idle Reduction Technology or Auxiliary Power Unit (APU) of up to 550 pounds be added to the weight allowance for the Natural Gas Vehicles and Electric Battery Vehicles?

Answer 3: Yes. For example, if a Natural Gas Vehicle or Electric Battery Vehicle with a 2,000-pound allowance has a 550 pound APU, the total additional allowable weight would be 2,550 pounds.

Question 4 (FAST Act Question #14 [revised October 25, 2019]): Must States allow the additional weight (for a GVW of up to 82,000 pounds) for any legal Natural Gas Vehicle or Electric Battery Vehicle operating on the Interstate or within reasonable access to the Interstate?

Answer 4: Yes, States must allow up to 2,000 additional pounds for any legal Natural Gas Vehicle or Electric Battery Vehicle traveling on the Interstate Highway System and within reasonable access to the Interstate.

GENERAL

Question 1: When do the new provisions take effect?

Answer 2: The Act became effective on February 15, 2019.

Question 2: Who may I contact for more information on these provisions?

Answer 2: Implementation questions not covered in this guidance should be directed to the FHWA Division Office, Truck Size and Weight Specialists. These personnel are listed here: <https://ops.fhwa.dot.gov/freight/sw/contact/index.htm#fhwa>.

Question 3: Where are resources available for Vehicle Size and Weight laws, regulations and guidance?

Answer 3: FHWA has numerous resources available at: <http://ops.fhwa.dot.gov/freight/sw/index.htm>.