

#19

11-R-1764

Committee _____
 Date _____
 Chair _____
 Referred To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Vote

A RESOLUTION BY
 COUNCIL MEMBERS MICHAEL J. JETIAN
 BOND AND FELICIA A. MOORE

Committee _____
 Date 11-30-11
 Chair J. Johnson
 Action (Fav, Adv, Hold (see rev. side) Other)

Committee _____
 Date _____
 Chair _____
 Action (Fav, Adv, Hold (see rev. side) Other)

CERTIFIED
 DEC 05 2011
 ATLANTA CITY COUNCIL PRESIDENT

A RESOLUTION OPPOSING FEDERAL LEGISLATION ALLOWING FOR INCREASED TRUCK WEIGHTS ON INTERSTATE HIGHWAYS; URGING CONGRESS NOT TO PASS SUCH LEGISLATION; SUPPORTING FEDERAL LEGISLATION FREEZING CURRENT TRUCK WEIGHT LIMITS AND URGING CONGRESS TO PASS SUCH LEGISLATION; AND FOR OTHER PURPOSES.

Members P. J. [Signature]
 Refer To [Signature]

Committee _____
 Date _____
 Chair _____
 Action (Fav, Adv, Hold (see rev. side) Other)

CERTIFIED
 DEC 05 2011
 MAYOR'S ACTION

ADOPTED BY
 DEC 05 2011
 COUNCIL

- CONSENT REFER
 - REGULAR REPORT REFER
 - ADVERTISE & REFER
 - 1ST ADOPT 2ND READ & REFER
 - PERSONAL PAPER REFER
- Date Referred: 11/21/11
 Referred To: Finance Excc
 Date Referred:
 Referred To:
 Date Referred:
 Referred To:

Committee _____
 Date _____
 Chair _____
 Action (Fav, Adv, Hold (see rev. side) Other)

Committee _____
 Date _____
 Chair _____
 Action (Fav, Adv, Hold (see rev. side) Other)

APPROVED
 DEC 14 2011
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



A RESOLUTION BY

COUNCILMEMBERS MICHAEL JULIAN BOND AND FELICIA A. MOORE

A RESOLUTION OPPOSING FEDERAL LEGISLATION ALLOWING FOR INCREASED TRUCK WEIGHTS ON INTERSTATE HIGHWAYS; URGING CONGRESS NOT TO PASS SUCH LEGISLATION; SUPPORTING FEDERAL LEGISLATION FREEZING CURRENT TRUCK WEIGHT LIMITS AND URGING CONGRESS TO PASS SUCH LEGISLATION; AND FOR OTHER PURPOSES.

WHEREAS, Current federal law provides that only trucks carrying 80,000 pounds or less are permitted legally on the interstate highway system; and

WHEREAS, Bills have been filed for consideration during the 112th Congress that would raise the federal 80,000 pound weight limit on interstate highways and/or allow states to raise this limit, including:

* **H.R. 763 (Rep. Michael Michaud, D-ME-2nd) / S. 747 (Sen. Mike Crapo, R-ID): The Safe and Efficient Transportation Act of 2011**, which would allow any state to authorize the operation of vehicles with a gross vehicle weight up to 97,000 pounds on its interstate highway system.

* **H.R. 801 (Rep. Chip Cravaack, R-MN-8th) The Truck Weight Uniformity Act of 2011**, which would allow a state to authorize a vehicle exceeding federal interstate highway weight limits to operate on interstate highways in that state if the vehicle has a gross vehicle weight of no more than 99,000 pounds, at least six axles and no more than 20,000 pounds per axle; no more than 34,000 pounds on the tandem axle; and no more than 51,000 pounds on any three axles.

* **S. 1450 (Sen. Olympia Snowe, R-ME): The Commercial Truck Safety Act**, which would allow the U.S. Secretary of Transportation to grant a waiver from current 80,000 pound interstate highway weight limit for a 3-year pilot program, during which time state engineers, highway users and safety advocates would weigh the advantages and disadvantages and report to the Secretary who could then set reasonable, permanent weight limits; and

WHEREAS, In contrast, **H.R. 1574 (Rep. James McGovern, D-MA-3rd) / S. 876 (Sen. Frank Lautenberg, D-NJ), The Safe Highways and Infrastructure Preservation Act (SHIPA)** has been filed for consideration during the 112th Congress which would freeze current truck weights and lengths in all states, prohibiting trucks on interstate highways heavier than the current 80,000 pound weight limit; and,

WHEREAS, Current funding for roads and bridges across all levels of government is inadequate and investments by local governments have been sharply curbed by cuts in municipal state aid, county state aid and a shrinking federal highway fund; and

WHEREAS, Bigger and heavier trucks accelerate the deterioration of highways, roads and bridges putting further pressure on local taxpayers to fund infrastructure repairs and improvements; and



WHEREAS, The City of Atlanta is concerned that attempts to increase the size, weight and allowable number of trailers that go well beyond the carrying capacity of existing bridges, highways and roads threaten the health, welfare and safety of its residents, as well as the condition of its infrastructure and fiscal health of its budget; and,

WHEREAS, Legislation allowing for heavier trucks is opposed by law enforcement associations, the American Automobile Association, the Owner-Operator Independent Drivers Association and railroads associations; and,

WHEREAS, The City Council strongly opposes federal legislation that attempts to shift costs and liabilities on to local governments, as well as weaken local control of bridges, highways and roads.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

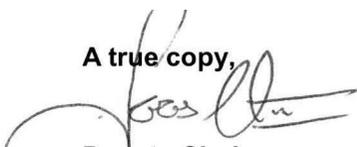
Section 1: The City Council of the City of Atlanta opposes federal legislation that would allow for increased truck sizes and weights on interstate highways and urges Congress not to pass these bills, including, but not limited to: **H.R. 763 / S. 747, The Safe and Efficient Transportation Act of 2011; H.R. 801, The Truck Weight Uniformity Act of 2011;** and **S. 1450, The Commercial Truck Safety Act.**

Section 2: The City Council of the City of Atlanta supports federal legislation that would freeze current truck weights and lengths in all states, including but not limited to the **H.R. 1574 / S. 876, Safe Highways and Infrastructure Preservation Act (SHIPA).**

Section 3: The Municipal Clerk is hereby directed to transmit a copy of this resolution to the members of the Georgia Congressional Delegation.

Section 4: That all resolutions and parts of resolutions in conflict herewith are and the same is hereby repealed.

A true copy,



Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

DEC 05, 2011
DEC 14, 2011

RCS# 1616
12/05/11
5:55 PM

Atlanta City Council

REGULAR SESSION

11-R-1764

OPPOSING FEDERAL LEGISLATION ALLOWING
INCREASED TRUCK WEIGHTS ON INTERSTATE
ADOPT

YEAS: 13
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	NV Martin	Y Watson
Y Young	N Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

11-R-1764

112TH CONGRESS
1ST SESSION

H. R. 763

To amend title 23, United States Code, with respect to vehicle weight limitations applicable to the Interstate System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2011

Mr. MICHAUD (for himself and Mrs. SCHMIDT) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 23, United States Code, with respect to vehicle weight limitations applicable to the Interstate System, 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 and Efficient
5 Transportation Act of 2011”.

1 **SEC. 2. MODERNIZED WEIGHT LIMITATIONS FOR CERTAIN**
2 **VEHICLES.**

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

5 “(i) **ADDITIONAL EXCEPTION TO WEIGHT REQUIRE-**
6 **MENTS.—**

7 “(1) **IN GENERAL.—**Notwithstanding subsection
8 (a), a State may authorize a vehicle with a max-
9 imum gross weight, including all enforcement toler-
10 ances, that exceeds the maximum gross weight oth-
11 erwise applicable under subsection (a) to operate on
12 the Interstate System routes in the State, if—

13 “(A) the vehicle is equipped with at least
14 6 axles;

15 “(B) the weight of any single axle on a ve-
16 hicle does not exceed 20,000 pounds, including
17 enforcement tolerances;

18 “(C) the weight of any tandem axle on a
19 vehicle does not exceed 34,000 pounds, includ-
20 ing enforcement tolerances;

21 “(D) the weight of any group of 3 or more
22 axles on a vehicle does not exceed 51,000
23 pounds, including enforcement tolerances; and

24 “(E) the gross weight of the vehicle does
25 not exceed 97,000 pounds, including enforce-
26 ment tolerances.

1 “(2) SPECIAL RULES.—

2 “(A) SPECIAL EXCEPTION FOR CERTAIN
3 STATES.—This subsection shall not apply to
4 any vehicle exceeding the maximum gross
5 weight requirements under subsection (a) which
6 could have operated lawfully within a State
7 before the date of the enactment of this sub-
8 section or otherwise restrict a vehicle that may
9 lawfully operate under another provision of this
10 section.

11 “(B) INCREASE IN AXLE WEIGHT RE-
12 QUIREMENT.—A State may authorize a vehicle
13 to exceed the maximum axle weight require-
14 ments under any one axle grouping in subpara-
15 graph (B), (C), or (D) of paragraph (1) by not
16 more than 2,000 pounds.

17 “(3) APPROVAL BY STATE LEGISLATURE.—Any
18 State seeking to authorize a vehicle to operate on
19 the Interstate System routes within its boundaries
20 under paragraph (1) or to increase the maximum
21 axle weight requirements under paragraph (2) shall
22 do so pursuant to authority provided by State by
23 statute.

24 “(4) REPORTING REQUIREMENTS.—

1 “(A) ANNUAL REPORT.—If a State author-
2 izes vehicles described in paragraph (1) to oper-
3 ate on highway routes in the State in a fiscal
4 year, the State shall submit to the Secretary for
5 the fiscal year an annual report at such time,
6 in such manner, and containing such informa-
7 tion as the Secretary may require, including, at
8 a minimum, the following:

9 “(i) An identification of highway
10 routes in the State, including routes not on
11 the Interstate System, on which the State
12 authorizes vehicles described in paragraph
13 (1) to operate.

14 “(ii) A description of the operating re-
15 quirements and gross vehicle weight limits
16 applicable to the vehicles described in para-
17 graph (1).

18 “(iii) Safety statistics, including vehi-
19 cle miles traveled data, concerning the ve-
20 hicles described in paragraph (1).

21 “(B) 5-YEAR ASSESSMENTS.—Following
22 the 5th fiscal year in which a State authorizes
23 vehicle operations described in paragraph (1),
24 and following each 5th fiscal year thereafter,
25 the State shall include in the State’s annual re-

1 port under subparagraph (A) an assessment,
2 developed by the Secretary under regulation, of
3 the impacts that vehicles described in para-
4 graph (1) have had on pavement and bridge
5 maintenance costs incurred by the State in the
6 preceding 5 fiscal years.

7 “(C) PUBLIC AVAILABILITY.—The Sec-
8 retary shall make all information required
9 under subparagraph (A) and (B) available to
10 the public.

11 “(5) TERMINATION.—The Secretary may termi-
12 nate the operation of vehicles authorized under this
13 subsection on a specific route if the Secretary deter-
14 mines that such operation poses an unreasonable
15 safety risk based on an engineering analysis or an
16 analysis of safety data or any other applicable data
17 the Secretary may use.

18 “(6) WAIVER OF HIGHWAY FUNDING REDUC-
19 TION.—Notwithstanding subsection (a), the total
20 amount of funds apportioned to each State under
21 section 104(b)(1) for any period may not be reduced
22 under subsection (a) if the State authorizes a vehicle
23 described in paragraph (1) to operate on the Inter-
24 state System in the State in accordance with this
25 subsection or subsection (j).

1 “(2) RATIO TO ELIGIBLE STATES.—The sums
2 made available out of the Safe and Efficient Vehicle
3 Trust Fund shall be apportioned among eligible
4 States in a ratio that—

5 “(A) the total vehicle miles traveled on
6 Interstate System highways by vehicles author-
7 ized to travel on such highways pursuant to sec-
8 tion 127(i) in each eligible State, as determined
9 by the Secretary; bears to

10 “(B) the total vehicle miles traveled on
11 Interstate System highways by vehicles author-
12 ized to travel on such highways pursuant to sec-
13 tion 127(i) in all eligible States, as determined
14 by the Secretary.

15 “(c) ELIGIBLE PROJECTS.—An eligible State that re-
16 ceives an apportionment in a fiscal year under subsection
17 (b) shall use the amounts of the apportionment for
18 projects eligible for assistance under section 144 for
19 bridges determined to be eligible for replacement or reha-
20 bilitation under subsection (b) or (c) of such section.

21 “(d) CONTRACT AUTHORITY.—Funds made available
22 out of the Safe and Efficient Vehicle Trust Fund to carry
23 out this section shall be available for obligation in the
24 same manner as if the funds were made available from

1 the Highway Trust Fund (other than the Mass Transit
2 Account).

3 “(e) ELIGIBLE STATE DEFINED.—In this section the
4 term ‘eligible State’ means a State that authorizes a vehi-
5 cle described in section 127(i) to operate on the Interstate
6 System within its borders.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 of chapter 1 of title 23, United States Code, is amended
9 by adding at the end the following:

“167. Safe and efficient vehicle bridge infrastructure improvement program.”.

10 **SEC. 4. SAFE AND EFFICIENT VEHICLE CHARGES.**

11 (a) IN GENERAL.—Subsection (a) of section 4481 of
12 the Internal Revenue Code of 1986 is amended by adding
13 at the end the following:

14 “In the case of the use of any highway motor vehicle de-
15 scribed in section 127(i) of title 23, United States Code,
16 in lieu of the rate in the table, the rate shall be equal
17 to the lesser of—

18 “(1) \$100 per year, plus \$22 for each 1,000
19 pounds (or fraction thereof) in excess of 55,000
20 pounds, or

21 “(2) \$800 per year.”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 this section shall apply to taxable periods beginning after
24 the date of the enactment of this Act.

1 **SEC. 5. SAFE AND EFFICIENT VEHICLE TRUST FUND.**

2 (a) IN GENERAL.—Subchapter A of chapter 98 of the
3 Internal Revenue Code of 1986 (relating to the trust fund
4 code) is amended by adding at the end the following new
5 section:

6 **“SEC. 9512. SAFE AND EFFICIENT VEHICLE TRUST FUND.**

7 “(a) CREATION OF FUND.—There is hereby estab-
8 lished in the Treasury of the United States a fund to be
9 known as the ‘Safe and Efficient Vehicle Trust Fund’,
10 consisting of such amounts as may be—

11 “(1) appropriated to the Safe and Efficient Ve-
12 hicle Trust Fund as provided in this section, or

13 “(2) credited to the Safe and Efficient Vehicle
14 Trust Fund as provided in section 9602(b).

15 “(b) TRANSFER TO SAFE AND EFFICIENT VEHICLE
16 TRUST FUND OF AMOUNTS EQUIVALENT TO CERTAIN
17 TAXES.—There are hereby appropriated to the Safe and
18 Efficient Vehicle Trust Fund amounts equivalent to the
19 taxes received in the Treasury under section 4481(a)
20 which are attributable to the use of any highway motor
21 vehicle described in section 127(i) of title 23, United
22 States Code.

23 “(c) EXPENDITURES FROM SAFE AND EFFICIENT
24 VEHICLE TRUST FUND.—Amounts in the Safe and Effi-
25 cient Vehicle Trust Fund shall be available, as provided
26 by appropriations Acts, for fiscal years beginning 1 year

1 after the date of the enactment of this Act for projects
2 eligible for assistance under section 144 of title 23, United
3 States Code.”.

4 (b) CONFORMING AMENDMENTS.—

5 (1) Paragraph (1) of section 9503(b) of such
6 Code is amended by striking the period at the end
7 and inserting “, and taxes received under section
8 4481 shall be determined without regard to those re-
9 ceived in the Treasury under section 4481(a) which
10 are attributable to the use of any highway motor ve-
11 hicle described in section 127(i) of title 23, United
12 States Code.”.

13 (2) The table of sections for subchapter A of
14 chapter 98 of such Code is amended by adding at
15 the end the following:

“Sec. 9512. Safe and Efficient Vehicle Trust Fund.”.

16 (c) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on the date of the enactment
18 of this Act.

○

112TH CONGRESS
1ST SESSION

S. 747

To amend title 23, United States Code, with respect to vehicle weight limitations applicable to the Interstate System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 6 (legislative day, APRIL 5), 2011

Mr. CRAPO (for himself, Mr. KOHL, Ms. COLLINS, and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title 23, United States Code, with respect to vehicle weight limitations applicable to the Interstate System, 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,*

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8 the Interstate System routes in the State, if—

9 “(A) the vehicle is equipped with at least
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12 hicle does not exceed 20,000 pounds, including
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14 “(C) the weight of any tandem axle on a
15 vehicle does not exceed 34,000 pounds, includ-
16 ing enforcement tolerances;

17 “(D) the weight of any group of 3 or more
18 axles on a vehicle does not exceed 51,000
19 pounds, including enforcement tolerances; and

20 “(E) the gross weight of the vehicle does
21 not exceed 97,000 pounds, including enforce-
22 ment tolerances.

23 “(2) SPECIAL RULES.—

24 “(A) SPECIAL EXCEPTION FOR CERTAIN
25 STATES.—This subsection shall not apply to

**LARGE
ATTACHMENT(S)
DOCUMENT(S),
MANNUAL(S)
OR
MAP(S)
NOT COPIED**