

1 HB262
2 216981-6
3 By Representative Allen
4 RFD: Agriculture and Forestry
5 First Read: 03-FEB-22

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ENROLLED, An Act,

Relating to motor vehicles; to amend Section 40-12-248, Code of Alabama 1975; to limit the annual license tax and registration fee for trucks or truck tractors used in activities reasonably related to the harvesting and processing of forest products.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 40-12-248, Code of Alabama 1975, as amended by Act 2021-337 of the 2021 Regular Session is amended to read as follows:

"§40-12-248.

"(a) For each truck or truck tractor using the public highways of this state, annual license taxes and registration fees based on the gross vehicle weight in pounds are imposed and shall be charged. For the purposes of this section, the term "gross vehicle weight" shall mean the empty weight of the truck or truck tractor plus the heaviest load to be carried and, in the case of combinations, shall be deemed to include also the empty weight of the heaviest trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error shall be allowable under this section, except as provided in subsection (b).

1	64,001 to 73,280	357.50
2	73,281 to 80,000	407.50
3	80,001 or over	445.00

4 SCHEDULE OF ADDITIONAL AMOUNTS

5	Gross Vehicle	
6	Weight in Pounds	Additional Amount
7	0 to 8,000	\$2.30
8	8,001 to 10,000	17.50
9	10,001 to 12,000	52.50
10	12,001 to 18,000	85.00
11	18,001 to 26,000	117.50
12	26,001 to 33,000	150.00
13	33,001 to 42,000	260.00
14	42,001 to 55,000	292.50
15	55,001 to 64,000	325.00
16	64,001 to 73,280	357.50
17	73,281 to 80,000	407.50
18	80,001 or over	445.00

1 "The total amount of the annual license tax and
2 registration fee shall be limited with respect to trucks or
3 truck tractors owned and used by a farmer for transporting
4 farm products or the personal property of the farmer for use
5 on his or her farm to a maximum of thirty dollars (\$30) where
6 the gross vehicle weight of the truck does not exceed 30,000
7 pounds; to a maximum of eighty-five dollars (\$85) where the
8 gross vehicle weight of the truck exceeds 30,000 pounds, but
9 does not exceed 42,000 pounds; and to a maximum of two hundred
10 fifty dollars (\$250) where the gross vehicle weight of the
11 truck or truck tractor is up to and including the class
12 currently designated 80,001 pounds or over. The annual license
13 tax and registration fee shall be limited with respect to
14 trucks owned and used by any person for activities reasonably
15 related to the harvesting and processing of forest products
16 ~~transporting forest products or forestry harvesting and~~
17 ~~management equipment from the point of severance to a sawmill,~~
18 ~~to a papermill, or to a concentration yard~~ to a maximum of
19 forty dollars (\$40) where the gross vehicle weight of the
20 truck does not exceed 30,000 pounds and to a maximum of
21 sixty-five dollars (\$65) where the gross vehicle weight
22 exceeds 30,000 pounds, but does not exceed 42,000 pounds.
23 Where the gross vehicle weight of a truck or truck tractor
24 owned and used by any person for activities reasonably related

1 to the harvesting and processing of forest products
2 ~~transporting forest products or forestry harvesting and~~
3 ~~management equipment from the point of severance to a sawmill,~~
4 ~~to a papermill, or to a concentration yard exceeds 42,000~~
5 pounds, the annual license tax and registration fee for the
6 restricted tags shall consist of the base amount applicable to
7 the truck tractor under the schedule base amounts set forth in
8 this subsection, plus the additional amount applicable to the
9 truck or truck tractor under the schedule of additional
10 amounts set forth in this subsection.

11 "For purposes of enforcement of farm truck license
12 tags or of forest products truck license tags, all scaled
13 weight shall be allowed a tolerance or a margin of error of 10
14 percent of the true gross or axle weights to allow for any
15 climatic conditions.

16 "For each truck tractor that is operated by a
17 certificated motor carrier and that is operated exclusively
18 within 15 miles of the corporate limits of the incorporated
19 municipality in which it is customarily domiciled, but not
20 including vehicles operating beyond the borders of Alabama,
21 and which is registered in the county in which it is
22 customarily domiciled, a total annual license tax and
23 registration fee of three hundred dollars (\$300) is imposed
24 and shall be charged.

1	0 to 8,000	\$2.30
2	8,001 to 12,000	25.00
3	12,001 to 18,000	50.00
4	18,001 to 26,000	87.50
5	26,001 to 33,000	137.50
6	33,001 to 42,000	250.00

7 "(1) Notwithstanding the other provisions of this
8 section, a pickup truck as defined in Section 32-8-2, which is
9 used for personal or agricultural use and which is not
10 operated for commercial purposes, shall be licensed and
11 registered based on the gross weight of the vehicle only
12 without regard to the heaviest load to be carried including
13 the heaviest load to be carried on any trailer used in
14 combination with the truck, and, for purposes of this
15 subdivision, the term "gross vehicle weight in pounds" as used
16 in this subsection means the gross weight of the vehicle only
17 without regard to the heaviest load to be carried including
18 the heaviest load to be carried on any trailer used in
19 combination with the truck.

20 "(2) Notwithstanding the other provisions of this
21 section, a motor vehicle wrecker, commonly known as a tow
22 truck, which is used primarily to move, tow, or recover
23 disabled motor vehicles or used for impoundment purposes,

1 shall be licensed and registered based on the gross vehicle
2 weight of the wrecker only without regard to the gross vehicle
3 weight of any motor vehicle to be towed by the wrecker.

4 "(c) Every person making application for license
5 under this section to use a truck or truck tractor on the
6 public highways of this state shall be required to file a
7 statement declaring the gross vehicle weight of the truck or
8 truck tractor with the judge of probate, or other county
9 licensing officer, in the county in which the application is
10 made. Upon payment of the applicable motor vehicle license tax
11 or registration fee, the license to use the truck or truck
12 tractor on the public highways of this state shall be limited
13 to the gross vehicle weight so declared by the owner, which
14 shall be deemed to constitute the allowable gross vehicle
15 weight for which the vehicle is licensed.

16 "After having obtained a license under this section
17 with respect to any truck or truck tractor, the owner thereof
18 may during the then current tax year voluntarily increase the
19 allowable gross vehicle weight for which the vehicle is
20 licensed by filing a new statement declaring the vehicle's
21 gross weight, applying for a new license applicable to the
22 appropriate gross vehicle weight classification, surrendering
23 the license plates or tags previously obtained, and paying the
24 difference between the fees applicable to a license for the
25 higher weight classification desired and the fee in respect of

1 the license so surrendered. The license classification of a
2 truck or truck tractor may not be decreased, however, except
3 once a year at the time new license tags or plates are
4 purchased for the truck or truck tractor."

5 Section 2. This act shall become effective
6 immediately following its passage and approval by the
7 Governor, or its otherwise becoming law.

