

1 HJR231  
2 151408-3  
3 By Representatives DeMarco, Wood, Ball, Patterson, Greer,  
4 Hill, Weaver, Harper, Farley, Rich, Johnson (W), Scott,  
5 Coleman-Evans, McAdory, Henry, Hurst, Williams (J), Carns,  
6 Drake, Johnson (K), Collins, Fincher, Hammon, Vance, Jones,  
7 Moore (M), Todd, Ison, Barton, Merrill, Poole, England,  
8 Sessions, Rogers, Givan, Treadaway, Payne, Love, McClurkin,  
9 Lee, Chesteen, Buttram, Baker, Burdine, Mask, Williams (P),  
10 Faust, Brown, Hubbard (M), Bridges, Davis, Standridge,  
11 McCampbell, Beech, Boothe and Moore (B)  
12 RFD: Rules  
13 First Read: 04-APR-13

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2 ENROLLED, House Joint Resolution,

3           URGING THE FEDERAL MOTOR CARRIER SAFETY  
4 ADMINISTRATION TO FURTHER REVIEW AND UPHOLD THE ALABAMA METAL  
5 COIL SECUREMENT ACT OF 2009.  
6

7           WHEREAS, during the period of 1987 through 2006, as  
8 many as 30 trucks lost loads of metal coils in the Birmingham,  
9 Alabama, area resulting in hundreds of thousands of dollars in  
10 road and bridge repairs; and

11           WHEREAS, the metal coil spills were a threat to the  
12 public safety, potentially resulting in the lost of human life  
13 and countless injuries; and

14           WHEREAS, Alabama public safety officials assessed  
15 the problem in part to be a lack of knowledge of metal coil  
16 haulers about proper securement procedures and in some cases a  
17 failure to follow federal securement regulations; and

18           WHEREAS, in response to the public outcry of its  
19 Alabama citizenry, the Legislature passed the Metal Coil  
20 Securement Act of 2009 which required motor carrier drivers  
21 hauling metal coils to be trained and certified in proper  
22 securement procedures with assigned penalties and fines for  
23 those found noncompliant; and

1           WHEREAS, over 50,000 motor carrier drivers that  
2           hailed metal coil as initiated or terminated in Alabama were  
3           trained and certified in proper securement of metal coils; and

4           WHEREAS, since passage of the Metal Coil Securement  
5           Act of 2009, public safety observers witnessed a renewed  
6           safety commitment by the transporters of metal coils,  
7           resulting in zero metal coil spills; and

8           WHEREAS, the Federal Motor Carrier Safety  
9           Administration recently issued a ruling in response to parties  
10          challenging the state law, stating that there is insufficient  
11          support for the claimed safety benefits and that the act  
12          places an unreasonable burden on interstate commerce and  
13          therefore prohibits the State of Alabama from enforcing the  
14          act on interstate carriers; and

15          WHEREAS, the Legislature believes that the driver  
16          training provisions of the Metal Coil Securement Act of 2009  
17          are a valid exercise of the police power of the State of  
18          Alabama and do not violate the commerce clause of the United  
19          States Constitution; and

20          WHEREAS, the benefits of the Metal Coil Securement  
21          Act of 2009 have been clearly demonstrated since its  
22          enactment; now therefore,

23          BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH  
24          HOUSES THEREOF CONCURRING, That the Legislature expresses its  
25          strong disagreement with the action of the Federal Motor

1 Carrier Safety Administration and its federal ruling in  
2 disapproving the Alabama Metal Coil Securement Act of 2009,  
3 and urges the Federal Motor Carrier Safety Administration to  
4 review and rescind its prior ruling finding the act to burden  
5 interstate commerce.

6 BE IT FURTHER RESOLVED, That a copy of this  
7 resolution be forwarded to the Federal Motor Carrier Safety  
8 Administration and to the Governor.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was adopted by the House 09-APR-13.

Jeff Woodard  
Clerk

Senate

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02-MAY-13

Adopted