

The words “safety duties and powers” are substituted for “safety functions” for clarity and consistency in the revised title. The reference to fiscal year 1992 is omitted as obsolete.

REFERENCES IN TEXT

The Stevenson-Wydler Technology Innovation Act of 1980, referred to in subsec. (b)(4), is Pub. L. 96-480, Oct. 21, 1980, 94 Stat. 2311, as amended, which is classified generally to chapter 63 (§3701 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 3701 of Title 15 and Tables.

AMENDMENTS

2005—Pub. L. 109-59 amended section catchline and text generally. Prior to amendment, text read as follows: “Not more than \$ _____ may be appropriated to the Secretary of Transportation for the fiscal year ending September 30, 19 __, to carry out the safety duties and powers of the Federal Highway Administration.”

[§ 31109. Repealed. Pub. L. 114-94, div. A, title V, § 5101(e)(4), Dec. 4, 2015, 129 Stat. 1525]

Section, added Pub. L. 109-59, title IV, §4109(b)(1), Aug. 10, 2005, 119 Stat. 1721, related to performance and registration information system management.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 2016, subject to a transition provision, see section 5101(f), (g) of Pub. L. 114-94, set out as Effective Date of 2015 Amendment and Transition notes under section 31102 of this title.

§ 31110. Authorization of appropriations

(a) ADMINISTRATIVE EXPENSES.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—

- (1) \$267,400,000 for fiscal year 2016;
- (2) \$277,200,000 for fiscal year 2017;
- (3) \$283,000,000 for fiscal year 2018;
- (4) \$284,000,000 for fiscal year 2019; and
- (5) \$288,000,000 for fiscal year 2020.

(b) USE OF FUNDS.—The funds authorized by this section shall be used for—

- (1) personnel costs;
- (2) administrative infrastructure;
- (3) rent;
- (4) information technology;
- (5) programs for research and technology, information management, regulatory development, and the administration of performance and registration information systems management under section 31106(b);
- (6) programs for outreach and education under subsection (c);
- (7) other operating expenses;
- (8) conducting safety reviews of new operators; and
- (9) such other expenses as may from time to time become necessary to implement statutory mandates of the Federal Motor Carrier Safety Administration not funded from other sources.

(c) OUTREACH AND EDUCATION PROGRAM.—

- (1) IN GENERAL.—The Secretary may conduct, through any combination of grants, contracts, cooperative agreements, and other ac-

tivities, an internal and external outreach and education program to be administered by the Administrator of the Federal Motor Carrier Safety Administration. The program authorized under this subsection may support, in addition to funds otherwise available for such purposes, the recognition, prevention, and reporting of human trafficking, while deferring to existing resources, as practicable.

(2) FEDERAL SHARE.—The Federal share of an outreach and education project for which a grant, contract, or cooperative agreement is made under this subsection may be up to 100 percent of the cost of the project.

(3) FUNDING.—From amounts made available under subsection (a), the Secretary shall make available not more than \$4,000,000 each fiscal year to carry out this subsection.

(d) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund (other than the Mass Transit Account) by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

(e) FUNDING AVAILABILITY.—Amounts made available under this section shall remain available until expended.

(f) CONTRACTUAL OBLIGATION.—The approval of funds by the Secretary under this section is a contractual obligation of the Federal Government for payment of the Federal Government’s share of costs.

(Added Pub. L. 114-94, div. A, title V, §5103(a), Dec. 4, 2015, 129 Stat. 1526; amended Pub. L. 115-99, §3, Jan. 3, 2018, 131 Stat. 2242.)

AMENDMENTS

2018—Subsec. (c)(1). Pub. L. 115-99 inserted at end “The program authorized under this subsection may support, in addition to funds otherwise available for such purposes, the recognition, prevention, and reporting of human trafficking, while deferring to existing resources, as practicable.”

EFFECTIVE DATE

Section effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

SUBCHAPTER II—LENGTH AND WIDTH LIMITATIONS

§ 31111. Length limitations

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) AUTOMOBILE TRANSPORTER.—The term “automobile transporter” means any vehicle combination designed and used for the transport of assembled highway vehicles, including truck camper units. An automobile transporter shall not be prohibited from the transport of cargo or general freight on a backhaul, so long as it complies with weight limitations for a truck tractor and semitrailer combination.

(2) MAXI-CUBE VEHICLE.—The term “maxi-cube vehicle” means a truck tractor combined with a semitrailer and a separable property-

carrying unit designed to be loaded and unloaded through the semitrailer, with the length of the separable property-carrying unit being not more than 34 feet and the length of the vehicle combination being not more than 65 feet.

(3) TRUCK TRACTOR.—The term “truck tractor” means—

(A) a non-property-carrying power unit that operates in combination with a semitrailer or trailer; or

(B) a power unit that carries as property motor vehicles when operating in combination with a semitrailer in transporting motor vehicles or any other commodity, including cargo or general freight on a backhaul.

(4) DRIVEAWAY SADDLEMOUNT VEHICLE TRANSPORTER COMBINATION.—The term “driveaway saddlemount vehicle transporter combination” means a vehicle combination designed and specifically used to tow up to 3 trucks or truck tractors, each connected by a saddle to the frame or fifth-wheel of the forward vehicle of the truck or truck tractor in front of it. Such combination may include one fullmount.

(5) BACKHAUL.—The term “backhaul” means the return trip of a vehicle transporting cargo or general freight, especially when carrying goods back over all or part of the same route.

(6) TRAILER TRANSPORTER TOWING UNIT.—The term “trailer transporter towing unit” means a power unit that is not used to carry property when operating in a towaway trailer transporter combination.

(7) TOWAWAY TRAILER TRANSPORTER COMBINATION.—The term “towaway trailer transporter combination” means a combination of vehicles consisting of a trailer transporter towing unit and 2 trailers or semitrailers—

(A) with a total weight that does not exceed 26,000 pounds; and

(B) in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers.

(b) GENERAL LIMITATIONS.—(1) Except as provided in this section, a State may not prescribe or enforce a regulation of commerce that—

(A) imposes a vehicle length limitation of less than 45 feet on a bus, of less than 48 feet on a semitrailer operating in a truck tractor-semitrailer combination, or of less than 28 feet on a semitrailer or trailer operating in a truck tractor-semitrailer-trailer combination, on any segment of the Dwight D. Eisenhower System of Interstate and Defense Highways (except a segment exempted under subsection (f) of this section) and those classes of qualifying Federal-aid Primary System highways designated by the Secretary of Transportation under subsection (e) of this section;

(B) imposes an overall length limitation on a commercial motor vehicle operating in a truck tractor-semitrailer or truck tractor-semitrailer-trailer combination;

(C) has the effect of prohibiting the use of a semitrailer or trailer of the same dimensions as those that were in actual and lawful use in that State on December 1, 1982;

(D) imposes a vehicle length limitation of not less than or more than 97 feet on all driveaway saddlemount vehicle transporter combinations;

(E) has the effect of prohibiting the use of an existing semitrailer or trailer, of not more than 28.5 feet in length, in a truck tractor-semitrailer-trailer combination if the semitrailer or trailer was operating lawfully on December 1, 1982, within a 65-foot overall length limit in any State;

(F) imposes a limitation of less than 46 feet on the distance from the kingpin to the center of the rear axle on trailers used exclusively or primarily in connection with motorsports competition events;

(G) imposes a vehicle length limitation of less than 80 feet on a stinger-steered automobile transporter with a front overhang of less than 4 feet and a rear overhang of less than 6 feet; or

(H) has the effect of imposing an overall length limitation of less than 82 feet on a towaway trailer transporter combination.

(2) A length limitation prescribed or enforced by a State under paragraph (1)(A) of this subsection applies only to a semitrailer or trailer and not to a truck tractor.

(c) MAXI-CUBE AND VEHICLE COMBINATION LIMITATIONS.—A State may not prohibit a maxi-cube vehicle or a commercial motor vehicle combination consisting of a truck tractor and 2 trailing units on any segment of the Dwight D. Eisenhower System of Interstate and Defense Highways (except a segment exempted under subsection (f) of this section) and those classes of qualifying Federal-aid Primary System highways designated by the Secretary under subsection (e) of this section.

(d) EXCLUSION OF SAFETY AND ENERGY CONSERVATION DEVICES.—Length calculated under this section does not include a safety or energy conservation device the Secretary decides is necessary for safe and efficient operation of a commercial motor vehicle. However, such a device may not have by its design or use the ability to carry cargo.

(e) QUALIFYING HIGHWAYS.—The Secretary by regulation shall designate as qualifying Federal-aid Primary System highways those highways of the Federal-aid Primary System in existence on June 1, 1991, that can accommodate safely the applicable vehicle lengths provided in this section.

(f) EXEMPTIONS.—(1) If the chief executive officer of a State, after consulting under paragraph (2) of this subsection, decides a segment of the Dwight D. Eisenhower System of Interstate and Defense Highways is not capable of safely accommodating a commercial motor vehicle having a length described in subsection (b)(1)(A) of this section or the motor vehicle combination described in subsection (c) of this section, the chief executive officer may notify the Secretary of that decision and request the Secretary to exempt that segment from either or both provisions.

(2) Before making a decision under paragraph (1) of this subsection, the chief executive officer shall consult with units of local government in the State in which the segment of the Dwight D.

Eisenhower System of Interstate and Defense Highways is located and with the chief executive officer of any adjacent State that may be directly affected by the exemption. As part of the consultations, consideration shall be given to any potential alternative route that serves the area in which the segment is located and can safely accommodate a commercial motor vehicle having a length described in subsection (b)(1)(A) of this section or the motor vehicle combination described in subsection (c) of this section.

(3) A chief executive officer's notification under this subsection must include specific evidence of safety problems supporting the officer's decision and the results of consultations about alternative routes.

(4)(A) If the Secretary decides, on request of a chief executive officer or on the Secretary's own initiative, a segment of the Dwight D. Eisenhower System of Interstate and Defense Highways is not capable of safely accommodating a commercial motor vehicle having a length described in subsection (b)(1)(A) of this section or the motor vehicle combination described in subsection (c) of this section, the Secretary shall exempt the segment from either or both of those provisions. Before making a decision under this paragraph, the Secretary shall consider any possible alternative route that serves the area in which the segment is located.

(B) The Secretary shall make a decision about a specific segment not later than 120 days after the date of receipt of notification from a chief executive officer under paragraph (1) of this subsection or the date on which the Secretary initiates action under subparagraph (A) of this paragraph, whichever is applicable. If the Secretary finds the decision will not be made in time, the Secretary immediately shall notify Congress, giving the reasons for the delay, information about the resources assigned, and the projected date for the decision.

(C) Before making a decision, the Secretary shall give an interested person notice and an opportunity for comment. If the Secretary exempts a segment under this subsection before the final regulations under subsection (e) of this section are prescribed, the Secretary shall include the exemption as part of the final regulations. If the Secretary exempts the segment after the final regulations are prescribed, the Secretary shall publish the exemption as an amendment to the final regulations.

(g) ACCOMMODATING SPECIALIZED EQUIPMENT.— In prescribing regulations to carry out this section, the Secretary may make decisions necessary to accommodate specialized equipment, including automobile and vessel transporters and maxi-cube vehicles.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 993; Pub. L. 104-88, title I, §104(b), Dec. 29, 1995, 109 Stat. 919; Pub. L. 105-178, title IV, §4005, June 9, 1998, 112 Stat. 400; Pub. L. 109-59, title IV, §4141, Aug. 10, 2005, 119 Stat. 1746; Pub. L. 110-244, title III, §301(r), June 6, 2008, 122 Stat. 1617; Pub. L. 114-94, div. A, title V, §§ 5520, 5523(a), (b), Dec. 4, 2015, 129 Stat. 1558-1560.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
31111(a)(1) ..	49 App.:2311(f)(2).	Jan. 6, 1983, Pub. L. 97-424, 96 Stat. 2097, §411(f)(2); added Oct. 18, 1986, Pub. L. 99-500, §101(l) [H.R. 5205, §324(a)], 100 Stat. 1783-308, and Oct. 30, 1986, Pub. L. 99-591, §101(l) [H.R. 5205, §324(a)], 100 Stat. 3341-308; Dec. 22, 1987, Pub. L. 100-202, §106, 101 Stat. 1329-433.
31111(a)(2) ..	49 App.:2311(f)(1).	Jan. 6, 1983, Pub. L. 97-424, §411(f)(1), 96 Stat. 2160; Oct. 18, 1986, Pub. L. 99-500, §101(l) [H.R. 5205, §324(a)], 100 Stat. 1783-308; Oct. 30, 1986, Pub. L. 99-591, §101(l) [H.R. 5205, §324(a)], 100 Stat. 3341-308; Dec. 22, 1987, Pub. L. 100-202, §106, 101 Stat. 1329-433.
31111(b)	49 App.:2311(a). 49 App.:2311(b).	Jan. 6, 1983, Pub. L. 97-424, §411(a), 96 Stat. 2159; Oct. 30, 1984, Pub. L. 98-554, §104(a), 98 Stat. 2831; Dec. 18, 1991, Pub. L. 102-240, §4006(b)(1), 105 Stat. 2151. Jan. 6, 1983, Pub. L. 97-424, §411(b), (g), (h), 96 Stat. 2159, 2160.
31111(c)	49 App.:2311(c).	Jan. 6, 1983, Pub. L. 97-424, §411(c), 96 Stat. 2159; Oct. 30, 1984, Pub. L. 98-554, §104(b), 98 Stat. 2831; Oct. 18, 1986, Pub. L. 99-500, §101(l) [H.R. 5205, §324(b)], 100 Stat. 1783-308; Oct. 30, 1986, Pub. L. 99-591, §101(l) [H.R. 5205, §324(b)], 100 Stat. 3341-308; Dec. 22, 1987, Pub. L. 100-202, §106, 101 Stat. 1329-433.
31111(d)	49 App.:2311(h).	Jan. 6, 1983, Pub. L. 97-424, §411(e), 96 Stat. 2160; Dec. 18, 1991, Pub. L. 102-240, §4006(c), 105 Stat. 2151.
31111(e)	49 App.:2311(e).	Jan. 6, 1983, Pub. L. 97-424, 96 Stat. 2097, §411(i); added Oct. 30, 1984, Pub. L. 98-554, §102, 98 Stat. 2829.
31111(f)	49 App.:2311(i).	Jan. 6, 1983, Pub. L. 97-424, §411(d), 96 Stat. 2160; Apr. 2, 1987, Pub. L. 100-17, §133(a)(7), 101 Stat. 171; Nov. 5, 1990, Pub. L. 101-516, §327(a), 104 Stat. 2182.
31111(g)	49 App.:2311(d). 49 App.:2311(g).	

In this section, the words "Dwight D. Eisenhower System of Interstate and Defense Highways" are substituted for "National System of Interstate and Defense Highways" because of the Act of October 15, 1990 (Public Law 101-427, 104 Stat. 927).

In subsection (a), the word "property" is substituted for "cargo" for consistency in the revised title.

Subsection (b)(1) is substituted for 49 App.:2311(a) and (b) (2d-last sentences) to eliminate unnecessary words and for consistency in the revised title and with other titles of the United States Code. Hyphens are used in describing the combinations "truck tractor-semitrailer" and "truck tractor-semitrailer-trailer" for consistency. In clause (D), the word "actually" is omitted as surplus.

Subsection (b)(2) is substituted for 49 App.:2311(b) (1st sentence) because of the restatement.

In subsection (d), the words "such as rear view mirrors, turn signal lamps, marker lamps, steps and handholds for entry and egress, flexible fender extensions, mudflaps and splash and spray suppressant devices, load-induced tire bulge, refrigeration units or air compressors and other devices" are omitted as unnecessary and because most items listed relate to width rather than length.

In subsection (e), the words "by regulation" are added for clarity. The words "subject to the provisions of subsections (a) and (c) of this section" are omitted as surplus. The text of 49 App.:2311(e)(2) and (3) is omitted as executed.

In subsection (f), the word “commercial” is added before “motor vehicle” for consistency.

In subsection (f)(4)(C), the reference to regulations prescribed under subsection (e) is substituted for the reference in the source to regulations issued under subsection (a) to be more precise. The word “amendment” is substituted for “revision” for consistency in the revised title.

Subsection (g) is substituted for 49 App.:2311(d) to eliminate unnecessary words. The Secretary’s general authority to prescribe regulations is provided in 49:322(a). The word “vessel” is substituted for “boat” because of 1:3. The text of 49 App.:2311(g) is omitted as executed.

AMENDMENTS

2015—Subsec. (a)(1). Pub. L. 114-94, §5520(a), struck out “specifically” before “for the transport” and inserted at end “An automobile transporter shall not be prohibited from the transport of cargo or general freight on a backhaul, so long as it complies with weight limitations for a truck tractor and semitrailer combination.”

Subsec. (a)(3)(B). Pub. L. 114-94, §5520(b), struck out “only” before “motor vehicles when operating” and inserted “or any other commodity, including cargo or general freight on a backhaul” before period at end.

Subsec. (a)(5). Pub. L. 114-94, §5520(c), added par. (5).
Subsec. (a)(6), (7). Pub. L. 114-94, §5523(a), added pars. (6) and (7).

Subsec. (b)(1)(G). Pub. L. 114-94, §5520(d), added subpar. (G).

Subsec. (b)(1)(H). Pub. L. 114-94, §5523(b), added subpar. (H).

2008—Subsec. (a)(4). Pub. L. 110-244, §301(r)(1), in heading, substituted “Driveaway saddlemount” for “Drive-away saddlemount with fullmount”, and, in text, substituted “driveaway saddlemount” for “driveaway saddlemount with fullmount” and inserted at end “Such combination may include one fullmount.”

Subsec. (b)(1)(D). Pub. L. 110-244, §301(r)(2), substituted “all driveaway saddlemount” for “a driveaway saddlemount with fullmount”.

2005—Subsec. (a)(4). Pub. L. 109-59, §4141(a), added par. (4).

Subsec. (b)(1)(D) to (F). Pub. L. 109-59, §4141(b), added subpar. (D) and redesignated former subpars. (D) and (E) as (E) and (F), respectively.

1998—Subsec. (a). Pub. L. 105-178, §4005(1), substituted “section, the following definitions apply:” for “section—” in introductory provisions.

Subsec. (a)(1). Pub. L. 105-178, §4005(5), added par. (1). Former par. (1) redesignated (2).

Pub. L. 105-178, §4005(2), inserted “MAXI-CUBE VEHICLE.—The term” after “(1)”.

Subsec. (a)(2). Pub. L. 105-178, §4005(4), redesignated par. (1) as (2). Former par. (2) redesignated (3).

Pub. L. 105-178, §4005(3), inserted “TRUCK TRACTOR.—The term” after “(2)”.

Subsec. (a)(3). Pub. L. 105-178, §4005(4), redesignated par. (2) as (3).

1995—Subsec. (b)(1)(E). Pub. L. 104-88 added subpar. (E).

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 1301 of this title.

§ 31112. Property-carrying unit limitation

(a) DEFINITIONS.—In this section—

(1) “property-carrying unit” means any part of a commercial motor vehicle combination

(except the truck tractor) used to carry property, including a trailer, a semitrailer, or the property-carrying section of a single unit truck, but not including a trailer or a semitrailer transported as part of a towaway trailer transporter combination (as defined in section 31111(a)).

(2) the length of the property-carrying units of a commercial motor vehicle combination is the length measured from the front of the first property-carrying unit to the rear of the last property-carrying unit.

(b) GENERAL LIMITATIONS.—A State may not allow by any means the operation, on any segment of the Dwight D. Eisenhower System of Interstate and Defense Highways and those classes of qualifying Federal-aid Primary System highways designated by the Secretary of Transportation under section 31111(e) of this title, of any commercial motor vehicle combination (except a vehicle or load that cannot be dismantled easily or divided easily and that has been issued a special permit under applicable State law) with more than one property-carrying unit (not including the truck tractor) whose property-carrying units are more than—

(1) the maximum combination trailer, semitrailer, or other type of length limitation allowed by law or regulation of that State before June 2, 1991; or

(2) the length of the property-carrying units of those commercial motor vehicle combinations, by specific configuration, in actual, lawful operation on a regular or periodic basis (including continuing seasonal operation) in that State before June 2, 1991.

(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA, IOWA, NEBRASKA, KANSAS, AND OREGON.—In addition to the vehicles allowed under subsection (b) of this section—

(1) Wyoming may allow the operation of additional vehicle configurations not in actual operation on June 1, 1991, but authorized by State law not later than November 3, 1992, if the vehicle configurations comply with the single axle, tandem axle, and bridge formula limits in section 127(a) of title 23 and are not more than 117,000 pounds gross vehicle weight;

(2) Ohio may allow the operation of commercial motor vehicle combinations with 3 property-carrying units of 28.5 feet each (not including the truck tractor) not in actual operation on June 1, 1991, to be operated in Ohio on the 1-mile segment of Ohio State Route 7 that begins at and is south of exit 16 of the Ohio Turnpike;

(3) Alaska may allow the operation of commercial motor vehicle combinations that were not in actual operation on June 1, 1991, but were in actual operation before July 6, 1991;

(4) Iowa may allow the operation on Interstate Route 29 between Sioux City, Iowa, and the border between Iowa and South Dakota or on Interstate Route 129 between Sioux City, Iowa, and the border between Iowa and Nebraska of commercial motor vehicle combinations with trailer length, semitrailer length, and property-carrying unit length allowed by law or regulation and in actual lawful operation on a regular or periodic basis (including