ALABAMA DEPARTMENT OF TRANSPORTATION

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Kay Ivey
Governor

John R. Cooper
Transportation Director

April 6, 2020

From: George H. Conner, PE
Deputy Director – Operations

Subject: State of Alabama Public Health Emergency, COVID-19
Movement of 90,000 lbs. Gross Weight Vehicles on Five and Six Axles
** REVISION No. 2 ** March 24, 2020 Version and All Earlier Versions are Superseded

Reference is made to the Governor's Public Health Emergency Proclamation of March 13, 2020; the Supplemental Public Health Emergency Proclamation of March 20, 2020; the *Order of the State Health Officer Suspending Certain Public Gatherings Due to Risk of Infection by COVID-19 (Applicable Statewide) Amended April 3, 2020;* 23 USC 127(i) – Special Permits During Periods of National Emergency; and FEMA Major Disaster Declaration DR-4503 (Alabama COVID-19 Pandemic) dated March 29, 2020. In accordance with the above, the legal weight limit is modified as follows:

> Vehicles (five-axle or six-axle only) providing direct assistance in support of relief efforts related to the COVID-19 outbreaks may carry 90,000 lbs. gross weight on state and interstate routes in Alabama, except as restricted herein.

This increase in weight limit does not provide any exception to the requirement to comply with any and all posted limits for weight, size, or configuration. The maximum gross weight for five-axle and six-axle vehicles may not be exceeded. Scale tolerances are not allowed for, and shall not be applied to, the gross weight of 90,000 lbs. Scale tolerances for the weight of axles and axle groups are allowed and may be applied.

Direct assistance means transportation of items to meet immediate needs for: (1) medical supplies and equipment related to the testing, diagnosis and treatment of COVID-19; (2) supplies and equipment necessary for community safety, sanitation, and prevention of community transmission of COVID-19 such as masks, gloves, hand sanitizer, soap and disinfectants; (3) food, paper products and other grocery items for emergency restocking of distribution centers or stores; (4) immediate precursor raw materials – such as paper, plastic, or alcohol – that are required and to be used in the manufacture of items in categories 1, 2 and 3 above; (5) fuel, (6) manufacturing, agricultural, and timber products as described in the State Health Officer's Order (Amended) of April 3, 2020, (7) equipment and supplies necessary to establish and manage temporary housings, quarantine, and isolation facilities related to COVID-19; and (8) equipment and supplies necessary to establish and manage temporary housing, quarantine, and isolation facilities related to COVID-19.

Direct assistance does not include routine commercial deliveries, including mixed loads with a nominal quantity of qualifying emergency relief added to obtain the benefits of this higher weight limit.

A copy of this document must be carried in the vehicle and presented for inspection upon request. The March 24, 2020 version of this memorandum and all earlier versions are superseded.

Unless otherwise extended or terminated in writing, this increased weight limit for five-axle and six-axle vehicles is in effect for the duration of the Governor's Proclamation of a Public Health Emergency.

Cc: John Cooper, ALDOT
Stacey Glass, ALDOT
Hal Taylor, ALEA
Mark Bartlett, FHWA
Brian Hastings, AEMA

STATE OF ALABAMA

PROCLAMATION

BY THE GOVERNOR

WHEREAS, on March 13, 2020, I declared the existence of a state public health emergency based on the appearance of the 2019 novel coronavirus known as COVID-19 in the State of Alabama;

WHEREAS that initial proclamation included provisions designed to assist in preventing the spread of COVID-19 and in mitigating the consequences of COVID-19;

WHEREAS, on March 18, 2020, I issued a supplemental proclamation to further address the occurrence of COVID-19 in the State of Alabama; and

WHEREAS new implications of COVID-19 come to light on a continual basis, requiring flexibility and adaptability by all levels of government within the State of Alabama;

NOW THEREFORE, I, Kay Ivey, Governor of the State of Alabama, pursuant to the relevant provisions of the Alabama Emergency Management Act of 1955, as amended, Ala. Code §§ 31-9-1, *et seq.*, do hereby proclaim the existence of conditions that warrant implementation of additional extraordinary measures and relief during the state health emergency now in effect in order to guard public health and protect human life. I therefore proclaim and direct all of the following:

I. Transportation of Emergency Equipment, Services, and Supplies

I instruct the appropriate agencies to take the necessary steps and issue the appropriate documents to expedite the movement of vehicles or vehicles and loads that are transporting emergency equipment, services and supplies related to COVID-19 response and mitigation efforts subject to the following rules:

A. Documents issued under authority of this proclamation shall be subject to approval and clearance by the Alabama Department of Transportation and the Alabama Law Enforcement Agency and shall cover designated state routes.

B. The director of the Alabama Department of Transportation, or his designee, may issue waivers for vehicles or combinations of vehicles and loads, whether those loads are divisible or non-divisible, with weights, dimensions, or combinations thereof exceeding the maximum limits specified by law.

C. Transporters are responsible for ensuring that they have proper oversize signs, markings, flags, and escorts as defined in the State of Alabama's rules and regulations.

D. Insurance requirements shall not be waived.

E. Nothing in this proclamation shall be construed to allow any vehicle to exceed the weight limits posted for bridges and like structures, nor shall anything in this proclamation be construed to relieve any vehicle or the carrier, owner, or driver of any vehicle from compliance with any restrictions other than those specified in this proclamation, or from any statute, rule, order, or other legal requirement not specifically waived herein.

FURTHER, to the extent a provision in this supplemental proclamation conflicts with any provision of state law, that law is hereby suspended for the duration of this state of emergency, and this proclamation shall control.

FURTHER, I declare that this proclamation and all subsequent orders, laws, rules, or regulations issued pursuant hereto shall remain in full force and effect for the duration of the public health emergency unless rescinded or extended by proclamation.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused the Great Seal to be affixed by the Secretary of State at the State Capitol in the City of Montgomery on this 20th day of March, 2020.

Kay Ivey

Kay Ivey
Governor

ATTEST:

John H. Merrill

John H. Merrill
Secretary of State