

AMERICAN TRUCKING ASSOCIATIONS – ENGINEERING DEPARTMENT – March 9, 2011

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STATUS OF STATE 400 LB APU EXEMPTION TO GVW LIMIT 23 CFR 658.17¹

STATE	State Allows Exemption	State Does Not Allow Exemption	State Has Legislation Pending	Comments
Alabama	X			Legislation Enacted - 2010 – SB 288 (website requires user to register)
Alaska	X			17AAC25.013(g) – page 9 & 10 - 2009
Arizona	X			Legislation Enacted - 2009
Arkansas	X			A.C.A. § 27-35-203 (2010) – Follows FHWA Directive
California		X		
Colorado	X			42-4-508 – 2009 – Follows FHWA Directive
Connecticut	X			Legislation Enacted - 2009
Delaware	X			Legislation Enacted - 2009
District of Columbia		X		
Florida	X			Enacted 2010 (Section 316.545 / page 31)
Georgia	X			Enacted 2010 (page 4)
Hawaii		X		
Idaho	X			49-1010
Illinois	X			Internal S.P. policy to allow – Bill introduced in 2011
Indiana	X			IC 9-20-4-1
Iowa	X			By state weight tolerance rule
Kansas	X			KSA 8-1917
Kentucky		X		Legislative effort later this year
Louisiana	X			Weight tolerance rules varies by Parish
Maine	X			Weight tolerance rule
Maryland	X			State Police Special Order – 1/2010 – Clarifying leg introduced in 2011
Massachusetts			X	Bill HOO951 – pending in 2011 & 2012 session
Michigan	X			By rule
Minnesota	X			
Mississippi	X			By rule
Missouri	X			
Montana	X			By rule
Nebraska	X			60-6, 294 (13) - 2008
Nevada	X			By rule
New Hampshire		X	X	Bill introduced in 2011
New Jersey	X			
New Mexico	X			
New York	X			NY Vehicle & Traffic Law Article 10, § 385 – 2010
North Carolina		X		
North Dakota	X			
Ohio	X			
Oklahoma	X			Enacted in 2009
Oregon	X			
Pennsylvania	X			Enacted in 2008
Rhode Island		X		
South Carolina	X			
South Dakota	X			State Police allow it under weight tolerance rules
Tennessee		X		
Texas	X			By rule – weight tolerance varies by County
Utah	X			By rule
Vermont	X			By rule
Virginia	X			Enacted in 2009
Washington	X			WAC 468-38-073
West Virginia	X			Enacted in 2010 (§17C-13A-4)
Wisconsin	X			Chapter 348.15
Wyoming	X			By rule

The information in this table is for reference purposes only and should not be relied upon for regulatory compliance.

This information may contain errors and omissions and is subject to change. Actual state laws or codes should be referenced for specific requirements. Last update was February 2011

¹ Status of the 400-Pound weight Exemption for Idling Reduction Devices, National Idling Reduction Network News January 2011, page 8.