

## AMERICAN TRUCKING ASSOCIATIONS – ENGINEERING DEPARTMENT – January 13, 2012

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### STATUS OF STATE 400 LB APU EXEMPTION TO GVW LIMIT 23 CFR 658.17<sup>1</sup>

STATE	State Allows Exemption	State Does Not Allow Exemption	State Has Legislation Pending	Comments
Alabama	X			<a href="#">Legislation Enacted - 2010</a> (AL Leg website requires user to register)
Alaska	X			<a href="#">17AAC25.013(g)</a> – page 9 & 10 - 2009
Arizona	X			<a href="#">Legislation Enacted - 2009</a>
Arkansas	X			<a href="#">A.C.A. § 27-35-203</a> (2010) – Follows <a href="#">FHWA Directive</a>
California		X		
Colorado	X			<a href="#">42-4-508</a> – 2009 – Follows <a href="#">FHWA Directive</a>
Connecticut	X			<a href="#">Legislation Enacted - 2009</a>
Delaware	X			<a href="#">Legislation Enacted - 2009</a>
District of Columbia		X		
Florida	X			<a href="#">Legislation Enacted - 2010</a> (Section 316.545 / page 31)
Georgia	X			<a href="#">Legislation Enacted - 2010</a> (page 4)
Hawaii		X		
Idaho	X			<a href="#">49-1010</a>
Illinois	X			<a href="#">Legislation Enacted in 2011</a>
Indiana	X			<a href="#">IC 9-20-4-1</a>
Iowa	X			<a href="#">By state weight tolerance rule</a>
Kansas	X			<a href="#">KSA 8-1917</a>
Kentucky		X		Legislative effort later this year
Louisiana	X			Weight tolerance rules varies by Parish
Maine	X			<a href="#">Weight tolerance rule</a>
Maryland	X			<a href="#">Legislation Enacted - 2011</a>
Massachusetts			X	<a href="#">Bill HOO951</a> – pending in 2011 & 2012 session
Michigan	X			By rule
Minnesota	X			<a href="#">§ 169.824, Subdivision 2(b)</a>
Mississippi	X			By rule
Missouri	X			<a href="#">Section 304-180 – Legislation Enacted in 2007</a>
Montana	X			<a href="#">MT Statute</a> coincides with <a href="#">FHWA Directive</a>
Nebraska	X			<a href="#">60-6, 294 (13) – Legislation Enacted in 2008</a>
Nevada	X			By rule
New Hampshire	X			<a href="#">Legislation Enacted - 2011</a>
New Jersey	X			By rule
New Mexico	X			
New York	X			<a href="#">NY Vehicle &amp; Traffic Law Article 10, § 385</a> – 2010
North Carolina		X		
North Dakota	X			
Ohio	X			<a href="#">ORC Section 5577.99</a>
Oklahoma	X			<a href="#">Legislation Enacted - 2009</a>
Oregon	X			<a href="#">818.030 (10)</a> – Enacted in 2007
Pennsylvania	X			<a href="#">Legislation Enacted - 2008</a>
Rhode Island		X		
South Carolina	X			
South Dakota	X			State Police allow it under weight tolerance rules
Tennessee		X		
Texas	X			<a href="#">Legislation Enacted in 2011</a>
Utah	X			By rule
Vermont	X			By rule
Virginia	X			<a href="#">Legislation Enacted - 2009</a>
Washington	X			<a href="#">WAC 468-38-073</a>
West Virginia	X			<a href="#">Legislation Enacted - 2010</a> (§17C-13A-4)
Wisconsin	X			<a href="#">Chapter 348.15</a>
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 January 2012*

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