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John R. Cooper  
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June 22, 2018

**Construction Information Memorandum No. 5 – 2018**

TO: Region Engineers  
ATTN: Area Operations, Construction, Materials, and Local Transportation Engineers  
FROM: Winston J. Powe, P.E.   
State Construction Engineer  
RE: Non-payment for Overweight Loads; revisions to Section 105

When a load of material exceeds the legal load limit, the current language of Subarticle 105.12(b) prohibits payment for the entire load.

Special Provision No. 18-0313 (copy attached) changes the payment in these instances. Full payment will now be made for the material up to the legal load limit, with non-payment applying only to the material exceeding the legal load limit. For example, if a haul vehicle can legally transport 80,000 lbs but arrives at the project site with a weight ticket showing 80,500 lbs, non-payment will apply only to the overage of 500 lbs. This change brings ALDOT more in line with the practices of other States in the Southeast US.

In the case of overweight haul vehicles delivering bituminous mixes, the total tonnage on the weight ticket should be applied to the spread rate check and paid under the normal pay item. Then, deduct the overweight tonnage at the contract unit price as a Line Item Adjustment using a new LIA Type titled "Overweight Load Adj". By paying for the full quantity and making deductions as a LIA, this will allow for all tonnage produced to match the QC/QA and test report tonnages.

This Special Provision will be effective beginning with the June 2018 letting. For simplification, the new LIA Adjustment type, which will be implemented into CAMMS in the next few weeks, may also be used on previously-let projects when deducting payment for an overweight load in its entirety under the current specification language.

WJP/JLB/jlb

Attachment (SP 18-0313)

pc: Mr. George Conner, P.E.  
ARBA  
ACIA

Mr. Scott George, P.E.  
AAPA  
ACEA

FHWA  
ALBCA  
CIM File

# ALABAMA DEPARTMENT OF TRANSPORTATION

DATE: April 18, 2018

Special Provision No. 18-0313

EFFECTIVE DATE: June 1, 2018

SUBJECT: Load Restrictions for Hauling.

Alabama Standard Specifications, 2018 Edition, SECTION 105 shall be modified as follows:

## SECTION 105 CONTROL OF WORK

### 105.12 Oversize/Overweight Vehicle Permit and Load Restrictions.

#### (b) Load Restrictions.

The Contractor shall comply with all legal load restrictions in the hauling of materials on public roads beyond the limits of the project. In the hauling of materials on city streets or county roads, it shall be the responsibility of the Contractor to regulate his loads so that damage does not occur, regardless of the legal or posted load limit. Maintenance of public roads shall be as outlined in Article 104.07. A special permit will not relieve the Contractor of liability for damage which may result from the moving of material or equipment.

Within the project limits, loads shall be so regulated that damage will not occur to base or pavement layers and structures, but in no case shall loads exceed the legal load limit unless permitted in writing by the Engineer under special conditions. No loads will be permitted on base, pavement or structures before the expiration of any required curing period. The Contractor shall be responsible for all damage by his hauling and other construction equipment within the project limits.

Gross weight {mass} tickets for loads delivered to the project will be verified by the Engineer that all loads incorporated in the project are within the legal load limit. Required information for verification will be secured at the time of delivery; however, verification of weights {masses} may be made at any time **during** the project.

On loads of materials not accompanied by a gross weight {mass} ticket, the Contractor shall furnish, upon request of the Engineer, the tare weight {mass} of any truck delivering such materials to the project. These truck tare weights {masses}, along with appropriate volumes and conversion factors, will be used by the Engineer in determining approximate quantities of materials which may be hauled to the project and **remain** within the legal load limit. **If** the Engineer feels that the legal load limit is being exceeded, he **may** order the Contractor to verify the weight {mass} of designated loads at an approved truck scale.

**Payment will be made only for that portion of a load up to, and including, the legal load limit. No payment will be made for any portion of a load exceeding the legal load limit.**