

their highways and bridges are certainly capable of taking weights of this magnitude.

On the other hand, if there is any State out there that does not, there is nothing in this legislation that compels any State to change.

Mr. CRAMER. The other question relates to grandfather clauses. This is, as I see it, from a standpoint of legislative history made so far; a rather confusing situation.

Now, as I understand it, in the 1956 act, which I cosponsored with some other members of this committee, there was a grandfather clause written in which, in effect, set up July 1, 1956, as the date and said:

This section—
being section 127—

shall not be construed to deny apportionment to any State allowing the operation within such State of any vehicles or combination thereof which would be lawfully operated within such State on July 1, 1956.

Obviously a number of States had maximum weights and limits in excess of the then section 127 limits of 32,000 pounds tandem weight, overall gross weight in excess of 73,200, and width in excess of 96 inches and so forth. Is that not correct?

Mr. BRESNAHAN. Yes, sir.

Mr. CRAMER. Now, as I understand this, however, weight and axle and other limitations applied in the 1956 act only to the Interstate System. Is that correct?

Mr. BRESNAHAN. Yes, sir.

Mr. CRAMER. It specifically says that within the boundaries of which the Interstate System may be lawfully used by vehicles. So those limits were, by the law, set only upon the Interstate System. Is that correct?

Mr. BRESNAHAN. The Federal statute in 1956 applied only to the Interstate System and the proposed legislation also goes only to the Interstate System.

Mr. CRAMER. So that is the status of the present law?

Mr. BRESNAHAN. Yes, sir.

Mr. CRAMER. And the "grandfather" clause now in existence relates to July 1, 1956. And as I understand your position, it basically is that that grandfather clause should be updated; is that correct?

Mr. BRESNAHAN. Yes, sir, because there has been a variety of changes in State law since 1956, but which are equally lawful and did not violate the Federal statutes.

Mr. CRAMER. Well, now, the next question that logically comes to my mind, then, is if the grandfather clause is retained in the bill—and I guess we should look at some of the history of the legislation to understand its present verbiage—as I understand the bill initially recommended by the administration would have applied these limitations to all Federal-aid highways, and that the Senate, the other body, chose, as the bill is before us, to have those limitations, as was the case in the 1956 act, applied only to the Interstate System. Therefore it is possible that some of the carryover sections relating to other aspects, such as this grandfather clause, perhaps were not adequately considered in view of the cutback of the limitations only to the Interstate System. And I just wonder if, perhaps, that is not the case as it relates to this section concerning the grandfather clause?