ALABAMA LAW ENFORCEMENT AGENCY
ADMINISTRATIVE CODE

CHAPTER 760-X-2
SUPERLOAD LAW ENFORCEMENT ESCORTS

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760-X-2-.01 Purpose.

The purpose of these rules is to establish governance for providing law enforcement escorts for certain oversize and/or overweight vehicles and/or loads, known as Superloads, transported via roadway within the state of Alabama toward ALEA's mission of protecting public safety and the motoring public.
Author: Meridith H. Barnes, Laura Mest, Jean Brown, Colonel James Helms
Statutory Authority: Code of Ala. 1975, §§32-2-5, 32-2-9, 32-9-3.
History: New Rule: Filed May 9, 2019; effective June 23, 2019.
Amended: Published January 31, 2023; effective March 17, 2023.

760-X-2-.02 Definitions.

The following definitions, terms, words, and phrases shall have the meanings given herein and shall apply to this chapter:

(a) ALDOT – The Alabama Department of Transportation.

(b) ALEA – The Alabama Law Enforcement Agency.

(c) SUPERLOAD – A special category of oversize/overweight vehicle, or combination of vehicle and load, as defined by ALDOT.

(d) PERMIT – The oversize/overweight permit issued by ALDOT for Superloads that allows such a vehicle/load or combination of vehicles/loads to operate on the State Highway System.

(e) PERMITTEE – Any party that receives a Superload oversize/overweight permit from ALDOT. This term shall apply to the recipient for the duration of the permit.

(f) LAW ENFORCEMENT ESCORT – An official ALEA-marked, law enforcement vehicle equipped with blue lights and sirens operated by an ALEA arresting officer as required by ALDOT rules and regulations that accompanies movement of an ALDOT-permitted Superload in the state of Alabama.

Author: Meridith H. Barnes, Laura Mest, Jean Brown, Colonel James Helms
Statutory Authority: Code of Ala. 1975, §§32-2-5, 32-2-9, 32-9-3.
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760-X-2-.03 Compliance Requirements.

All permittees receiving ALEA Superload law enforcement escort(s) must comply with all laws, rules, regulations, requirements, limitations, and/or procedures governing the movement of Superloads, including but not limited to those promulgated by ALDOT. ALEA arresting officers providing Superload law enforcement escort(s) will be responsible for enforcing the escort, which may include halting movement of a permitted Superload until the permittee achieves compliance. ALEA shall provide Superload law enforcement escort(s) in accordance with ALDOT rules, regulations, requirements, limitations, and/or procedures regarding the days, times, and hours permissible for moving Superloads; weather conditions; use of certain roads; operational limits; licensing; and applicable requirements for vehicles. Additionally, ALEA shall determine the number of Superload law enforcement escorts required for Superload movement in accordance with ALDOT rules, regulations, and procedures. Nothing in these rules shall be construed to limit or alter ALDOT's independent authority to issue or revoke permits, or to impose available sanctions.

Author: Meridith H. Barnes, Laura Mest, Jean Brown, Colonel James Helms
Statutory Authority: Code of Ala. 1975, §§32-2-5, 32-2-9, 32-9-3.
History: New Rule: Filed May 9, 2019; effective June 23, 2019.
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760-X-2-.04 Superload Law Enforcement Escort Procedures.

(1) A party that wishes to schedule a Superload law enforcement escort with ALEA must obtain a reference number for the Superload oversize/overweight permit application from ALDOT.

(2) The applicant must include the ALDOT reference number on the Superload escort application it submits to ALEA for Superload law enforcement escort(s). The application, current contact information, and a link to submit the application is available on ALEA's website (alea.gov).

(3) ALEA's Department of Public Safety will process the Superload law enforcement escort application and contact the permittee to coordinate the requested Superload law enforcement escort(s).

(4) ALDOT will issue the Superload oversize/ overweight permit once it receives notification from ALEA's Department of Public Safety that ALEA completed scheduling the requested Superload law enforcement escort(s).

(5) Once it provides the Superload law enforcement escort(s), ALEA will submit a detailed invoice to the permittee, which the permittee must pay to ALEA within 30 days of receipt. ALEA will coordinate no Superload law enforcement escort(s) for any permittee with past due invoices unless and until the permittee pays such ALEA invoices in full.
Author: Meridith H. Barnes, Laura Mest, Jean Brown, Colonel James Helms
Statutory Authority: Code of Ala. 1975, §§32-2-5, 32-2-9, 32-9-3.
History: New Rule: Filed May 9, 2019; effective June 23, 2019.
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760-X-2-.05 Fees And Charges.

ALDOT and ALEA shall charge the following fees, as applicable, for Superload law enforcement escort(s).

(a) PERMITS. ALDOT shall assess and the permittee shall pay to ALDOT all permit fees; ALEA shall neither assess nor collect permit fees.

(b) ADMINISTRATIVE FEE. ALEA shall assess and the permittee shall pay an administrative fee of $200.00 for each application the permittee submits to ALEA for a Superload escort.

(c) HOURLY FEE - ALEA shall assess and the permittee shall pay an hourly fee for Superload law enforcement escort(s) at a rate of $100.00 per hour for a four (4)-hour minimum period, per ALEA arresting officer assigned to the escort(s). The time period for the escort shall begin 30 minutes before the scheduled start of the escort and conclude 30 minutes after ALEA completes the escort.

(d) MILEAGE FEE - ALEA shall assess a mileage fee per mile in an amount calculated at the current Internal Revenue Service rate for all assigned travel by ALEA arresting officers that is associated with each Superload law enforcement escort(s). Each ALEA arresting officer assigned to the escort(s) shall calculate mileage beginning at his/her residence or office and ending at the same point of return.

(e) PER DIEM/SUBSISTENCE. ALEA shall assess and the permittee shall pay a per diem and/or subsistence fee that ALEA will charge per ALEA arresting officer assigned to the escort(s) as follows:

1. $12.00 subsistence for any escort that takes over four (4) hours to complete

2. $12.75 per diem for any escort that takes between 6-12 hours to complete

3. $34.00 per diem for any escort that takes 12 hours or more to complete

(f) CANCELLATIONS. If a permittee cancels an escort more than 24 hours before the scheduled start time, ALEA shall assess and the permittee shall pay a $200.00 administrative fee. If a permittee cancels an escort within 24 hours of the scheduled start time, ALEA shall assess and the permittee shall pay to ALEA (1) a $200.00 administrative fee and (2) four (4) hours' pay per ALEA arresting officer assigned to the escort(s).

ALEA shall assess and invoice the permittee its applicable fees for Superload law enforcement escort(s), which the permittee shall pay to ALEA within 30 days of receipt.

Author: Meridith H. Barnes, Laura Mest, Jean Brown, Colonel James Helms
Statutory Authority: Code of Ala. 1975, §§32-2-5, 32-2-9, 32-9-3.
History: New Rule: Filed May 9, 2019; effective June 23, 2019.
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760-X-2-.06 Relationship To Permittees, Immunity, Waiver, And Indemnification.

ALEA arresting officers assigned to conduct Superload law enforcement escort(s) shall remain law enforcement officers and employees of ALEA at all times and shall be subject to all rules, regulations, policies, and procedures incumbent upon an ALEA sworn officer. ALEA and the permittee are separate entities. Nothing in these rules is intended to establish an agency or employment relationship between ALEA and the permittee, an ALEA arresting officer and the permittee, or an ALEA arresting officer and any other entity. By providing Superload law enforcement escort(s), neither ALEA nor any ALEA arresting officer shall waive, expressly or impliedly, the right to assert sovereign immunity, State-agent immunity, or any other affirmative defense or protection available under law.

Submitting the ALEA Superload law enforcement escort application shall constitute the permittee's express agreement to defend, indemnify, and hold harmless the State of Alabama, ALEA, its officials, employees, and arresting officers from and against any claim or threatened claim, including payment of reasonable attorneys' fees and costs incurred, as made by any other person against ALEA, its officials, employees, and arresting officers based on, in connection to, or arising out of any requested Superload law enforcement escort(s). Submitting the ALEA Superload law enforcement escort application further constitutes the permittee's waiver of all claims in favor of the permittee and against the State of Alabama, ALEA, its officials, employees, and arresting officers that may arise in connection with, or out of, providing a requested Superload law enforcement escort(s).
Author: Meridith H. Barnes, Laura Mest, Jean Brown, Colonel James Helms
Statutory Authority: Code of Ala. 1975, §§32-2-5, 32-2-9, 32-9-3.
History: New Rule: Filed May 9, 2019; effective June 23, 2019.
Amended: Published January 31, 2023; effective March 17, 2023.

760-X-2-A **Appendix A: ALEA Form HP-50 – Superload Law Enforcement Escort Request (Repealed 3/17/23).**

Author: Meridith H. Barnes, Laura Mest, Jean Brown
Statutory Authority: Code of Ala. 1975, §§32-2-5, 32-2-9, 32-9-3.
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