

# IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

## Division of Motor Vehicles

### 39.03.04 – Rules Governing Special Permits – Overweight Non-Reducible

#### **Who does this rule apply to?**

*Commercial vehicle transporters operating commercial vehicles of a weight that is not reducible; therefore, requiring a permit to be issued for the movement on Idaho's state system.*

- Commercial Vehicle Operators of vehicles exceeding weight limitations on state highways in Idaho; and
- Commercial Carriers regularly engaged in operating vehicles that exceed weight limitations on state highways in Idaho.

#### **What is the purpose of this rule?**

*This rule provides the requirements that cover the necessary steps for special permit applications to the Department for commercial vehicles exceeding non-reducible weight limitations for operation on Idaho's state system. The rule provides for the movement of such vehicles and routes that may be allowed. It further provides that bridge analysis may be required, along with traffic control plans. The purpose of the rule is to ensure safety to the traveling public and safety to the state's infrastructure.*

#### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Highways and Bridges -

Idaho Transportation Board:

- [40-312, Idaho Code](#) – Powers and Duties — Rules and Regulations

Motor Vehicles -

Weight, Speed and Tire Regulations:

- [49-1001, Idaho Code](#) – Allowable Gross Loads
- [49-1002, Idaho Code](#) – Allowable Load Per Inch Width of Tire
- [49-1004, Idaho Code](#) – Permits for Overweight or Oversize Loads – Special Routes and Annual Permits
- [49-1010, Idaho Code](#) – Size of Vehicles and Loads

#### **Who do I contact for more information on this rule?**

Idaho Transportation Department

Monday – Friday 8:00 am to 5:00 pm

P.O. Box 7129

Boise, ID 83707-1129

3311 West State Street

Phone: (208) 334-8000

[itd.idaho.gov](http://itd.idaho.gov)

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## 39.03.04 – RULES GOVERNING SPECIAL PERMITS – OVERWEIGHT NON-REDUCIBLE

### 000. LEGAL AUTHORITY.

This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by Sections 49-1001, 49-1002 or 49-1010, Idaho Code, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (3-31-22)

### 001. TITLE AND SCOPE.

**01. Title.** This rule is titled IDAPA 39.03.04, “Rules Governing Special Permits – Overweight Non-Reducible,” IDAPA 39, Title 03, Chapter 04. (3-31-22)

**02. Scope.** This rule states the responsibility of the permittee, the travel restrictions, and maximum weight authorized for special loads. (3-31-22)

### 002. -- 009. (RESERVED)

### 010. DEFINITIONS.

Refer to IDAPA 39.03.01, “Rules Governing Definitions,” for definitions of the terms used in this rule. (3-31-22)

### 011. GENERAL RULES AND CONDITIONS.

Refer to IDAPA 39.03.03, “Rules Governing Special Permits – General Conditions and Requirements” for conditions required for the issuance of special permits. (3-31-22)

### 012. – 099. (RESERVED)

### 100. RESPONSIBILITY OF PERMITTEE.

**01. General Responsibilities.** The permittee shall determine and declare the gross weight, distribution of weight, and the dimensions of the vehicle and load and shall submit all other required information before issuance of the permit. The acceptance of a special permit by the permittee is his agreement that the vehicle and load covered by the permit can and will be moved in compliance with the terms and limitations set forth in the permit. When a permit has been accepted by the permittee, such action shall be deemed an unequivocal assurance that he has complied, or will comply with all operating, licensing, and financial responsibility requirements. (3-31-22)

**02. Permit to Be Carried in Vehicle.** Refer to IDAPA 39.03.03, “Rules Governing Special Permits – General Conditions and Requirements,” for conditions required for the issuance of special permits. (3-31-22)

**03. Certification Load is Non-Reducible.** Refer to IDAPA 39.03.03, “Rules Governing Special Permits – General Conditions and Requirements,” for conditions required for the issuance of special permits. (3-31-22)

**04. Basic Limitations Shall not be Exceeded.** Refer to IDAPA 39.03.03, “Rules Governing Special Permits – General Conditions and Requirements,” for conditions required for the issuance of special permits. (3-31-22)

#### 05. Movement, Traffic Control Plans, Loading, Parking on State Highways. (3-31-22)

**a.** The movement of special loads shall be made in such a way that the traveled way will remain open as often as feasibly possible and to provide for frequent passing of vehicles traveling in the same direction. In order to achieve this, a traffic control plan is required to be submitted when operating on two (2) lane highways and exceeding the following dimensions: (3-31-22)

i. Width exceeds twenty (20) feet. (3-31-22)

ii. Length exceeds one hundred fifty (150) feet. (3-31-22)

**b.** The traffic control plan shall be prepared by a licensed engineer or an American Traffic Safety Services Association (ATSSA) certified traffic control supervisor and include the following information: (3-31-22)

i. Locations and mileposts of where the vehicle/load can pull over to allow for traffic relief; (3-31-22)

- ii. How pilot cars and traffic control personnel will be utilized; (3-31-22)
- iii. Identification of any railroad tracks being crossed and the emergency contact number for the governing entity; and (3-31-22)
- iv. Procedure for allowing emergency vehicles to navigate around the vehicle/load when necessary. (3-31-22)
- c. The permitted vehicle shall not be loaded, unloaded, or parked upon any State highway, except for emergencies, without the specific permission or by direction of the Department or policing agency having jurisdiction over such highway. (3-31-22)
- d. Overwidth Hauling Vehicles, Restrictions. Refer to IDAPA 09.03.05 “Rules for Governing Special Permits – Oversize Non-Reducible.” (3-31-22)

**06. Application for Special Permits. (3-31-22)**

a. How To Apply. The Special Permit Form ITD-217 becomes a valid application when signed by the Permittee. A separate application Form ITD-217C may be completed by the applicant from which the necessary information may be transferred to the permit by the permit writer. Such applications on Form ITD-217C will usually be received through Ports of Entry and applications may also be accepted by letter or by telephone provided all pertinent and necessary information is submitted. (3-31-22)

b. Information To Be Furnished By Applicant. Any application for a special permit shall provide for the submittal of all pertinent information required to establish the necessity of the proposed movement and the requisite to an engineering determination of the feasibility of the proposed movement. The following information shall be furnished: (3-31-22)

- i. Name. Name of owner, operator, or lessee of vehicle or vehicles concerned. (3-31-22)
- ii. Description of Load. Manufacturer, model number, etc. (3-31-22)
- iii. Identification of Vehicles. License number, if registered, otherwise serial number, unit number. (3-31-22)
- iv. Weight. Licensed capacity of vehicles subject to registration, if overweight is involved. (3-31-22)
- v. Axles. Number of axles, spacing between axles, number and size of tires. (3-31-22)
- vi. Gross Weight. Gross weight, distribution of weight, overall dimensions. (3-31-22)
- vii. Route. Point of origin and destination, preferred route by road number. (3-31-22)
- viii. Start Date. Date of movement and days required. (3-31-22)
- ix. If House Trailer. License number if privately owned, serial number if caravan permit. (3-31-22)
- x. Insurance. Evidence of insurance, if required. (3-31-22)
- xi. Necessity. Necessity for movement. (3-31-22)
- xii. Special Instructions. Special instructions regarding address to which permit is to be sent and any other pertinent information. (3-31-22)
- xiii. Signature. Signature of applicant. (3-31-22)
- xiv. Registration. Any vehicle hauling or towing non-reducible loads subject to registration is not

required to register for the maximum legal weight it can haul to be eligible for an overweight permit. Farm tractors, off road equipment, etc., are exempt from registration but are not exempt from weight limitations. (3-31-22)

xv. **Overweight Permit Requirements.** Overweight permits will be issued for non-reducible vehicles and/or loads that exceed legal axle weights and/or eighty thousand (80,000) pounds, with weight reduced to a practical minimum, except that a permit may be issued for a machine with an accessory and loaded separately on the transporting vehicle. Vehicles hauling overweight loads will be required to have five (5) or more axles to qualify for an overweight permit. Self-propelled vocational vehicles or vehicles towing overweight loads may have less than five (5) axles to qualify for an overweight permit. (3-31-22)

xvi. **Variable Load Suspension Axle Requirements.** Any vehicle which is equipped with variable load suspension axles (lift axles) transporting overweight loads shall have lift axles fully deployed when adjacent axles exceed legal axle weights. (3-31-22)

xvii. **Maximum Tire Weights.** The maximum overweight levels shall not exceed eight hundred (800) pounds per inch width of tire. (3-31-22)

xviii. **Single Axle Weight Restriction.** When a single axle or steer axle is over thirty five thousand (35,000) pounds, bridge approval shall be required. (3-31-22)

xix. **Hauling Equipment in Excess of Ten Feet.** Special overwidth hauling vehicles exceeding ten (10) feet in width will be permitted, and may be required, in the hauling of excessively heavy loads to improve the lateral distribution of weight, or when a combination of weight, width, or height makes extra width in the hauling vehicle desirable in the public interest. The use of such vehicles more than ten (10) feet in width shall be restricted to loads requiring an overwidth hauling vehicle and the backhaul permit shall be for the unladen vehicle. (3-31-22)

**101. – 199. (RESERVED)**

**200. TIME OF TRAVEL RESTRICTIONS FOR SPECIAL LOADS.**

Oversize loads may be transported on Idaho Highways subject to the following conditions: (3-31-22)

**01. Red-Coded Routes.** Daylight travel until 2 p.m. on Friday or the day before a holiday, no Saturday, no Sunday. Due to low traffic volumes on these routes early in the mornings of Saturday and Sunday, single trip permits may be issued for dawn to 8 a.m. If the movement is not completed by 8 a.m. the permittee will be required to safely park and not proceed until the next day. (3-31-22)

**02. Black-Coded Routes.** Loads not in excess of ten (10) feet wide, one hundred (100) feet long or fifteen (15) feet high may travel twenty-four (24) hours per day, seven (7) days per week; loads in excess of ten (10) feet wide, one hundred (100) feet long, or fifteen (15) feet high may travel daylight hours seven (7) days per week. (3-31-22)

**03. Interstate.** Loads not in excess of ten (10) feet wide, one hundred and twenty (120) feet long or fifteen (15) feet high may travel twenty-four (24) hours per day, seven (7) days per week; loads in excess of ten (10) feet wide, one hundred and twenty (120) feet long, or fifteen (15) feet high may travel daylight hours, seven (7) days per week. (3-31-22)

**04. Nez Perce – Clearwater Forest Safety and Travel Requirements.** As per a Federal Court decision, the United States Forest Service has the duty to regulate oversize loads traveling through the Nez Perce – Clearwater Forest (US 12 from milepost 74 to 174). (3-31-22)

**a.** The Forest Service has issued the following written criteria to determine which “oversize” loads will be subject to Forest Service review: (3-31-22)

**i.** Load exceeds sixteen (16) feet wide, one hundred and fifty thousand pounds (150,000 lbs.), and/or one hundred and fifty (150) feet in length. (3-31-22)

**ii.** Load movement requires longer than twelve (12) hours to travel through the designated mileposts.

(3-31-22)

iii. Load movement requires physical modification of the roadway or adjacent vegetation to facilitate passage beyond normal highway maintenance. (3-31-22)

b. For those loads meeting any of the criteria in Paragraph 200.04.a.i. through 200.04.a.iii. of this rule, there will be additional safety requirements for the movement of such loads on US 12 from milepost 74 to 174. These additional safety requirements include, at a minimum, the following: (3-31-22)

i. Ambulances and possible law enforcement escorts to ensure public safety. (3-31-22)

ii. Safety lighting will be addressed so as to not create a safety hazard to the traveling public. (3-31-22)

iii. Loads cannot utilize turnouts, which are designated for recreational vehicles for non-emergency parking. (3-31-22)

iv. Time of travel will be determined based on traffic volume and best interest of the public. Night time movement may be required and/or movement may be restricted during holidays or weekends. (3-31-22)

v. Loads require a vehicle safety inspection by the Idaho State Police or equivalent agency of another jurisdiction prior to issuance of a permit. (3-31-22)

vi. ITD shall monitor the loads as they travel the highway and ensure only one (1) load shall operate on this section of highway at any one time. (3-31-22)

**05. Additional Restrictions.** (3-31-22)

a. Red-Coded Routes – No travel for any load after 2 p.m. on the day preceding a holiday or holiday weekend. A holiday weekend occurs as three (3) consecutive days, when a designated holiday occurs on a Friday or Monday, or when the designated holiday occurs on a Saturday or Sunday, in which case the preceding Friday or the following Monday shall be included in such three (3) day holiday weekend. Travel may be resumed at dawn on the day following the holiday or holiday weekend. (3-31-22)

b. Black-Coded Routes and Interstate Routes – Loads in excess of ten (10) feet wide, one hundred (100) feet long, or fifteen (15) feet high may not travel after 4:00 p.m. on the day preceding a holiday. Travel may be resumed at dawn on the day following the holiday. (3-31-22)

c. The following days are designated as holidays: (3-31-22)

i. New Year's Day; (3-31-22)

ii. Memorial Day; (3-31-22)

iii. Independence Day; (3-31-22)

iv. Labor Day; (3-31-22)

v. Thanksgiving; and (3-31-22)

vi. Christmas. (3-31-22)

d. Additional restrictions relating to movement of buildings and houses are: (3-31-22)

i. Excessively Oversize Loads. Excessively oversize loads shall be restricted to the time of day, or day of the week, when traffic interference will be at a minimum. (3-31-22)

ii. Buildings. Time of travel of loads in the building size category shall be restricted to the time of day and/or day of the week, when traffic interference will be at a minimum. (3-31-22)

iii. Early Morning Moves. In metropolitan areas and in certain other cases where a serious disruption of traffic would otherwise be unavoidable, the movement of excessively oversize buildings may be permitted, at the discretion of the District Engineer, between 2 a.m. and daybreak to avoid traffic congestion. (3-31-22)

e. Other time of travel restrictions may be noted on the permit due to special circumstances. (3-31-22)

f. Overlength restrictions. Oversize vehicles operating under authority of a special permit which exceed seven (7) feet of front overhang, on any vehicle in the combination, are restricted to daylight travel only on two (2) lane, two (2) way highways. (3-31-22)

**06. Hours of Darkness.** Hours are defined as extending from sunset to sunrise or at any other time when visibility is restricted to less than five hundred (500) feet. (3-31-22)

**07. Heavy Commuter Traffic Restrictions.** (3-31-22)

a. The movement of oversize permitted vehicles or loads which are in excess of thirteen (13) feet in width may be prohibited from movement on highways on all state and interstate routes at times of heavy commuter traffic within one (1) mile of the city limits of the following cities: (3-31-22)

i. Boise; (3-31-22)

ii. Caldwell; (3-31-22)

iii. Coeur d'Alene; (3-31-22)

iv. Eagle; (3-31-22)

v. Emmett; (3-31-22)

vi. Idaho Falls; (3-31-22)

vii. Meridian; (3-31-22)

viii. Middleton; (3-31-22)

ix. Nampa; (3-31-22)

x. Pocatello; (3-31-22)

xi. Star; (3-31-22)

xii. Twin Falls; (3-31-22)

xiii. Garden City; and (3-31-22)

xiv. Chubbuck. (3-31-22)

b. Authorized oversize permitted vehicles operating during hours of heavy commuter traffic shall be restricted to the furthest right hand lane. Emergency movement of vehicles/loads responding to imminent hazards to persons or property shall be exempt from the provisions of Section 200. Unless otherwise defined on the permit, the times of heavy commuter traffic shall be considered to be 6:30 a.m. to 8:30 a.m., and 4 p.m. to 6 p.m. Monday through Friday except as noted under Holiday restrictions. Restrictions to the operation of oversize permitted vehicles and/or loads during times of heavy commuter traffic shall appear either on the face of the permit or in the attachments

for annual permits. (3-31-22)

**08. Hazardous Travel Conditions Restrictions.** Refer to IDAPA 39.03.03, “Rules Governing Special Permits – General Conditions and Requirements,” for limitations on travel during hazardous conditions. (3-31-22)

**09. Delaying Movement.** Enforcement personnel responsible for any section of highway shall carry out enforcement action for violations involving special permit operations and may delay movements. (3-31-22)

**10. Map Resources.** The Pilot/Escort Vehicle and Travel Time Requirement Map available at the Idaho Transportation Department Special Permit Office, and Ports of Entry. (3-31-22)

**11. Additional District Approval and Allowance for Approval Time.** District approval will be obtained by the Special Permit office and may require up to twenty-four (24) working hours. District approval is required when vehicles or loads exceed: (3-31-22)

- a. Sixteen (16) feet wide on red coded routes; (3-31-22)
- b. Eighteen (18) feet wide on black coded routes and interstate highways; (3-31-22)
- c. Sixteen (16) feet high on any route; or (3-31-22)
- d. One hundred twenty (120) feet long on any route. (3-31-22)

**201. – 299. (RESERVED)**

**300. MAXIMUM OVERWEIGHT LEVELS FOR ANNUAL OVERWEIGHT/OVERSIZE PERMITS.**

**01. Allowable Gross Vehicle Weight.** The gross vehicle weight allowable by overweight permit is subject to the seasonal stability of the roadway and the capacity of the structures on the route of travel. For the purpose of issuing special permits, seven (7) levels of overweight are established, based on the weight formula of  $W = 500((LN/N-1) + 12N + 36)$  and routes for carrying the various levels of overweight are designated by color coding. The Weight Formula (“W”) is the maximum weight in pounds (to the nearest five hundred (500) pounds) carried on any group of two (2) or more consecutive axles. “L” is the distance in feet between the extremes of any group of two (2) or more consecutive axles, “N” is the number of axles under consideration. The load factor based on the most critical bridge on the highway route will also be used in determining allowable weights. (3-31-22)

a. Red Routes – The red routes contain posted bridges and require approval or analysis from the Department. A vehicle configuration may be issued an annual overweight/oversize permit for travel on red routes only, upon completion of an analysis verifying the requested weights are acceptable. The annual permit will be issued for a specific vehicle configuration, operating on a specific route, at specific weights. All information will be listed on the annual permit and will be subject to revocation at such time the vehicle configuration changes (such as axle spacings), the approved weights change, or a bridge rating changes. Annual permits issued for red routes will be in addition to the annual permit required for other routes. (3-31-22)

b. Yellow Routes – The yellow overweight level is based on a single axle loading of twenty-two thousand five hundred (22,500) pounds, a tandem axle loading of thirty-eight thousand (38,000) pounds, and a tridem axle loading of forty-eight thousand (48,000) pounds or the equivalent loading as determined by spacings and number of axles and computed by applying the formula  $W = 560 ((LN/N-1) + 12N + 36)$ . (3-31-22)

c. Orange Routes – Orange overweight level is based on a single axle loading of twenty-four thousand (24,000) pounds, a tandem axle loading of forty-one thousand (41,000) pounds, and a tridem axle loading of fifty-one thousand five hundred (51,500) pounds or the equivalent loading as determined by spacings and number of axles and computed by applying the formula  $W = 600 ((LN/N-1) + 12N + 36)$ . (3-31-22)

d. Green Routes – The green overweight level is based on a single axle loading of twenty-five thousand five hundred (25,500) pounds, a tandem axle loading of forty-three thousand five hundred (43,500) pounds, and a tridem axle loading of fifty-four thousand five hundred (54,500) pounds or the equivalent loading as



determined by spacings and number of axles and computed by applying the formula  $W = 640 ((LN/N-1) + 12N + 36)$ . (3-31-22)

**e.** Blue Routes – Blue overweight level is based on a single axle loading of twenty-seven thousand (27,000) pounds, a tandem axle loading of forty-six thousand (46,000) pounds, and a tridem axle loading of fifty-seven thousand five hundred (57,500) pounds or the equivalent loading as determined by spacings and number of axles and computed by applying the formula  $W = 675 ((LN/N-1) + 12N + 36)$ . (3-31-22)

**f.** Purple Routes – The purple overweight level is based on a single axle loading of thirty thousand (30,000) pounds, a tandem axle loading of fifty-one thousand five hundred (51,500) pounds, and a tridem axle loading of sixty-four thousand five hundred (64,500) pounds or the equivalent loading as determined by spacings and number of axles and computed by applying the formula  $W = 755 ((LN/N-1) + 12N + 36)$ . (3-31-22)

**g.** Black Routes – The black overweight level is based on a single axle loading of thirty-three thousand (33,000) pounds, a tandem axle loading of fifty-six thousand (56,000) pounds, and a tridem axle loading of seventy thousand five hundred (70,500) pounds or the equivalent loading as determined by spacings and number of axles and computed by applying the formula  $W = 825 ((LN/N-1) + 12N + 36)$ . (3-31-22)

**02. Vehicles or Loads Exceeding Annual Permitted Weights.** Vehicles or loads exceeding the axle weights, groups of axle weights, or total gross weights allowed on any of the overweight levels described in Subsection 300.01 of this rule must operate by single trip permits only if approved. (3-31-22)

**301. – 399. (RESERVED)**

**400. OVERWEIGHT PERMITS REQUIRING BRIDGE ANALYSIS.**

Requests to transport vehicles and/or loads at weights in excess of the weights allowed on a routine basis will require, at a minimum, an additional review and approval from the special permit office and may require an engineering analysis when structures are involved on the route(s) to be traveled. The Department may waive the requirement for engineering analysis provided sufficient prior analyses for similar loadings have been performed by the Department for the involved structures. The following information may be requested, to be provided to the special permit office when an engineering analysis is required: (3-31-22)

**01. Drawing of Vehicle.** A schematic drawing or other specific information with regard to placement of axles, distance between axles and/or wheels, and distribution of gross weight on axles and/or wheels. (3-31-22)

**401. – 499. (RESERVED)**

**500. BRIDGE ANALYSIS CRITERIA AND TIME FRAMES.**

The Department may take up to five (5) business days for an analysis on a vehicle or vehicle combination not in excess of two hundred fifty thousand (250,000) pounds and up to ten (10) business days for an analysis on a vehicle or vehicle combination over two hundred fifty thousand (250,000) pounds. Up to ten (10) business days will also be used for the review process of an analysis done by a third party. The following criteria will be used to determine bridge analysis work and whether it is to be completed by the Department or a qualified and pre-approved third party. If a third party is required, the applicant is responsible for finding, initiating and paying for the cost of that analysis. (3-31-22)

**01. Vehicle Combinations in Excess of Eight Hundred Thousand (800,000) Pounds.** Vehicle combinations in excess of eight hundred thousand (800,000) pounds will be required to have a third party complete the bridge analysis. The analysis will then be reviewed by the Department for final approval or denial. (3-31-22)

**02. Preliminary Information or Bid Work.** When a permit request is placed and paid for, the Department will complete the analysis, otherwise a third party will be required to complete the bridge analysis. An analysis completed by a third party may be used when a permit request is made and it will be reviewed by the Department for final approval or denial. (3-31-22)

**03. Overweight Permit Requests with Multiple Configurations.** Requests made to analyze multiple vehicle configurations for a specific route to determine which vehicle combination will be approved requires the

analysis to be completed by a third party. The analysis will then be reviewed by the Department for final approval or denial. (3-31-22)

**04. Overweight Permit Requests with Multiple Routes.** Requests made to analyze multiple routes for a specific vehicle combination in order to determine which route will be approved requires the analysis to be completed by a third party. The analysis will then be reviewed by the Department for final approval or denial. (3-31-22)

**05. Extenuating Circumstances.** The Department may under extenuating circumstances require that a bridge analysis be completed by a third party. (3-31-22)

**501. – 599. (RESERVED)**

**600. SPECIAL PERMITS FOR SELF PROPELLED VEHICLES.**

Permitted overweight/oversize self-propelled vocational vehicles (such as cranes, loaders, motor graders, drills) may haul or tow a motorized vehicle provided that the motorized vehicle or combination of vehicles being towed (trailer and motorized vehicle) does not exceed eight thousand (8,000) pounds and the motorized vehicle is used solely for return trip after delivery of the permitted vehicle. (3-31-22)

**601. – 999. (RESERVED)**