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**39.03.11 - RULES GOVERNING SPECIAL PERMITTEE
RESPONSIBILITY AND TRAVEL RESTRICTIONS FOR OVERLEGAL LOADS**

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. (10-2-89)

001. TITLE AND SCOPE.

This rule states the responsibility of the permittee and the travel restrictions for overlegal loads. (10-2-89)

002. -- 009. (RESERVED).

010. DEFINITIONS.

Refer to Rule 39.03.01 for definitions of the terms used in this rule. (10-2-89)

011. -- 099. (RESERVED).

100. RESPONSIBILITY OF PERMITTEE.

01. General. 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. (8-25-94)

02. Permit to Be Carried in Vehicle. (1-3-93)

a. The special permit must be carried in the vehicle to which it refers during the time of movement and shall upon demand be delivered for inspection to any peace officer or authorized agent of the Idaho Transportation Board or any officer or employee charged with the care and protection of the public highways. The original ITD-217E annual permit must be carried in the vehicle within sixty (60) days of the date of issue. (1-1-90)

b. When the route of the permitted vehicle will not pass in the vicinity of a state operated transceiver station, the applicant may complete Form ITD-217-10, APPLICATION FOR SPECIAL PERMIT NUMBER, and provide pertinent information by telephone to the special permit office. If the special permit office approves the application, a special permit number will be assigned to complete the Form ITD-217-10. Form ITD-217-10 will serve as evidence of intent to obtain the special permit and will be honored by law enforcement subject to the officer checking with the special permit office. The applicant must qualify for this procedure by obtaining a permit fee account number. The special permit office will complete the Special Permit Form ITD-217 and charge the fee to the applicant's permit fee account number.(Rule 39.03.21, Section 300) (1-3-93)

03. Certification Load is Non-Reducible. Upon application, the permittee must certify that steps have been taken to reduce the dimensions and/or weight of vehicle and/or load concerned in the permit to legal limitations, or if that is impractical, to reduce the excess to a minimum. (8-25-94)

04. Basic Limitations Shall Not Be Exceeded. Special permits shall not be issued for vehicles or loads in excess of the maximum limitations of size or weight or which otherwise exceed the limitations for over legal loads as set forth in these rules unless exception is made by the Transportation Board, or as otherwise provided herein. (8-25-94)

05. Movement, Loading, Parking on State Highways. (1-3-93)

a. The movement of over legal loads shall be made in such a way that the traveled way will remain

open at all times to provide for the continuous movement of opposing traffic and to provide for frequent passing of vehicles traveling in the same direction. Over legal vehicles or loads shall be pulled off the traveled way at every suitable location when necessary to relieve any accumulation of traffic behind such over legal vehicle or load.

(10-2-89)

b. The over legal 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.

(1-3-92)

101. -- 199. (RESERVED).

200. TIME OF TRAVEL RESTRICTIONS FOR OVER LEGAL LOADS.

Oversize loads may be transported on Idaho Highways subject to the following conditions: (10-2-89)

01. Red-Coded Routes. Daylight travel until two o'clock (2:00) PM on Friday, 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 eight o'clock (8:00) AM. If the movement is not completed by eight o'clock (8:00) AM the permittee will be required to safely park and not proceed until the next day. (8-25-94)

02. Black-Coded Routes. Loads not in excess of ten (10) feet wide, one hundred (100) feet long or fourteen (14) feet six (6) inches 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 fourteen (14) feet six (6) inches high may travel daylight hours seven (7) days per week. (12-26-90)

03. Interstate. Loads not in excess of ten (10) feet wide, one hundred and fifteen (115) feet long or fourteen (14) feet six (6) inches 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 fifteen (115) feet long or fourteen (14) feet six (6) inches high may travel daylight hours, seven (7) days per week. (1-1-90)

04. Additional Restrictions. (8-25-94)

a. Red-Coded Routes: No travel for any load after two o'clock (2:00) PM 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. (12-2-90)

b. Black-Coded Routes and Interstate Routes: Loads in excess of ten (10) feet wide, one hundred (100) feet long or fourteen (14) feet six (6) inches high may not travel after four o'clock (4:00) PM on the day preceding a holiday; travel may be resumed at dawn on the day following the holiday. (12-26-90)

c. The following days are designated as holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas. (8-25-94)

d. Additional restrictions relating to movement of buildings and houses are listed in Rule 39.03.18, Section 400. (8-25-94)

e. Other time of travel restrictions may be noted on the permit due to special circumstances. (8-25-94)

05. Hours of Darkness. Hours are defined as extending from one-half (1/2) hour after sundown to (1/2) one-half hour before sun rise or at any other time when visibility is restricted to less than five hundred (500) feet. (8-25-94)

06. Heavy Commuter Traffic Restrictions. The movement of oversize vehicles or loads which are in excess of twelve (12) feet in width, in excess of eighty-five (85) feet in length, or in excess of sixteen (16) feet in height may be prohibited from movement on highways within the urban limits of the following cities: Boise,

Caldwell, Coeur d'Alene, Idaho Falls, Lewiston, Nampa, Pocatello, Twin Falls, Garden City, and Chubbuck at times of heavy commuter traffic. Unless otherwise defined on the permit, the times of heavy commuter traffic shall be considered to be seven o'clock (7:00) to eight o'clock (8:00) a.m., 12:00 noon to one o'clock (1:00) p.m. and four-thirty o'clock (4:30) to six o'clock (6:00) p.m. This restriction shall not apply to sections of completed Interstate Highway within the above listed cities. Such a restriction of oversize load travel to avoid conflict with heavy commuter traffic volumes shall appear on the face of the permit. (10-2-89)

07. Hazardous Travel Conditions Restrictions. The movement by special permit of mobile homes, modular housing sections and buildings shall be prohibited and otherwise valid permits shall automatically become invalid enroute when travel conditions become hazardous due to ice, snow or frost; when visibility is restricted to less than five hundred (500) feet by fog, dust, smoke or smog or other atmospheric condition; or when wind velocity exceeds twenty (20) miles per hour. The wind velocity limitation shall not apply to mobile or modular homes transported on five (5) axle truck tractor and semi-trailer combinations similar in weight and construction to those used in general trucking operations. (10-2-89)

08. Permittee Determination. The permittee and/or operator of the permitted towing vehicle shall be responsible for determining if road, wind, weather conditions, are safe for travel, or lateral or vertical clearance is adequate for the permitted load. (10-2-89)

09. Delaying Movement. Enforcement personnel responsible for any section of highway may delay movements and carry out enforcement action for violations involving operation during hazardous operating conditions. (10-2-89)

10. Requirement Map. The Escort Vehicle and Travel Time Requirement Map is available at the Idaho Transportation Department Permit Office and Ports of Entry. (8-25-94)

201. -- 999. (RESERVED).