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**IDAPA 39
TITLE 03
CHAPTER 46**

39.03.46 - RULES GOVERNING STUDED TIRES

000. LEGAL AUTHORITY.

Pursuant to the authority contained in Sections 49-201 and 49-948, Idaho Code, the Idaho Transportation Board adopts this rule which applies to the use of motor vehicle tires with built-in lugs as defined and described in Sections 49-121 and 49-948, Idaho Code, and commonly referred to as studded tires. (12-26-90)

001. TITLE AND SCOPE.

01. Title. This rule shall be known as IDAPA 39.03.46 "Rules Governing Studded Tires," IDAPA 39, TITLE 03, Chapter 46. (5-3-03)

02. Scope. The purpose of this rule is to identify when studded tires are not allowed on public highways. (5-3-03)

002. WRITTEN INTERPRETATIONS.

The Idaho Transportation Department has no written interpretations of this Chapter. (5-3-03)

003. ADMINISTRATIVE APPEALS.

Administrative appeals under this Chapter shall be governed by the rules of administrative procedure of the attorney general, IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General". (5-3-03)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference in this Chapter. (5-3-03)

005. OFFICE -- OFFICE HOURS -- MAILING AND STREET ADDRESS -- PHONE NUMBERS.

01. Street And Mailing Address. The Idaho Transportation Department maintains a central office in Boise at 3311 W State Street with a mailing address of P.O. Box 7129, Boise ID 83707-1129. (5-3-03)

02. Office Hours. Daily office hours are 8 a.m. to 5 p.m., except Saturday, Sunday and state holidays. (5-3-03)

03. Telephone And FAX Numbers. The Assistant Chief Engineer/Operations may be contacted during office hours by phone at 208-334-8535, or by fax at 208-334-8595. (5-3-03)

006. PUBLIC RECORDS ACT COMPLIANCE.

All records associated with this Chapter are subject to and in compliance with the Idaho Public Records Act, as set forth in Sections 9-337 through 9-350, Idaho Code. (5-3-03)

007. -- 099. (RESERVED).

100. PROHIBITIONS.

Motor vehicles equipped with tires having built-in lugs of tungsten carbide or of other metallic material are prohibited on Idaho's public highways from May 1 through September 30, annually. (5-3-03)

101. EXEMPTIONS.

Pumper trucks and ladder trucks belonging to fire departments in Idaho are exempt from the restrictions specified in IDAPA 39.03.46.100. (7-1-96)

102. SPECIAL EXEMPTIONS.

Special exemptions from the provisions of Rule 100 may be granted by the Idaho Transportation Board if it is found that enhancements to public safety to be realized by the granting of an exemption out-weigh the resultant increased pavement wear. (7-1-96)

01. Exemption Requests. Each request for a special exemption will be evaluated individually on its merits. Requests for reduced periods of studded tire prohibition shall be addressed to the Special Permits Office, Idaho Transportation Department, P.O. Box 7129, Boise, Idaho 83707. Such requests shall fully detail the routes on which the special exemption is being requested, the period of time being requested, and the reason for the request complete with economic and safety information. The requests shall also include the name of the owner(s) of the vehicle(s) and the vehicle license number(s) for which the special exemption is being requested. (7-1-96)

02. Length Of Exemption. Special exemption request, if approved, shall be valid for one (1) calendar year and will be specific to the vehicles and routes requested. (7-1-96)

103. -- 999. (RESERVED).

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