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**IDAPA 39
TITLE 03
CHAPTER 16**

**39.03.16 - RULES GOVERNING OVERSIZE PERMITS FOR
NON-REDUCIBLE VEHICLES AND/OR LOADS**

000. LEGAL AUTHORITY.

This rule, governing the movement of vehicles and/or loads which are in excess of the sizes allowed by Sections 49-1004 and 49-1010, Idaho Code, is adopted under the authority of Section 49-201, Idaho Code. (3-29-10)

001. TITLE AND SCOPE.

01. Title. This rule shall be cited as IDAPA 39.03.16, "Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads," IDAPA 39, Title 03, Chapter 16. (4-5-00)

02. Scope. This rule states the maximum sizes allowed by overlegal permit. It does not apply to the transport of oversize manufactured homes or office trailers (see IDAPA 39.03.17, "Rules Governing Permits for Manufactured Homes, Modular Buildings, and Office Trailers"). (4-5-00)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations for this chapter. (3-20-04)

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." (3-20-04)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference in this chapter. (3-20-04)

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 PO Box 7129, Boise, ID 83707-1129. (3-20-04)

02. Office Hours. Daily office hours are 7:30 a.m. to 5 p.m. except Saturday, Sunday and state holidays. (3-29-10)

03. Telephone and Fax Numbers. The central office may be contacted during office hours by phone at 208-334-8420 or by fax at 334-8419. (3-20-04)

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 Title 74, Chapter 1, Idaho Code. (3-20-04)

007. -- 009. (RESERVED)

010. DEFINITIONS.

Refer to IDAPA 39.03.01, "Rules Governing Definitions Regarding Overlegal Permits," for definitions of the terms used in this Rule. (4-2-08)

011. -- 099. (RESERVED)

100. GENERAL OVERSIZE LIMITATIONS.

01. Maximum Dimensions Allowed. The maximum dimensions of oversize vehicles or oversize loads shall depend on the character of the route to be traveled: width of roadway, alignment and sight distance, vertical or horizontal clearance, and traffic volume. (3-29-12)

02. Practical Minimum Dimension of Load. Oversize loads shall be reduced to a practical minimum dimension. Except where noted below, permits will not be issued to exceed legal size if the load is more than one (1) unit in width, height, or length which results in them exceeding legal overhang. Additionally, permits shall not be utilized for multiple unit loads which may be re-positioned to meet legal dimensions established in Section 49-1010, Idaho Code. (3-25-16)

03. Overwidth Loads on Single or Double Trailers. Non-reducible loads may be transported on double trailer combinations not exceeding seventy-five (75) feet combination length and single trailers not exceeding fifty-three (53) feet exclusive of load overhang. (3-25-16)

04. Overwidth Overhang. Over width loads shall distribute overhang to the sides of the trailer as evenly as possible. (8-25-94)

101. -- 199. (RESERVED)

200. PERMITS FOR MULTIPLE-WIDTH OR MULTIPLE-HEIGHT LOADING.

01. Cylindrical Hay Bales. Overlegal permits may be issued for overwidth transportation of cylindrical hay bales, produced by balers having bale chambers which may be five (5) feet or more in width. Such bales may be loaded two (2) bales wide and two (2) bales high. Hauling vehicles eligible for permit for this purpose shall be legal size vehicles registered for travel on public highways. Operation of such overwidth loads shall be subject to the same time of travel and other safety requirements as other overwidth loads having a similar width. This type of operation is intended as an option to the use of farm tractors hauling such loads on size-exempt implement of husbandry vehicles. Maximum width of such loads without tolerance may not exceed eleven (11) feet six (6) inches. (4-5-00)

02. Reducible Height Loads. Overlegal permits may be issued to allow the transportation of reducible loads in excess of fourteen (14) feet high but not in excess of fourteen (14) feet nine (9) inches high on designated highways. The vehicle height must not exceed fourteen (14) feet. A map listing the vertical clearances is available at the Idaho Transportation Department Permit Office and online at <http://www.itd.idaho.gov/dmv/poe/poe.htm>. (3-29-12)

03. Kiln Lumber Stacks. Overlegal permits may be issued to allow the transportation of specifically produced kiln lumber stacks in excess of eight (8) feet six (6) inches wide but not in excess of nine (9) feet three (3) inches wide on designated highways. Each kiln lumber stack shall be considered a single non-reducible unit and may be hauled two (2) stacks wide and two (2) stacks high. Hauling vehicles eligible for permit for this purpose shall be legal size vehicles registered for travel on public highways. Operations of such overwidth loads shall be subject to the same type of travel restrictions and other safety requirements as other overwidth loads having a similar width. (4-11-15)

201. -- 299. (RESERVED)

300. OVERWIDTH HAULING VEHICLES, RESTRICTIONS.

01. Width of Hauling Equipment. Overlegal permits may be issued for ten (10) foot wide trailers hauling non-reducible loads smaller than ten (10) feet wide. The permit issued for oversize loads being hauled on oversize equipment will be valid for the unladen movement and the laden movement, which shall not include commodities either to or from the point of loading or unloading of the oversize load. (3-25-16)

02. Load Dimensions. Any load exceeding the dimensions of the trailer shall be non-reducible in size, and any load exceeding legal allowable weight shall be non-reducible in weight. Annual permits issued for such hauling vehicles shall be subject to the requirements and limitations of IDAPA 39.03.19, "Rules Governing Annual Overlegal Permits," and 39.03.13, "Rules Governing Overweight Permits," Section 200. (3-29-12)

03. 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. (10-2-89)

04. Buildings. Buildings which are too wide to be safely transported on legal-width hauling vehicles shall be moved either on house moving dollies or on trailers which can be reduced to legal width for unladen travel. (10-2-89)

301. -- 399. (RESERVED)

400. OVERWIDTH PERMITS FOR IMPLEMENTS OF HUSBANDRY.

01. Farm Tractors on Interstate Highways. Farm tractors transported on Interstate Highways are required to have overlegal permit authority if width exceeds nine (9) feet. A farm tractor when attached to an implement of husbandry or when drawing an implement of husbandry shall be construed to be an implement of husbandry and is not required to have a permit. Farmers, equipment dealers or custom operators may be issued single trip or annual permits under this rule for transportation of farm tractors, having a width in excess of nine (9) feet to or from a farm involving Interstate Highway travel. The transportation of farm tractors or implements of husbandry for hire, or not being transported from one farm operation to another, is a common-carrier operation. Exemptions from legal width limitation do not apply to common-carrier operations. Farm tractors or implements of husbandry hauled for hire, or used in the furtherance of a business (not to include farming operations), are subject to the same overlegal permit regulations as other oversize loads when the width of the load exceeds legal-width limitations, and must operate under oversize permits. (3-30-01)

02. Other Than Farm to Farm. Implements of husbandry exceeding eight (8) feet six (6) inches in width being transported other than from one (1) farm operation to another farm operation shall require overlegal permits except when the farmer or their designated agents, including without limitation, equipment dealers transporting implements of husbandry and equipment for the purpose of: (7-21-17)T

a. The repair or maintenance of such implements of husbandry and equipment when traveling to or from a farm to a repair or maintenance facility during daylight hours; or (7-21-17)T

b. The purchase, sale, lease or rental of such implements of husbandry or equipment when traveling between a farm and a dealership, auction house, or other facility during daylight hours. (7-21-17)T

03. Farm Permits. Single trip permits must be ordered at the permit office. Under provisions of IDAPA 39.03.19, "Rules Governing Annual Overlegal Permits," Section 100, annual permits will be issued to towing units or to self-propelled farm tractors or towed units, or blanket permits may be issued to an Idaho domiciled applicant without vehicle identification. Such blanket permits may be transferred from one vehicle to another vehicle but shall be valid only when the permit is with the overwidth vehicle and/or load. A photocopy of the permit is valid provided that the Pilot/Escort Vehicle and Travel Time Requirements Map and Vertical Clearance of Structures Map furnished by the Idaho Transportation Department are included. Such annual permits for implements of husbandry or farm tractors are subject to the same maximum dimensions, travel time exclusions and safety requirements as other overwidth annual permits and are valid for continuous travel for twelve (12) consecutive months. (3-25-16)

04. Overwidth Farm Trailers. Trailers or semi-trailers exceeding eight feet six inches (8' 6") wide, but not wider than the implement of husbandry, used for the transportation of implements of husbandry to or from a farm for agricultural operations, shall be exempt from overlegal permitting requirements. This exemption does not apply to trailers or semi-trailers used in common carrier operations, hauling for hire or used in the furtherance of a business (not to include farming operations). (7-21-17)T

a. Exempt trailers, as listed above, may not be used to haul implements of husbandry that are narrower than the overwidth trailer. (3-20-04)

b. Empty trailers, as listed above, being used to pick up or drop off an implement of husbandry from a farm to a farm are also exempt and must be reduced to a practical minimum dimension (i.e. dropping side extensions). (3-20-04)

401. -- 499. (RESERVED)

500. ADDITIONAL DISTRICT APPROVAL AND ALLOWANCE FOR APPROVAL TIME.

District approval is required when vehicles or loads exceed: sixteen (16) feet wide on red coded routes, eighteen (18) feet wide on black coded routes and interstate highways, sixteen (16) feet high on any route, and one hundred twenty (120) feet long on any route. District approval will be obtained by the Overlegal Permit office and may require up to twenty-four (24) working hours. See Pilot/Escort Vehicle and Travel Time Requirements Map for color coded routes online at <http://www.itd.idaho.gov/dmv/poe/poe.htm>. (3-29-12)

501. -- 599. (RESERVED)

600. OVERLENGTH RESTRICTIONS.

Oversize vehicles operating under authority of an overlegal 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. (3-29-10)

601. -- 999. (RESERVED)

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