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**IDAPA 39
TITLE 03
CHAPTER 18**

**39.03.18 – RULES GOVERNING OVERLEGAL PERMITS FOR
RELOCATION OF BUILDINGS OR HOUSES**

000. LEGAL AUTHORITY.

This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by 49-1001, 49-1002, 49-1004, or 49-1010, is adopted under the authority of Section 40-312, Idaho Code. (3-29-10)

001. TITLE AND SCOPE.

01. Title. This rule shall be cited as IDAPA 39.03.18, “Rules Governing Overlegal Permits for Relocation of Buildings or Houses,” IDAPA 39, Title 03, Chapter 18. (4-5-00)

02. Scope. This rule states the regulations for overlegal permits issued for the movement of buildings or houses. (4-5-00)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations for this chapter. (3-29-10)

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.” (3-29-10)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference in this chapter. (3-29-10)

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. (3-29-10)

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. (3-29-10)

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. (3-29-10)

009. -- 009. (RESERVED)

010. DEFINITIONS.

Refer to IDAPA 39.03.01, “Rules Governing Definitions,” for definitions of the terms used in this rule. (10-2-89)

011. -- 099. (RESERVED)

100. GENERAL REQUIREMENTS.

01. Buildings Exceeding Sixteen Feet Wide. Overlegal permits for the transportation of buildings or houses having a basic width in excess of sixteen (16) feet shall be limited to the relocation of previously used buildings. The transportation of new, centrally manufactured houses, buildings, building sections, mobile or modular homes, etc., may be denied overlegal permits if the width at the base is in excess of sixteen (16) feet. (3-29-10)

02. Requirements for Permit. The requirements of each permit for relocation of a used building or house shall depend on the dimensions of the load as well as a consideration of the width and alignment of the roadway, passing opportunity for the traveling public, vertical or horizontal clearance of bridges or other structures along the route of travel, and traffic volumes. (10-2-89)

101. -- 199. (RESERVED)

200. INFORMATION REQUIRED IN APPLICATION.

01. Overall Width of the Building. (10-2-89)

a. At the base; and (10-2-89)

b. At the eaves or widest point. (10-2-89)

02. Overhang. Overhang of the building load to the right and left of the hauling vehicle or its tires. (10-2-89)

03. Height. Loaded height of the building. (10-2-89)

04. Combined Length. Combination length of the towing vehicle and its building load. (10-2-89)

05. Identification. Identification of the owner of the building, and of the permittee. (10-2-89)

06. Route. Proposed route of travel on state highways and other public roads. (10-2-89)

07. Turnouts. Availability of turnouts if required for passage of traffic. (10-2-89)

201. -- 299. (RESERVED)

300. PASSING LANE MUST BE PROVIDED.

Except for short movements in urban areas, and on routes having very low Average Daily Traffic (ADT), permits will not be issued for a load of such dimension that continuous passage of opposing traffic and frequent passing of following traffic cannot be maintained. Ten (10) feet or more of travelway should be provided for passage of traffic unless there are frequent turnouts, intersections, etc., to provide relief of accumulated traffic to the rear. (4-5-00)

301. -- 349. (RESERVED)

350. VERTICAL CLEARANCE REQUIREMENTS.

01. Permit for Overheight. The issuance of any permit for movement of overheight loads will be subject to the vertical clearance of any structure involved along the route of travel. The Department may require a minimum of twenty-four (24) working hours to allow for the proposed route to be evaluated and approved or denied. (4-5-00)

02. Overhead Traffic Signals. Any movement of a building, or other overheight load, having a loaded height of sixteen (16) feet six (6) inches or more may require advance notice if overhead traffic signals are involved in the route. (4-5-00)

03. Overhead Power Lines. Carriers whose load/vehicle combination exceed seventeen (17) feet high must contact local utility company(s) for approval and assistance with power lines. (4-5-00)

351. -- 399. (RESERVED)

400. TIME OF TRAVEL.

01. 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. (10-2-89)

02. 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. (4-5-00)

03. 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. (4-5-00)

401. -- 449. (RESERVED)

450. INSURANCE AND BONDING REQUIREMENTS.

01. Insurance. The permittee when hauling buildings fourteen (14) feet or more in width shall be required to carry evidence of insurance in the permitted vehicle in the same minimum amounts as is required for those permits issued for the movement of overwidth manufactured homes. Minimum requirements are three hundred thousand dollars (\$300,000) combined single limit, (when hauling permittee's own building) and seven hundred fifty thousand dollars (\$750,000) when hauling for hire. (4-5-00)

02. Permittee Responsibility. The permittee shall be responsible for the protection of sign-posts, guideposts, delineators, and may be required to post bond to cover the costs of repairs or replacements of such facilities. (4-5-00)

03. Bond Requirements. When an expense to the state can be presumed in providing clearance for an overheight load, or for repair of signposts or other such facilities, a cash bond based on estimated costs to the State may be required before issuance of such permit. Any part of the cash bond in excess of material costs, labor, and equipment rental will be returned to the permittee after the actual costs to the State have been determined and deducted. (4-5-00)

451. -- 999. (RESERVED)

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