

Table of Contents

39.03.01 – Rules Governing Definitions Regarding Overlegal Permits

000. Legal Authority.	2
001. Title And Scope.	2
002. Written Interpretations.	2
003. Administrative Appeals.	2
004. Incorporation By Reference.	2
005. Office -- Office Hours -- Mailing And Street Address -- Phone Numbers.	2
006. Public Records Act Compliance.	2
007. -- 009. (Reserved).....	2
010. Definitions.	2
011. -- 999. (Reserved)	5

**IDAPA 39
TITLE 03
CHAPTER 01**

39.03.01 – RULES GOVERNING DEFINITIONS REGARDING OVERLEGAL PERMITS

000. LEGAL AUTHORITY.

This rule is adopted under the authority of Section 40-312, Idaho Code. (10-2-89)

001. TITLE AND SCOPE.

01. Title. This rule shall be cited as IDAPA 39.03.01, “Rules Governing Definitions Regarding Overlegal Permits”, IDAPA 39, Title 03, Chapter 01. (3-29-12)

02. Scope. This rule gives the definitions for terms used in rules in Title 03 regarding overlegal permitting. (3-29-12)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations for this chapter. (3-29-12)

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.” (3-29-12)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference in this chapter. (3-29-12)

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. (3-29-12)

02. Office Hours. Daily office hours are 7:30 a.m. to 5 p.m. except Saturday, Sunday and state holidays. (3-29-12)

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. (3-29-12)

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. (3-29-12)

007. -- 009. (RESERVED)

010. DEFINITIONS.

01. Accessories. Additional parts of the single item load that have been removed to reduce width, length or height. (10-2-89)

02. Administrative Cost. The government’s cost of processing, issuing and enforcing a permit. (10-2-89)

03. Analysis. A mathematical study of a vehicle or combination of vehicles and the stress they cause over bridges or specific sections of highways conducted by a professional engineer. (10-2-89)

04. Annual. Twelve (12) consecutive months. (10-2-89)

05. Automobile Transporter. See Idaho Code 49-102. (3-29-12)

06. **Base Width.** The measurement below the eaves of a manufactured home, modular building or office trailer. (8-24-94)
07. **Boat Transporter.** See Idaho Code 49-103. (3-29-12)
08. **Cargo Unit.** A full truck, a semi-trailer, a full trailer, or a semi-trailer converted to a full trailer by means of a dolly or a converter gear mounting a fifth wheel. A dromedary tractor equipped with conventional fifth wheel, not stinger steered, shall be excluded from the definition of a cargo unit. (9-14-92)
09. **Convoy.** A group of two (2) or more motor vehicles traveling together for protection or convenience. (8-24-94)
10. **Department.** Idaho Transportation Department. (9-14-92)
11. **Designated Agent.** An employee or relative of the farmer. (3-29-12)
12. **Dromedary Tractor.** See Idaho Code 49-105. (3-29-12)
13. **Economic Hardship.** The loss of a substantial amount of money caused by economic changes. (9-14-92)
14. **Emergency Movement.** A vehicle or vehicle combination hauling a load traveling to the site of an emergency for the purpose of aiding in eliminating the emergency. (9-14-92)
15. **Escort Vehicle.** See Pilot Vehicle. (3-29-12)
16. **Excess Weight.** Vehicle combinations hauling reducible loads operating on any highway with total gross loads exceeding eighty thousand (80,000) pounds but not to exceed twenty thousand (20,000) per single axle, thirty-four thousand (34,000) per tandem, not to exceed the weight limit for any group of two (2) or more consecutive axles established by Section 49-1001, Idaho Code, and for the front steer axle not to exceed the manufacturer's load rating per tire or the load rating of the axle or twenty thousand (20,000) pounds per axle; whichever is less. The maximum allowable load for all other vehicle tires shall not exceed six hundred (600) pounds per inch width of tire for vehicles manufactured after July 1, 1987, or not to exceed eight hundred (800) pounds per inch width of tire for vehicles manufactured prior to that date as established by Section 49-1002, Idaho Code. (3-25-16)
17. **Extra-Length.** Any vehicle combination in excess of the legal limits but not more than one hundred fifteen (115) feet as established in Section 49-1010, Idaho Code, which normally haul reducible loads. (3-29-12)
18. **Extra-Ordinary Hazard.** Any situation where the traveling public's safety or the capacity of the highway system is endangered. (9-14-92)
19. **Farm Tractor.** See Idaho Code 49-107. (3-29-12)
20. **Gross Vehicle Weight.** See Idaho Code 49-108. (3-29-12)
21. **Heavily Loaded.** Exceeding legal weight or hauling a load which obstructs the driver's view. (9-14-92)
22. **Heavy Duty Wrecker Truck.** A motor vehicle designed and used primarily for towing disabled vehicles. (9-14-92)
23. **Height.** The total vertical dimension of a vehicle above the ground surface including any load and load-holding device thereon. (9-14-92)
24. **Implement of Husbandry.** See Idaho Code 49-110. (3-29-12)

25. **Incidentally Operated.** See Idaho Code 49-110. (3-29-12)
26. **Legal.** In compliance with the Idaho Code on size and weight. (9-14-92)
27. **Length.** The total longitudinal dimension of a single vehicle, a trailer, or a semi-trailer. Length of a trailer or semi-trailer is measured from the front of the cargo-carrying unit to its rear, exclusive of all overhang and any appurtenances listed in IDAPA 39.03.06, "Rules Governing Allowable Vehicle Size". (3-29-12)
28. **Light Truck.** See Idaho Code 49-121. (3-29-12)
29. **Manufactured Home.** A structure, constructed according to HUD/FHA mobile home construction and safety standards, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 U.S.C. 5401 et seq. Similarly constructed vehicles used permanently or temporarily for offices, advertising, sales, display or promotion of merchandise or services are included in this definition. (8-24-94)
30. **Mobile Home.** A structure similar to a manufactured home, but built to a state mobile home code which existed prior to the Federal Manufactured Housing and Safety Standards Act (HUD Code) dated June 15, 1975. (8-24-94)
31. **Modular Buildings.** A facility designed as a building or building section, the construction of which is constructed to standards contained in the Uniform Building Code (UBC), adopted by Section 39-4109, Idaho Code. (8-24-94)
32. **Non-Reducible.** A load that consists of a single piece (a machine and its accessories loaded separately is considered non-reducible also). (8-24-94)
33. **Off-Tracking.** The difference in the path of the first inside front wheel and of the last inside rear wheel as a vehicle negotiates a curve. (8-24-94)
34. **Office Trailer.** See definition of Manufactured Homes. (8-24-94)
35. **Overall Combination Length.** The total length of a combination of vehicles, i.e. truck tractor-semitrailer-trailer combination, measured from front bumper of the motor vehicle to the back bumper or rear extremity of the last trailer including the connecting tongue(s). (8-24-94)
36. **Overall Length.** The total length of a combination of vehicles, i.e. truck tractor-semitrailer-trailer combination, measured from front bumper of the motor vehicle to the back bumper or rear extremity of the last trailer including the connecting tongue(s) plus any load overhang. (3-29-12)
37. **Overdimensional.** Any vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (8-24-94)
38. **Overheight.** A vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (8-24-94)
39. **Overlegal.** Any vehicle, vehicle combination or load which exceeds the limits established in Idaho Code. (8-24-94)
40. **Overlegal Permit.** A document issued by the Idaho Transportation Department which authorizes the movement of vehicles or loads on the state highway system in excess of the sizes and weights allowed by Sections

49-1001, 49-1002, or 49-1010, Idaho Code. (3-25-16)

41. Overlength. Any load non-reducible in length being hauled or towed that is in excess of the limits established in Section 49-1010, Idaho Code. (8-24-94)

42. Oversize. A vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (8-24-94)

43. Overweight. A single vehicle or a vehicle combination hauling or towing a non-reducible load whose weight is in excess of eighty thousand (80,000) pounds and/or legal axle weights. (3-25-16)

44. Overwidth. A vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (8-24-94)

45. Pilot Vehicle. Passenger cars or light trucks equipped as specified in IDAPA 39.03.12, "Rules Governing Safety Requirements of Overlegal Permits". (3-29-12)

46. Reducible Load. A single item or multiple items for transport which could reasonably be repositioned so that the load conforms to legal size and weight dimensions. The determination of ability to reduce the load primarily depends on the intended disposition of the contents of the load upon delivery to its destination (i.e. made into smaller pieces). (3-25-16)

47. Single Axle. An assembly of two (2) or more wheels whose centers are in one (1) transverse vertical plane or may be included between two (2) parallel transverse planes forty (40) inches apart extending across the full width of the vehicle. (8-24-94)

48. Steering Axle. The axle or axles on the front of a motor vehicle that are activated by the operator to directly accomplish guidance or steering of the motor vehicle and/or combination of vehicles. (8-24-94)

49. Stinger-Steered. A truck-tractor semi-trailer combination where the kingpin is located five (5) feet or more to the rear of the centroid of the rear axle(s). (8-24-94)

50. Tandem Axle. Any two (2) axles whose centers are more than forty (40) inches but not more than ninety-six (96) inches apart and are individually attached to or articulated from, or both, a common attachment to the vehicle including a connecting mechanism designed to equalize the load between axles. (8-24-94)

51. Tridem Axle. Any three (3) consecutive axles whose extreme centers are not more than one hundred forty-four (144) inches apart, and are individually attached to or articulated from, or both, a common attachment to the vehicle including a connecting mechanism designed to equalize the load between axles. (8-24-94)

52. Variable Load Suspension Axle. See Idaho Code 49-123. (3-29-12)

53. Vocational Vehicle. A vehicle specifically designed to enable the operator to perform specific tasks none of which are primarily for the purpose of transporting loads. Cranes, loaders, scrapers, motor graders, drill rigs are examples of vocational vehicles. (8-24-94)

54. Width. The total outside transverse dimension of a vehicle including any load or load-holding devices thereon, but excluding any appurtenances listed in IDAPA 39.03.06, "Rules Governing Allowable Vehicle Size". (3-29-12)

011. -- 999. (RESERVED)

Subject Index

D

Definitions 2
Accessories 2
Administrative Cost 2
Analysis 2
Annual 2
Automobile Transporter 2
Base Width 3
Boat Transporter 3
Cargo Unit 3
Convoy 3
Department 3
Designated Agent 3
Dromedary Tractor 3
Economic Hardship 3
Emergency Movement 3
Escort Vehicle 3
Excess Weight 3
Extra-Length 3
Extra-Ordinary Hazard 3
Farm Tractor 3
Gross Vehicle Weight 3
Heavily Loaded 3
Heavy Duty Wrecker Truck 3
Height 3
Implement of Husbandry 3
Incidentally Operated 4
Legal 4
Length 4
Light Truck 4
Manufactured Home 4
Mobile Home 4
Modular Buildings 4
Non-Reducible 4
Office Trailer 4
Off-Tracking 4
Overall Combination Length 4
Overall Length 4
Overdimensional 4
Overheight 4
Overlegal 4
Overlegal Permit 4
Overlength 5
Oversize 5
Overweight 5
Overwidth 5
Pilot Vehicle 5
Reducible Load 5
Single Axle 5
Steering Axle 5
Stinger-Steered 5
Tandem Axle 5
Tridem Axle 5
Variable Load Suspension
Axle 5
Vocational Vehicle 5
Width 5