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**IDAPA 39
TITLE 03
CHAPTER 12**

39.03.12 – RULES GOVERNING SAFETY REQUIREMENTS OF OVERLEGAL PERMITS

000. LEGAL AUTHORITY.

This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by Sections 49-940, 49-1001, 49-1002, 49-1004, or 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 39.03.12, “Rules Governing Safety Requirements of Overlegal Permits,” IDAPA 39, Title 03, Chapter 12. (4-5-00)

02. Scope. This rule states the requirements for vehicle inspections, brakes, pilot cars, oversize load signs, red warning flags, and lighting. (3-29-17)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations for this chapter. (4-2-08)

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.” (4-2-08)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference in this chapter. (4-2-08)

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. (4-2-08)

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. (4-2-08)

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. (4-2-08)

007. -- 009. (RESERVED)

010. DEFINITIONS.

Refer to IDAPA 39.03.01, “Rules Governing Definitions,” for definitions of the terms used in this rule. (4-2-08)

011. -- 049. (RESERVED)

050. SAFETY INSPECTION REQUIREMENTS FOR OVERSIZE VEHICLES AND/OR LOADS.

01. Inspections. All vehicles, tractors, trailers, and dolly converters operating under the authority of an overlegal permit issued by the Department must have a valid annual inspection at the time a permit is issued. The inspection shall be completed in compliance with 49 CFR Part 396.17. (3-29-17)

02. Inspectors. Inspectors completing required annual inspections shall meet the certifications

requirement in 49 CFR 396.19 and brake inspector qualification in 49 CFR 396.25. (3-29-17)

03. Drivers. All drivers shall meet the special training requirements for Longer Combination Vehicles as outlined in 49 CFR Part 380. (3-29-17)

04. Motor Carriers. By applying for an overlegal permit, motor carriers self-certify that they have performed inspections as set forth in 49 CFR Part 396.17. (3-29-17)

05. Exemption. Oversize vehicles and/or loads operating under an exemption outlined in §67-2901B(2), Idaho Code, are exempt from this safety inspection requirement. (3-29-17)

051. -- 059. (RESERVED)

060. BRAKES.

01. Safety Standards for Brakes. Brakes shall meet the Federal Motor Carrier Safety Regulations and shall be maintained to the Federal Motor Vehicle Safety Standards No. 121 in effect at the time the commercial motor vehicle was manufactured. (3-29-17)

061. -- 099. (RESERVED)

100. LIGHTING REQUIREMENTS FOR OVERSIZE VEHICLES AND/OR LOADS TRAVELING AFTER DARK.

Those overdimensional vehicles and/or loads traveling during hours of darkness shall be required to display lights to mark the extremities of the vehicle and/or load, and shall be in addition to those clearance lights required on legal size vehicles when traveling at night. (4-5-00)

01. Standards for Lights on Oversize Vehicles and/or Loads. (4-5-00)

a. Lights are only required on those vehicles traveling after dark. (dark is defined as one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise). (4-5-00)

b. The lights must be visible from a minimum of five hundred (500) feet. (4-5-00)

c. The lights may be flashing or steady burning. (3-20-14)

d. The color of the lights shall be as follows: (4-5-00)

i. Lights visible from the front of the oversized vehicle and/or loads and the extremities in the middle or near the front of the oversized vehicle and/or load shall be amber. (3-20-14)

ii. Lights visible from the back of the oversized vehicle and/or load and the extremities near the back of the oversized vehicle and/or load shall be red. (3-20-14)

02. Standards for Lights on Rear Overhang. Lights are required when rear overhang exceeds the end of the trailer by four (4) feet or more. (4-5-00)

a. If the overhang is two (2) feet wide or less only one (1) light is required on the end of the overhang. (4-5-00)

b. If the overhang is over two (2) feet wide, two (2) lights are required on the end of the overhang to show the maximum width of the overhang. (4-5-00)

101. -- 199. (RESERVED)

200. FLAGGING REQUIREMENTS FOR OVERSIZE VEHICLES AND/OR LOADS.

Warning flags for oversize vehicles and/or loads, excluding extra-length vehicle combinations, shall be marked by

warning flags meeting the following: (4-5-00)

01. Warning Flags. Warning flags are required on all overwidth vehicles and/or loads and when the rear overhang exceeds the end of the trailer by four (4) feet or more. (4-5-00)

02. Size. Minimum size of flags is eighteen (18) inches by eighteen (18) inches. (3-29-10)

03. Color. Red or fluorescent orange. (4-5-00)

04. Placement of Flags. On overwidth vehicles and/or loads, flags shall be placed at the four (4) corners and/or extremities of the vehicle and/or load as follows: (4-5-00)

a. Front. Fastened to each front corner of the oversized vehicle and/or load if it exceeds legal width. (3-20-14)

b. Rear. Fastened to each rear corner of the oversized vehicle and/or load if it exceeds legal width. (3-20-14)

c. Side. Fastened to mark any extremity, when extremity is wider than the front or the rear of the vehicle and/or load. (4-5-00)

d. Overhang. If the overhang is two (2) feet wide or less only one (1) flag is required on the end of the overhang. If the overhang is over two (2) feet wide, two (2) flags are required on the end of the overhang to show the maximum width of the overhang. (4-5-00)

201. -- 299. (RESERVED)

300. SIGNING REQUIREMENTS OF TOWING VEHICLES, OVERSIZE VEHICLES AND/OR LOADS. Oversize load signs shall meet the following specifications: (4-5-00)

01. Dimensions. A minimum of twelve (12) inches high by five (5) feet wide and eight (8) inch high letters, one (1) inch stroke width and black letters on yellow background. (3-20-14)

02. Displaying Signs. Signs shall be displayed on the front or the roof top of the towing vehicle and the rear of the oversize load. Shall be displayed on the front and back or the roof top of self propelled oversize vehicles. (4-2-08)

03. When Signs Are Required. Oversize load signs shall be required on all vehicles and/or loads exceeding legal width. Signs shall not be displayed when the vehicle is empty and of legal dimensions. (4-5-00)

301. -- 399. (RESERVED)

400. PILOT/ESCORT VEHICLES.

Pilot/escort vehicle(s) shall be furnished by the permittee and shall be either passenger car(s), light truck(s) or vehicles authorized by the Vehicle Size & Weight Specialist. The light truck(s) used as pilot/escort vehicle(s) shall not be loaded in such a manner as to cause confusion to the public as to which vehicle is the one under escort. Vehicles towing trailers shall not qualify as pilot/escort vehicles. (4-5-00)

401. -- 499. (RESERVED)

500. PILOT/ESCORT VEHICLE SIGN REQUIREMENTS.

01. Oversize Load Signs. All pilot/escort vehicles while escorting and oversize load shall display a sign on the roof top of the vehicle having the words OVERSIZE LOAD. Such signs shall not be displayed and shall be considered illegal except when the pilot/escort vehicle is actually piloting/escorting an oversize load. (4-2-08)

02. Dimensions. Twelve (12) inches high by five (5) feet wide and eight (8) inch high letters, one (1)

inch stroke width, and black letters on yellow background. (3-20-14)

501. -- 599. (RESERVED)

600. PILOT/ESCORT VEHICLE LIGHTING REQUIREMENTS.

01. Multiple Lights. Flashing or rotating amber lights displayed on the pilot/escort vehicle shall be mounted at each end of the required OVERSIZE LOAD sign above the roofline of the vehicle and be visible from the front and rear of the pilot/escort vehicle. These lights shall meet the minimum standards outlined under oversize vehicle and/or load lighting requirements. (4-5-00)

02. Single Light. As an alternate, a pilot/escort vehicle may display one (1) rotating or flashing amber beacon visible from a minimum of five hundred (500) feet, mounted above the roofline and visible from the front and rear of the pilot/escort vehicle. (4-5-00)

601. -- 699. (RESERVED)

700. PILOT/ESCORT VEHICLE EQUIPMENT.

01. Required Equipment to Be Carried in a Pilot/Escort Vehicle. A pilot/escort vehicle shall carry the following items of equipment when piloting/escorting an overlegal vehicle and/or load. (4-5-00)

- a.** Standard eighteen (18) inch STOP and SLOW paddle sign. (4-5-00)
- b.** Three (3) bi-directional emergency reflective triangles. (4-5-00)
- c.** A minimum of one (1) five (5) pound B, C, fire extinguisher. (4-5-00)
- d.** A reflectorized orange vest, shirt, or jacket, which must be worn by the operator when working out of the vehicle. (4-5-00)
- e.** Two (2) additional oversize load signs. (4-5-00)
- f.** Non-metallic Height Pole for determining vertical clearances (when required). (4-5-00)
- g.** Valid drivers license. (4-5-00)
- h.** Two-Way Radio. (4-5-00)

02. Two-Way Radio. On all movements requiring a pilot/escort vehicle, both the towing unit and the pilot/escort vehicle(s) shall be equipped with two-way radio equipment licensed under Federal Communications Commission regulations adequate to provide reliable voice communication between the drivers thereof at all times during the movement of the piloted/escorted vehicle and/or load. Transmitting and receiving capabilities of the radio equipment used shall be adequate to provide the required communication over a minimum distance of one-half (1/2) mile separation under conditions normally encountered along the proposed route. (4-5-00)

03. Radio Communications. Radio communication shall be open and monitored between the pilot/escort vehicle(s) and oversize vehicle and/or load at all times during movement. (4-5-00)

701. -- 799. (RESERVED)

800. PILOT/ESCORT VEHICLE PLACEMENT.

01. Front Pilot/Escort Vehicle. The movement of an oversize vehicle and/or load may be preceded by a pilot/escort vehicle on those sections of highway where the vehicle and/or load cannot travel within its proper travelway lane. (3-20-14)

02. Rear Pilot/Escort Vehicle. As authorized by Section 49-940, Idaho Code, when the width of a load obstructs the driver's view to the rear so they cannot see two hundred (200) feet behind them, a rear escort shall be required to accompany the oversize load and to communicate with the driver of the permitted load concerning impeded overtaking traffic for the purpose of providing passing opportunity. (3-20-14)

03. Advance Pilot/Escort Vehicle. A third pilot/escort vehicle may be required when the load is of such extreme dimensions for the route of travel as to require holding opposing traffic at turnouts and intersections to provide for passage of the load. (4-5-00)

04. First Movement from the Forest. A pilot/escort vehicle is not required on the first movement from the forest of tree-length logs or poles if the overall length does not exceed one hundred ten (110) feet. Secondary movements must comply with the requirements stated on the Pilot/Escort Vehicle and Travel Time Requirements map. (4-5-00)

05. Spacing. Approximately one thousand (1,000) feet shall be maintained in rural areas between the piloting/escorting vehicle and any oversize load. This spacing may be reduced in urban areas when necessary to provide traffic control for turning movements. (4-5-00)

801. -- 899. (RESERVED)

900. CONVOY OF OVERLEGAL LOADS.

01. Convoying Oversize Loads. Oversize loads which individually would require a pilot/escort vehicle, except overwidth manufactured homes, office trailers and modular buildings, may be permitted to travel in convoy with pilot/escort vehicles in front of and behind the convoy, but such convoys shall not exceed four (4) oversize loads or vehicles between pilot/escort vehicles. Maximum width of units in a convoy shall be limited to fourteen (14) feet wide on black-coded routes of the Pilot/Escort Vehicle and Travel Time Requirements Map and to twelve (12) feet six (6) inches on red-coded routes of the Pilot/Escort Vehicle and Travel Time Requirements Map. Oversize loads which do not individually require a pilot/escort vehicle may travel in convoy without pilot/escort vehicles. Maximum length of units in a convoy shall be limited to one hundred (100) feet on black-coded routes and seventy five (75) feet on red-coded routes of the pilot/escort vehicle and travel time requirements map and one hundred twenty (120) feet on the interstate system. (3-20-14)

02. Convoying Manufactured Homes, Office Trailers, and Modular Buildings. No convoy of overwidth manufactured homes, modular buildings or office trailers shall include more than two (2) units between two (2) piloting/escorting vehicles. On those routes where pilot/escort vehicles are required in front and to the rear of an overwidth manufactured home or office trailer, two (2) units may travel in convoy between such piloting/escorting vehicles. On routes requiring only a front pilot/escort vehicle, the manufactured home or office trailer mover may have the option of convoying two (2) units between front and rear pilots/escorts. At no time shall more than one (1) manufactured home or office trailer be piloted/escorted by one (1) pilot/escort vehicle. Maximum width of units in a convoy shall be limited to fourteen (14) feet wide on black-coded routes and to ten (10) feet wide on red-coded routes of the Pilot/Escort Vehicle and Travel Time Requirements Map. Minimum spacing of approximately one thousand (1000) feet shall be maintained between all units in a convoy except when a pilot/escort is required to control traffic in turning movements. Maximum length of units in a convoy shall be limited to one hundred (100) feet on black-coded routes and seventy five (75) feet on red-coded routes of the Pilot/Escort Vehicle and Travel Time Requirements Map and one hundred twenty (120) feet on the interstate system. (3-20-14)

901. -- 949. (RESERVED)

950. PILOT/ESCORT VEHICLE AND TRAVEL TIME REQUIREMENTS MAP.

Color-coded maps on pilot/escort vehicle and travel time requirements for overwidth loads are available from the Headquarters Overlegal Permit Office and Ports of Entry for the information of enforcement officers and the trucking industry. The routes chosen as depicted on the Map are based on ability of the road to carry the over-all maximum width of load (not just base width) and character of the route of travel. (3-20-14)

951. -- 999. (RESERVED)

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