IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

Division of Motor Vehicles

39.03.01 – Rules Governing Definitions Regarding Special Permits

Who does this rule apply to?
Commercial vehicle transporters operating commercial vehicles of such sizes that may require special permits in order to legally operate on Idaho state and local roads and highways.

- Commercial Vehicle Operators; and
- Local Highway Jurisdictions

What is the purpose of this rule?
This rule provides terms and definitions used in the commercial vehicle permitting process for commercial vehicles that are of such size or weight to require a special permit to operate on state and local highways. Definition of terms create uniformity throughout the state and industry in order to promote safety for the motoring public and the state's infrastructure.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statute passed by the Idaho Legislature:

Highways and Bridges -
- 40-312, Idaho Code – Idaho Transportation Board: Powers and Duties — Rules and Regulations

Who do I contact for more information on this rule?

Idaho Transportation Department
Monday – Friday 8:00 am to 5:00 pm
P.O. Box 7129
Boise, ID 83707-1129
3311 West State Street
Phone: (208) 334-8000
itd.idaho.gov

Table of Contents

39.03.01 – Rules Governing Definitions Regarding Special Permits

000. Legal Authority. 3
001. Title And Scope. 3
002. -- 009. (Reserved) 3
010. Definitions. 3
011. – 999. (Reserved) 6

000. LEGAL AUTHORITY.
This rule is adopted under the authority of Section 40-312, Idaho Code. (7-1-19)

001. TITLE AND SCOPE.

01. Title. This rule is titled IDAPA 39.03.01, "Rules Governing Definitions Regarding Special Permits," IDAPA 39, Title 03, Chapter 01. (7-1-19)

02. Scope. This rule gives the definitions for terms used in rules in IDAPA 39, Title 03 regarding special permitting. (7-1-19)

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Accessories. Additional parts of the single item load that have been removed to reduce width, length or height. (7-1-19)

02. Administrative Cost. The government's cost of processing, issuing and enforcing a permit. (7-1-19)

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. (7-1-19)

04. Annual. Twelve (12) consecutive months. (7-1-19)

05. Automobile Transporter. See Section 49-102, Idaho Code. (7-1-19)

06. Base Width. The measurement below the eaves of a manufactured home, modular building, or office trailer. (7-1-19)

07. Boat Transporter. See Section 49-103, Idaho Code. (7-1-19)

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, is excluded from the definition of a cargo unit. (3-20-20)

09. Convoy. A group of two (2) or more motor vehicles traveling together for protection or convenience. (7-1-19)

10. Department. Idaho Transportation Department. (7-1-19)

11. Designated Agent. An employee or relative of the farmer. (7-1-19)

12. Disabled Vehicle. A vehicle unable to complete transportation under its own power. (3-20-20)

13. Dromedary Tractor. See Section 49-105, Idaho Code. (7-1-19)

14. Economic Hardship. The loss of a substantial amount of money caused by economic changes. (7-1-19)

15. 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. (7-1-19)

16. Escort Vehicle. See Pilot Vehicle. (7-1-19)

17. 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. (7-1-19)

18. **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, that normally haul reducible loads. (7-1-19)

19. **Extra-Ordinary Hazard**. Any situation where the traveling public's safety or the capacity of the highway system is endangered. (7-1-19)

20. **Farm Tractor**. See Section 49-107, Idaho Code. (7-1-19)

21. **Gross Vehicle Weight**. See Section 49-108, Idaho Code. (7-1-19)

22. **Heavily Loaded**. Exceeding legal weight or hauling a load that obstructs the driver's view. (7-1-19)

23. **Heavy Duty Wrecker Truck**. A motor vehicle designed and used primarily for towing disabled vehicles. (7-1-19)

24. **Height**. The total vertical dimension of a vehicle above the ground surface including any load and load-holding device thereon. (7-1-19)

25. **Implement of Husbandry**. See Section 49-110, Idaho Code. (7-1-19)

26. **Incidentally Operated**. See Section 49-110, Idaho Code. (7-1-19)

27. **Legal**. In compliance with the Idaho Code on size and weight. (7-1-19)

28. **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 39.03.03, "Rules Governing Special Permits – General Conditions and Requirements." (7-1-19)

29. **Light Truck**. See Section 49-121, Idaho Code. (7-1-19)

30. **Longer Combination Vehicle (LCV)**. Any combination of a truck-tractor and two (2) or more trailers or semi-trailers that operate on the National System of Interstate and Defense Highways with a gross vehicle weight (GVW) greater than thirty-six thousand two hundred eighty-eight (36,288) kilograms (eighty thousand (80,000) pounds). (7-1-19)

31. **Manufactured Home**. A structure, constructed according to HUD/FHA mobile home construction and safety standards, transportable in one (1) or more sections, that, 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 that 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 includes any structure that meets all the requirements of this subsection 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. (3-20-20)

32. **Mobile Home**. A structure similar to a manufactured home, but built to a state mobile home code that existed prior to the Federal Manufactured Housing and Safety Standards Act (HUD Code) dated June 15, 1975. (7-1-19)

33. **Modular Buildings**. A facility designed as a building or building section that is constructed to standards contained in the Uniform Building Code (UBC), adopted by Section 39-4109, Idaho Code. (7-1-19)

34. **Non-Reducible**. Any load or vehicle exceeding applicable length or weight limits that, if separated into smaller loads or vehicles, would: (7-1-19)

a. Compromise the intended use of the vehicle, i.e., make it unable to perform the function for which it was intended; (7-1-19)

b. Destroy the value of the load or vehicle, i.e., make it unusable for its intended purpose; or (7-1-19)

c. Require more than eight (8) work hours to dismantle using appropriate equipment. The applicant for a nondivisible load permit has the burden of proof of establishing the number of work hours required to dismantle the load. (7-1-19)

35. **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. (7-1-19)

36. **Office Trailer**. See definition of Manufactured Homes. (7-1-19)

37. **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). (7-1-19)

38. **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. (7-1-19)

39. **Overdimensional**. Any vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (7-1-19)

40. **Overhang**. The distance from the end of the vehicle to the end of its load. (3-20-20)

41. **Overheight**. A vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (7-1-19)

42. **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. (7-1-19)

43. **Oversize**. A vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (7-1-19)

44. **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. (7-1-19)

45. **Overwidth**. A vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (7-1-19)

46. **Pilot Vehicle**. Passenger cars or trucks equipped as specified in IDAPA 39.03.05, "Rules Governing Special Permits – Oversize Non-Reducible." (7-1-19)

47. **Reducible Load**. A single item or multiple items for transport that 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). (7-1-19)

48. **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. (7-1-19)

49. **Snowplow**. A device intended for the use of removing snow or ice from road surfaces. (3-20-20)

50. **Special Permit**. A permit issued by the Idaho Transportation Department that 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. (7-1-19)

51. **Steering Axle**. The axle or axles on the front of a motor vehicle that are activated by the operator to directly accomplish guidance or steerage of the motor vehicle and/or combination of vehicles. (7-1-19)

52. **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). (7-1-19)

53. **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 and/or articulated from a common attachment to the vehicle including a connecting mechanism designed to equalize the load between axles. (7-1-19)

54. **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 and/or articulated from a common attachment to the vehicle including a connecting mechanism designed to equalize the load between axles. (7-1-19)

55. **Variable Load Suspension Axle**. See Section 49-123, Idaho Code. (7-1-19)

56. **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, and drill rigs are examples of vocational vehicles. (7-1-19)

57. **Width**. The total outside transverse dimension of a vehicle including any load or load-holding devices thereon, but excluding any appurtenances listed in IDAPA 39.03.03, "Rules Governing Special Permits – General Conditions and Requirements." (7-1-19)

011. – 999. **(RESERVED)**

Subject Index

D

Definitions, IDAPA 39.03.01 3
- Accessories 3
- Administrative Cost 3
- Analysis 3
- Annual 3
- Automobile Transporter 3
- Base Width 3
- Boat Transporter 3
- Cargo Unit 3
- Convoy 3
- Department 3
- Designated Agent 3
- Disabled Vehicle 3
- Dromedary Tractor 3
- Economic Hardship 3
- Emergency Movement 3
- Escort Vehicle 3
- Excess Weight 3
- Extra-Length 4
- Extra-Ordinary Hazard 4
- Farm Tractor 4
- Gross Vehicle Weight 4
- Heavily Loaded 4
- Heavy Duty Wrecker Truck 4
- Height 4
- Implement of Husbandry 4
- Incidentally Operated 4
- Legal 4
- Length 4
- Light Truck 4
- Longer Combination Vehicle (LCV) 4
- Manufactured Home 4
- Mobile Home 4
- Modular Buildings 5
- Non-Reducible 5
- Office Trailer 5
- Off-Tracking 5
- Overall Combination Length 5
- Overall Length 5
- Overdimensional 5
- Overhang 5
- Overheight 5
- Overlength 5
- Oversize 5
- Overweight 5
- Overwidth 5
- Pilot Vehicle 5
- Reducible Load 5
- Single Axle 5
- Snowplow 6
- Special Permit 6
- Steering Axle 6
- Stinger-Steered 6
- Tandem Axle 6
- Tridem Axle 6
- Variable Load Suspension Axle 6
- Vocational Vehicle 6
- Width 6

L

Legal Authority 3

T

Title & Scope 3
- Scope 3
- Title 3