

## 39.03.10 - RULES GOVERNING WHEN AN OVERLEGAL PERMIT IS REQUIRED

### 000. LEGAL AUTHORITY.

This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by Sections 49-1001, 49-1002 or 49-1010, Idaho Code, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10-2-89)

**05. Emergency Removal of Disabled Vehicles.** Annual Disabled Vehicle permits will be issued to heavy duty wrecker trucks or other vehicles used for the emergency removal and secondary movement of disabled trucks and/or trailers or combinations and their unladen return, subject to the following rules: (4-2-08)

**a.** The permitted vehicle involved in the removal of disabled vehicles shall have adequate weight and traction to control the combination of wrecker and attached vehicles, and shall provide brakes to the trailer axles and stop signal and clearance lights to such towed disabled vehicles. (12-26-90)

**b.** Loaded weight of the permitted vehicle's drive axle(s) will be permitted up to the basic allowable unit weight as shown on the current Idaho Transportation Department Route Capacity Map for the corresponding colored route, unless the highway route is posted with a weight restriction. The current Route Capacity Map is maintained by the Overlegal Permit Office and is available to the public from the Overlegal Permit Office and Idaho Ports of Entry. Length of the combination will be limited to the legal or permitted length of the disabled combination plus forty-five (45) feet. Width will be limited to ten (10) feet or to the permitted width of a permitted disabled over width vehicle/load. (4-2-08)

**c.** Time of travel restrictions shall be waived during the emergency movement of the disabled vehicles when necessary to clear the travel way. (4-2-08)

**d.** Emergency movement of disabled vehicles will be authorized from the point at which the vehicles were disabled to the nearest appropriate site having facilities for separation of vehicle combinations into single units unless by nature of the load it presents a hazard to the public (i.e: hazardous materials as defined by CFR 49) due to cargo security. In this event, the emergency movement shall be allowed to be transported to the nearest location where the cargo can be safely secured. Secondary movements of disabled vehicles that have been separated shall be covered by the disabled vehicles permit as long as the weight/size limits as listed in Paragraph 300.05.b. of this rule are not exceeded. Secondary movements of disabled vehicles that are overwidth and moving at night shall be required to operate in accordance with the lighting requirements as listed in IDAPA 39.03.12, "Rules Governing Safety Requirements of Overlegal Permits." (4-2-08)

**e.** The permitted vehicle involved in the removal of a disabled vehicle shall be allowed (under annual disabled vehicle permit) to tow a non-disabled vehicle to the point of disablement, to replace the disabled vehicle. (4-5-00)

ALL VLS AXLES MUST BE FULLY DEPLOYED WHEN EXCEEDING LEGAL AXLE WEIGHTS.