

# IDAHO ADMINISTRATIVE BULLETIN

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**IDAPA 39 - IDAHO TRANSPORTATION DEPARTMENT**  
**39.03.00 - VEHICLES AND/OR LOADS THAT ARE REQUIRED TO**  
**OPERATE UNDER AN OVERLEGAL PERMIT**

**DOCKET NO. 39-0300-1601**

**OMNIBUS NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 40-312, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking concerning overlegal loads and/or vehicles will be held as follows:

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**Wednesday, May 25, 2016 – 3:30 pm to 7:30 pm (MDT)**

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**The Department will hold a webinar/conference call**

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

Participation *in-person* is available at the following locations:

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| <b>ITD District 1 Office</b>                     | <b>ITD District 2 Office</b>                    |
| <b>600 W. Prairie Ave.<br/>Coeur d'Alene, ID</b> | <b>2600 Frontage Rd.<br/>Lewiston, ID</b>       |
| <b>ITD Headquarters</b>                          | <b>ITD District 4 Office</b>                    |
| <b>3311 W. State St.<br/>Boise, ID</b>           | <b>216 S. Date St.<br/>Shoshone, ID</b>         |
| <b>ITD District 5 Office</b>                     | <b>ITD District 6 Office</b>                    |
| <b>5151 S. 5th Ave.<br/>Pocatello, ID</b>        | <b>206 N. Yellowstone Ave.<br/>Rigby, Idaho</b> |

To participate in the negotiated rulemaking *webinar*, you will need to have internet connection on your computer or device, and follow the instructions below.

Go to ITD's website at <http://itd.idaho.gov> and click the "Rulemaking" tab on the left. Then click on the "Overlegal Rulemaking" box. There you will be provided with instructions on how to participate in the online webinar.

For audio AND if you would prefer to participate via *conference call*, dial 1-855-797-9485 and use Access Code 807 422 457 and password 1234.

The department is also soliciting written comments (see instructions in the "Contact Information" section below).

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

This negotiated rulemaking is being promulgated in order for the Department to receive public feedback and comments regarding potential improvements to the permitting process and safety requirements for vehicles and loads that are required to operate under an overlegal permit. There will be a focus on potential improvements to the permitting process, safety requirements, regional harmonization, and customer service.

While the specific rule chapters that could be affected under IDAPA 39, Title 03, will be determined through the negotiated rulemaking process, the following is a list of rule chapters under Title 03 that could potentially be amended as a result of this negotiated rulemaking. Any chapter that is amended will be promulgated as an individual proposed rulemaking:

- IDAPA 39.03.01 - Rules Governing Definitions Regarding Overlegal Permits
- IDAPA 39.03.04 - Rules Governing Movement of Disabled Vehicles
- IDAPA 39.03.05 - Rules Governing Variable Load Suspension Axles
- IDAPA 39.03.07 - Rules Governing Restricted Routes for Semitrailers
- IDAPA 39.03.09 - Rules Governing Overlegal Permits - General Conditions and Requirements
- IDAPA 39.03.10 - Rules Governing When an Overlegal Permit is Required
- IDAPA 39.03.11 - Rules Governing Overlegal Permittee Responsibility and Travel Restrictions
- IDAPA 39.03.12 - Rules Governing Safety Requirements of Overlegal Permits
- IDAPA 39.03.13 - Rules Governing Overweight Permits
- IDAPA 39.03.15 - Rules Governing Excess Weight Permits for Reducible Loads
- IDAPA 39.03.16 - Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads
- IDAPA 39.03.17 - Rules Governing Permits for Manufactured Homes, Modular Buildings and Office Trailers
- IDAPA 39.03.18 - Rules Governing Overlegal Permits for Relocation of Buildings or Houses
- IDAPA 39.03.20 - Rules Governing Application for Special Permits
- IDAPA 39.03.22 - Rules Governing Overlegal Permits for Extra Length, Excess Weight and Up to 129,000 Pound Vehicle Combinations
- IDAPA 39.03.23 - Rules Governing Revocation of Overlegal Permits

**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Reymundo Rodriguez, Motor Carrier Services Manager at (208) 334-8699.

Materials pertaining to the negotiated rulemaking process can be found on the Idaho Transportation Department's website at <http://itd.idaho.gov> (click the "Rulemaking" tab on the left side of the screen).

All written comments must be directed to the undersigned and be delivered on or before May 31, 2016. Comments may be submitted electronically, by phone or via USPS.

DATED this 12th Day of April, 2016.

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