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Commercial Motor Vehicle Permits in Idaho

September 2017

Legal Authority for Commercial Motor Vehicle Permits

Idaho Code §49-1004 authorizes the Idaho Transportation Department to issue an overlegal permit to the owner or operator of any vehicle allowing vehicles or loads having a greater weight or size than permitted by law to be moved or carried over and on the highways and bridges. Listed below are the Federal and Idaho regulations, laws and rules pertaining to the movement of such vehicles or loads on ITD's jurisdictional highways.

Federal Authority - Code of Federal Regulations:

23 CFR Part 658 Truck Size and Weight, Route Designations – Length, Width and Weight Limitations

- Regulation identifies a National Network of Highways available to vehicles authorized by provision of the Surface Transportation Assistance Act of 1982 (STAA) and to prescribe national policies that govern truck and bus size and weight.

23 CFR Part 658.13 – Length

- Regulation provides length provision of the STAA only applies to the vehicle combination listed in this CFR.

23 CFR Part 658.15 – Width

- Regulation provides width limits of a vehicle operating on the National Network.

23 CFR Part 658.17 – Weight

- Regulation provides weight limits which are applicable to the National System of Interstate and Defense Highways and reasonable access thereto.

Idaho Authority – Idaho Code

49-1001 – Allowable Gross Loads

- Code provides legal weight limits axles, bridge and gross for vehicles on United States federal Interstate and defense highways.

49-1002 – Allowable Load Per Inch Width of Tire

- Code provides legal weight limits on tires.

49-1004 - Permits for Overweight or Oversize Loads – Special Routes and Annual Permits

- Code provides authority for proper authorities in charge of, or having jurisdiction over a highway. The board or authorities may in their discretion issue a special permit to allow vehicles or loads to exceed greater weight or size than permitted by law to be moved on highways and bridges.



49-1004A – Permits for Overweight or Oversize Loads – New Special Routes

- Code provides authority to allow jurisdiction to designate routes within its jurisdiction for operation of vehicle combinations with a legal maximum gross weight of at least 105.5k but not exceeding 129K utilizing criteria established by the board based upon road and bridge structural integrity engineering and public safety engineering standards

49-1004B – Permits for Overweight or Oversize Loads – Interstate System

- Code designates the interstate routes I15, I84, I86, I90 & I184 as non-Interstate highways for the purpose of a 129K designated route.

49-1010 – Size of Vehicles and Loads

- Code defines legal width, length & height of vehicles operating on Idaho highways.

Idaho Authority – Administrative Rules

39.03.01 – Governing Definitions Regarding Overlegal Permits

- Rule provides the definitions for terms used in rules in Title 03 regarding overlegal permitting.

39.03.04 – Governing Movement of Disabled Vehicles

- Rule provides the requirements for the movement of disabled vehicles.

39.03.10 – Governing When an Overlegal Permit is Required

- Rule lists when an overlegal permit is required and when exemptions and temporary waivers from obtaining overlegal permits are allowable.

39.03.13 – Governing Overweight Permits

- Rule states the maximum weight authorized by overlegal permits for loads consisting of single items.

39.03.15 – Governing Excess Weight Permits for Reducible Loads

- Rule authorizes the issuance of special permits which allow vehicle combinations to operate in excess of eighty thousand (80,000) pounds when hauling reducible loads on the Interstate and non-Interstate and local highway systems if legal axle weight limits are not exceeded. To promote intrastate surface transportation safety, intermodal commerce, law enforcement efficiencies and reduced administrative costs to local highway jurisdictions, commercial vehicle combinations in excess of eighty thousand (80,000) pounds will be permitted by the Idaho Transportation Department's Division of Motor Vehicles on local highways when a local highway jurisdiction authority has agreed to participate in the Department's permitting process.

39.03.16 – Governing Oversize Permits for Non-Reducible Vehicles and/or Loads

- Rule states the maximum sizes allowed by overlegal permit. It does not apply to the transport of oversize manufactured homes or office trailers (see IDAPA 39.03.17, “Rules Governing Permits for Manufactured Homes, Modular Buildings, and Office Trailers”).

39.03.17 – Governing Permits for Manufactured Homes, Modular Buildings, and Office Trailers

- Rule states the regulations for overlegal permits issued for the movement of manufactured homes, modular buildings and office trailers.

39.03.19– Governing Annual Overlegal Permits

- Rule states the provisions relating to issuance of annual overlegal permits.

39.03.21 – Governing Overlegal Permit Fees

- Rule states the fees for overlegal permits.

39.3.22 – Governing Overlegal Permits for Extra-Length, Excess Weight, and Up to 129,000 Pounds Vehicle Combinations

- Rule states the requirements and routes for extra-length, excess weight and up to one hundred twenty-nine thousand (129,000) pound vehicle combinations.

Overlegal Permits Reference Sheet

<u>Reducible Permits</u>	<u>Type</u>	<u>Description</u>	<u>Federal Auth</u>	<u>Idaho Code</u>	<u>IDAPA</u>
Excess Weight	Annual	Exceed Federal Gross Weight limit of 80K	23 CFR Part 658.17	49-1001, 49-1002, 49-1004	39.03.01, 39.03.10, 39.03.15, 39.03.19, 39.03.21, 39.03.22
Extra Length	Annual	Exceed legal length.	23 CFR Part 658.13	49-1010	39.03.01, 39.03.10, 39.03.15, 39.03.19, 39.03.21, 39.03.22
Extra Length/Excess Weight	Annual	Exceed Federal Gross Weight limit of 80K and legal length.	23 CFR Part 658.17 & 658.13	49-1001, 49-1002, 49-1004	39.03.01, 39.03.10, 39.03.15, 39.03.19, 39.03.21, 39.03.22
Excess Height	Annual	Exceed height of 14' but not to exceed 14'9"		49-1004	39.03.01, 39.03.10, 39.03.16, 39.03.21, 39.03.22
Up to 129K	Annual	Exceed Federal Gross Weight limit of 80K up to 129K and legal length.	Consolidated Appropriations Act 2016 & 23 CFR Part 658.17 & 658.13	49-1001, 49-1002, 49-1004, 49-1004A, 49-1004B, 49-1010	39.03.01, 39.03.10, 39.03.15, 39.03.19, 39.03.21, 39.03.22
<u>Non-Reducible Permits</u>	<u>Type</u>	<u>Description</u>	<u>Federal Auth</u>	<u>Idaho Code</u>	<u>IDAPA</u>
Oversize	Annual, Single, Round trip	Exceed legal size (width, length and/or height)	23 CFR Part 658.13 & 658.15	49-1004	39.03.01, 39.03.10, 39.03.16, 39.03.19, 39.03.21
Overweight/Oversize	Annual, Single, Round trip	Exceed legal size (width, length and/or height) and weight.	23 CFR Part 658.13, 658.15 & 658.17	49-1004	39.03.01, 39.03.10, 39.03.13, 39.03.16, 39.03.19, 39.03.21
Manufactured Homes	Annual, Single, Round trip	Exceed legal size (width, length and/or height)	23 CFR Part 658.13 & 658.15	49-1004	39.03.01, 39.03.10, 39.03.17, 39.03.19, 39.03.21
Farm Equipment	Annual, Single, Round trip	Exceed legal size (width, length and/or height) for the movement of farm implements	23 CFR Part 658.13 & 658.15	49-1004	39.03.01, 39.03.10, 39.03.16, 39.03.19, 39.03.21
Cylindrical Hay Bales	Annual Non-Reducible	Exceed width to haul overwidth round hay bales.	23 CFR Part 658.15	49-1004	39.03.10, 39.03.16, 39.03.21
Disabled Vehicles	Annual, Single, Round trip	Exceed size and weight in the emergency and secondary removal of disabled trucks and/or trailer.	23 CFR Part 658.13, 658.15 & 658.17	49-1004	39.03.01, 39.03.04, 39.03.10, 39.03.21
Kiln Lumber Stacks	Annual	Exceed legal width only for half mile on SH3	23 CFR Part 658.15	49-1004	39.03.10, 39.03.16, 39.03.21



Permits for the movement of reducible loads (milk, beets, sand & gravel, freight, etc.)

Reducible load is one that can be reduced in size or weight, or that is practically divided in a way that does not diminish value or inhibit its intended purpose. Examples are:



Excess Weight - This annual permit is to exceed the Federal gross weight limit of 80,000 lbs. on all highways, but not to exceed legal axle or gross weight limits. The company must also be registered for the combined gross weight.

Extra Length - These annual permits are issued to the power unit of combinations with a single trailer length exceeding 48' (53' on Idaho's National Network Highway System and thin red routes of the extra length map), double and triple trailers exceeding 61' including the connecting device (68' on Idaho's National Network Highway) and truck trailer combinations exceeding 75' overall length. An extra length permit is issued for a maximum length of 115'. A full truck and full trailer are limited to an overall permitted length of 85'. A full truck and 2 trailers are permitted up to 115'. The permit restricts the vehicle to the routes designated by the Idaho Transportation Board and to maximum vehicular off-track. Off-Track is the difference in the path of the first inside front wheel and of the last inside rear wheel as a vehicle negotiates a curve. (See Appendix B for map detailing Idaho's Routes for Extra Length Combinations)

Extra Length/Excess Weight - These annual permits are issued to the power unit of combinations with a single trailer length exceeding 48' (53' on Idaho's National Network Highway System and thin red routes of the extra length map), double and triple trailers exceeding 61' including the connecting device (68' on Idaho's National Network Highway) and truck trailer combinations exceeding 75' overall length. An extra length permit is issued for a maximum length of 115'. A full truck and full trailer are limited to an overall permitted length of 85'. A full truck and 2 trailers are permitted up to 115'. It also includes the excess weight permit for exceeding 80,000 lbs. on all highways. The permit restricts the vehicle to the routes designated by the Idaho Transportation Board and to maximum vehicular off-track. Off-Track is the difference in the path

of the first inside front wheel and of the last inside rear wheel as a vehicle negotiates a curve. (See Appendix B for map detailing Idaho’s Routes for Extra Length Combinations)

Excess Height - This annual permit is for hauling loads in excess of 14' high but not in excess of 14'9" high on designated highways. The hauling vehicle height must not exceed 14'.

Up to 129,000 lb Permit - This annual permit allows extra length vehicles hauling loads to exceed the allowed maximum gross weight of 105,500 up to a maximum of 129,000 lbs. only on **designated highways**. The weight must be in compliance with [Idaho Code 49-1001](#) and must also be registered for the combined gross weight. The permit restricts the vehicle to the designated routes and to the proper vehicular off-track. Off-Track is the difference in the path of the first inside front wheel and of the last inside rear wheel as a vehicle negotiates a curve. (See Appendix C for map detailing Idaho’s Designated Routes Allowing up to 129,000 Pounds)

Permits for the movement of non-reducible loads (transformer, vessel, cranes etc.)

Non-Reducible load is defined as any load or vehicle exceeding applicable length or weight limits which, if separated into smaller loads or vehicles, would:

- Compromise the intended use of the vehicle, i.e., make it unable to perform the function for which it was intended;
- Destroy the value of the load or vehicle, i.e., make it unusable for its intended purpose; or
- Require more than 8 work hours to dismantle using appropriate equipment. The applicant for a non-divisible load permit has the burden of proof as to the number of workhours required to dismantle the load.



Oversize - These annual or single trip permits are issued to vehicles hauling **non-divisible loads** or for self-propelled vehicles that exceed legal sizes. Maximum size of loads or vehicles transported under authority of an annual permit shall be limited to 12'6" wide on the red coded routes, 16'0" wide on the black coded routes and the interstate routes of the Escort Vehicle and Travel Time requirements map. Permit also allows up to 15'6" in height and 110' in length. Single trip permits may exceed the above dimensions subject to engineering analysis/approvals.

Overweight/Oversize - Overweight/oversize annual or single trip permits are issued for hauling **non-divisible loads**. Maximum size of loads or vehicles transported under authority of an annual permit shall be limited to 12'6" wide on the red coded routes, 16'0" wide on the black coded routes and the interstate routes of the Escort Vehicle and Travel Time requirements map. Permit also allows up to 15'6" in height and 110' in length. Maximum weight depends on tire size, axle spacing and distribution of weight. Single trip permits may exceed the above dimensions and weights subject to engineering analysis/approvals. **Road use tax (for laden miles only) must be tracked and reported quarterly. A report is mailed out quarterly from the Transportation Department. (Permits for self-propelled vehicles must be ordered from the overlegal permit office.) Vehicles hauling or towing non-reducible loads subject to registration, are not required to register for the maximum legal weight they can haul to be eligible for an overweight permit.**

Manufactured Homes - This annual or single trip permit is required for vehicles towing or hauling manufactured homes, modular buildings and office trailers not exceeding the following dimensions: 12'6" on red coded routes, 18' overall width and 16' base width on black and interstate routes. Annual permit allows 16' wide base width on interstate and four-lane highways. Single trip permits may exceed the above dimensions subject to engineering analysis/approvals.

Farm Equipment - This annual or single trip permit is required for farm tractors (owned by a farmer) in excess of 9' wide hauled or self-propelled on the interstate system. A farm tractor when attached to an implement of husbandry or when drawing an implement of husbandry shall be construed to be an implement of husbandry. "Implement of husbandry" shall be defined as being every vehicle including self-propelled units, designed or adapted and used exclusively for agricultural, horticultural, dairy and livestock growing and feeding operations when being incidentally operated. **Movement of over width only implements of husbandry by farmer, designated agent and implement dealers are not required to obtain a permit.** Single trip permits may exceed the above dimensions subject to engineering analysis/approvals.

Cylindrical Hay Bales - This annual permit is issued for over width round hay bales. The bales are produced by balers having bale chambers which are 5' or more in width. Such bales may be loaded 2 bales wide with a second row to tie to the bottom row or 2 bales wide and 2 bales high if they are securely tied to maintain the permitted dimensions on the hauling vehicle. Hauling vehicles eligible for this permit shall be legal size registered for travel on public highways. The maximum width of such loads may not exceed 11'06".

Disabled Vehicles - This annual permit is issued to heavy-duty wrecker trucks involved in the emergency and secondary removal of disabled trucks and/or trailers or combinations thereof. Time of travel restrictions will be waived when necessary to clear the travel way. Emergency movement of disabled vehicles will be authorized from the point at which the vehicles are disabled to the nearest appropriate site having facilities



for separation of vehicle combinations into single units unless the load presents a hazard to the public. Loaded weight of the permitted vehicles drive axles will be permitted up to the allowable weight as shown on the Route Capacity Map for the corresponding route unless otherwise restricted. Single trip permits may be issued on a case by case basis.

Kiln Lumber Stacks - This annual permit is issued to allow the transportation of specifically produced kiln lumber stacks in excess of eight (8) feet six (6) inches wide but not in excess of nine (9) feet three (3) inches wide on designated highways.

History

FEDERAL SIZE REGULATIONS FOR COMMERCIAL MOTOR VEHICLES (CMVs)

The Federal Government first enacted size regulations for CMVs with the passage of the Federal-Aid Highway Act of 1956. This Act provided a maximum vehicle *width* of 96 inches on the Interstate highway system. Subsequently, the Federal-Aid Highway Act of 1976 increased the allowable width for buses to 102 inches. The Surface Transportation Assistance Act (STAA) of 1982 extended the same width requirement of 102 inches to commercial trucks. At the same time, the STAA expanded the highway network on which the Federal width provision applied from the Interstate to the National Network (NN) of highways. The National Network of highways serves to link principal cities and densely developed portions of the States. These are high volume routes utilized extensively by large vehicles for interstate commerce and do not have any unusual characteristics causing current or anticipated safety problems. (See Appendix A for map detailing Idaho's National Network of highways).

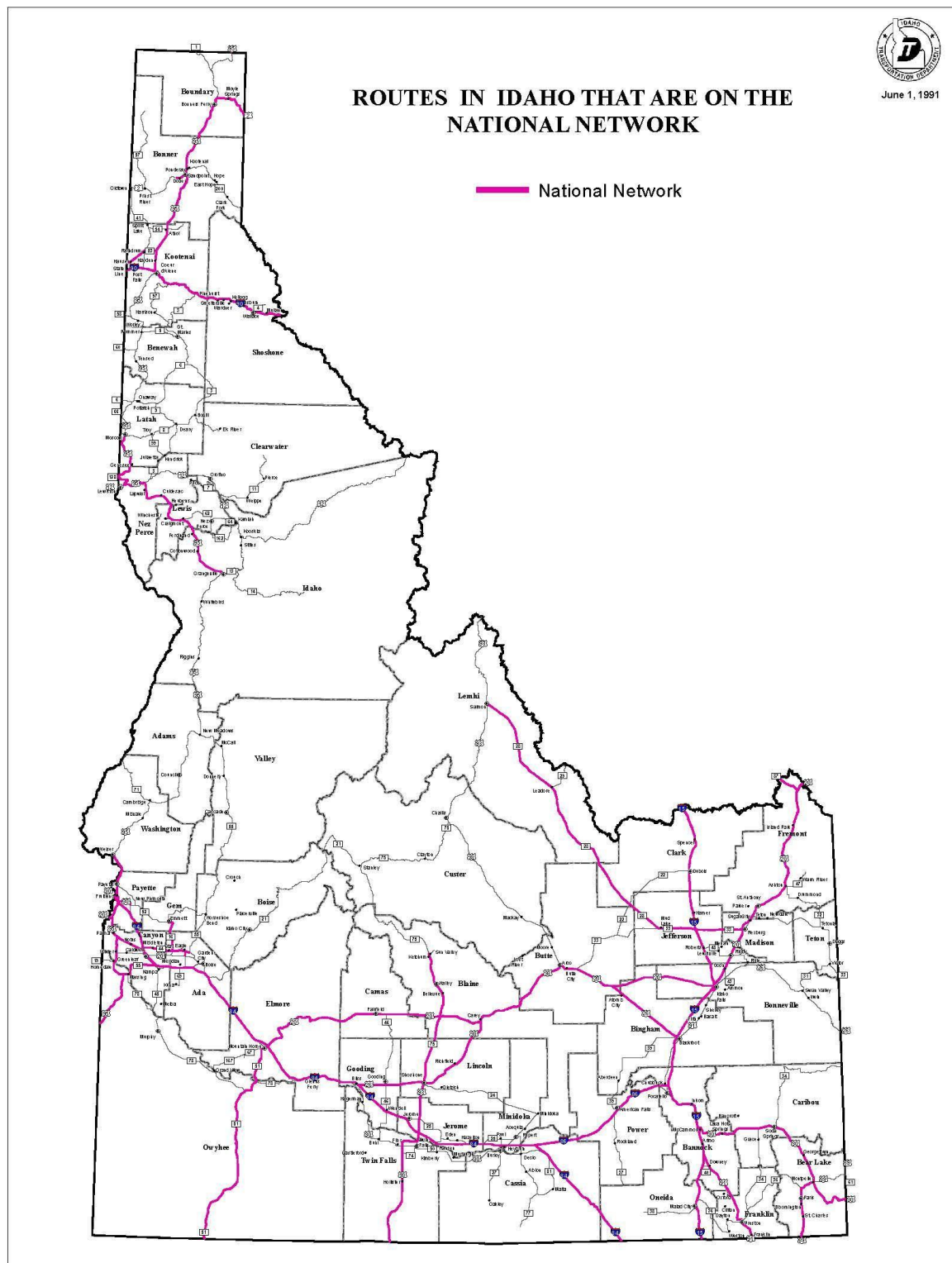
The STAA also regulated the *length* of CMVs. In 1982, Congress established minimum length standards for most commercial truck tractor-semitrailers and for twin trailers pulled behind a truck tractor. Congressional involvement in vehicle length reflected the desire to standardize the enforcement of length along the NN and to thereby eliminate any administrative and operating confusion caused by varying State provisions governing commercial vehicle length along that element of U.S. highways.

There is no Federal vehicle *height* requirement for CMVs. Thus, States may set their own height restrictions. Most height limits range from 13 feet, 6 inches to 14 feet with exceptions granted for lower clearance on particular roads.

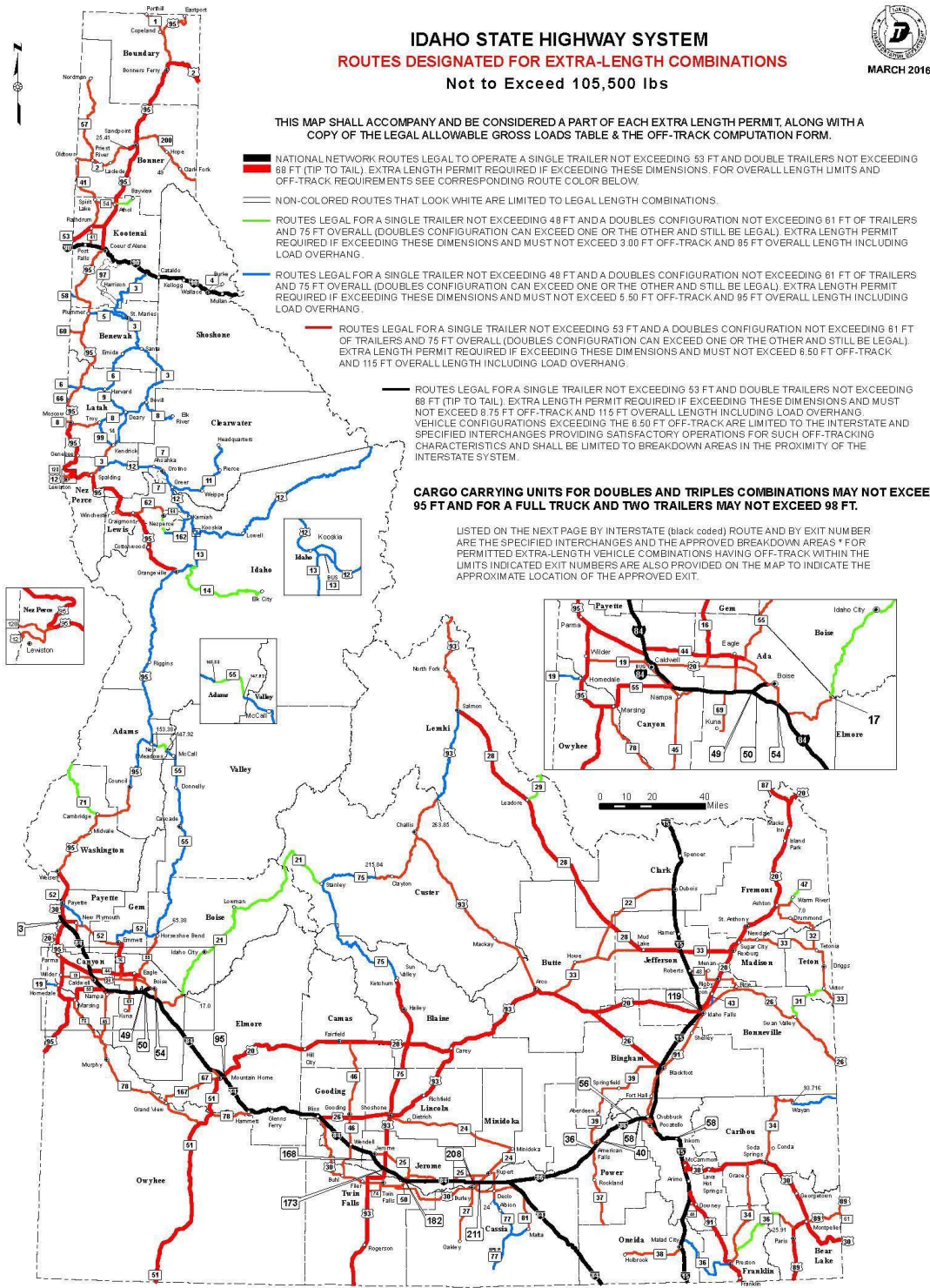
ISTEA "FREEZE"

ISTEA is an acronym for Intermodal Surface Transportation Efficiency Act of 1991. It imposed two separate freezes: (1) on the maximum weight of longer combination vehicles, which consist of any combination of a truck tractor and two or more trailers or semitrailers which operate on the Interstate System at a gross weight over 80,000 pounds; and (2) on the overall length of the cargo carrying units of combination vehicles with two or more such units where one or both exceed 28.5 feet in length on the National Network. The maximum weight of longer combination vehicles and the maximum length of the cargo carrying units of combination vehicles is the weight or length in actual and legal operation in a State on June 1, 1991, as documented in [Appendix C to 23 CFR 658](#). Also frozen were the routes and conditions in effect on June 1, 1991, for vehicle combinations subject to the freeze, as shown in [Appendix C to 23 CFR 658](#).





Appendix B – Routes Designated for Extra Length Combinations



Appendix C - Designated Routes Allowing up to 129,000 Pounds

