LCB File No. R161-07

PROPOSED REGULATION OF THE DEPARTMENT OF TRANSPORTATION

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

The Nevada Department of Transportation is proposing the amendment of regulations pertaining to Chapter 484 of the Nevada Administrative Code. A workshop will be held at the **Nevada Department of Transportation Headquarters Conference Room, #301 at 1263 South Stewart Street, Carson City, NV commencing at 1:00 PM on Tuesday, November 13, 2007.** This workshop will be video conferenced to the District I Main Conference Room, at 123 East Washington Avenue, Las Vegas, NV; to the District II DE Conference Room, at 310 Galletti Way, Sparks, NV; and to the District III Main Conference Room, 1951 Idaho Street, Elko, NV.

Note: The workshop on this same matter scheduled for 9:00 AM on Monday, November 12, 2007 is cancelled.

The purpose of this workshop is to solicit comments from all interested persons in the topics addressed in the proposed amendment. The workshop will discuss the following topic:

(1) Over-Dimensional Vehicle/Load Permitting and Restrictions.

A copy of this notice and the regulations to be amended will be on file at the State Library, 100 Stewart Street, Carson City, NV, for inspection by members of the public during business hours. Additional copies of this notice and the regulations to be amended will be available at:

Nevada Department of Transportation 1263 South Stewart Street Carson City, NV 89712

Nevada Department of Transportation District I Office 123 East Washington Street Las Vegas, NV 89125

Nevada Department of Transportation Tonopah Maintenance Station 805 Erie Main Tonopah, NV 89049 Nevada Department of Transportation District III Office 1951 Idaho Street Elko, NV 89801

Nevada Department of Transportation Winnemucca Maintenance Station 725 West 4th Street Winnemucca, NV 89446

Nevada Department of Transportation Ely Maintenance Station 1401 Avenue "F" Ely, NV 89301 Nevada Department of Transportation
District II Office
310 Galletti Way
Sparks, NV 89431

Clark County Courthouse
200 South Third Street
Las Vegas, NV 89155

Washoe County Courthouse Grant Sawyer State Office Building 75 Court Street 555 E. Washington Avenue Reno, NV 89520 Las Vegas, Nevada 89101

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the workshop. If special arrangements for the workshop are necessary, please contact Jeff Richter, Over Dimensional Permits Section, Nevada Department of Transportation, 1263 South Stewart Street, Carson City, NV 89712 or call (775) 888-7070.

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PROPOSED REGULATION OF THE DEPARTMENT OF TRANSPORTATION

(This draft replaces the one posted 10/9/2007)

NAC 484.525 Duration and use of permits generally. (NRS 484.743, 484.762, 484.7625, 484.7631)

- 1. Permits are required for non-reducible vehicle combinations or loads greater than:
 - (a) 80,000 pounds;
 - (b) 8 feet, 6 inches wide;
 - (c) 14 feet high;
 - (d) 10 feet overhang; or
 - (e) 70 feet in length.
- 2. A single-trip permit [for the movement of an oversized or overweight vehicle] is valid for a period of 5 days as set forth on the permit and NAC 484.542. The permit may authorize a round-trip between two points, laden or unladen, utilizing different routes as necessary.
- [2.] 3. An annual multiple-trip permit is valid for 12 consecutive months after the date of issue as set forth on the permit and NAC 484.543. This permit may be issued for:
- (a) Construction type equipment and *other vehicles*, [special mobile type equipment that do not otherwise conform to statutory requirements or for multiple trips when an oversized or overweight vehicle travels on highways maintained by the Department] if the maximum:
 - (1) Width is not more than 14 feet;
 - (2) Length does not exceed 110 feet;
 - (3) Height does not exceed 15 feet;
 - (4) Overhang does not exceed 25 feet; and
- (5) Gross weight and axle loading will not exceed that established by evaluation of the application based upon axle configuration and overall length; or
- (b) The movement of manufactured homes, mobile homes or any other similar types of structures [over highways maintained by the Department] if the maximum:
 - (1) Width, including any appendages and roof eaves, is not more than 14 feet;
- (2) Combined length of the vehicle [used to transport the manufactured home, mobile home or other similar structure and the manufactured home, mobile home or other similar structure] does not exceed [85] 110 feet; [and]
 - (3) Box length does not exceed 80 feet; and
 - (4) Height does not exceed 15 feet.
- (c) Self-propelled cranes, exceeding the maximum authorized weight as established pursuant to subsection 1 of NRS 484.743, may be issued an annual multi-trip [special purpose] permit [for multiple trips for a six month duration]. The applicant must submit to the Department at the time of application a description of the self-propelled crane that contains the height, length, width and weight of the self-propelled crane in the position in which it will be transported.

- [3.] 4. The original *permit with original signature or a facsimile of the permit with original signature* [of the annual multiple trip permit, multiple trip-limited time permit or single-trip permit] must be carried in the vehicle to which it refers.
- [4.] 5. The holder of an annual multiple-trip permit may transfer the original permit to a leased or rented vehicle with the vehicle combinations which are identified on the permit. The leased or rented vehicle must:
 - (a) Carry the original permit;
 - (b) Carry a copy of the pertinent, notarized lease or rental agreement; and
 - (c) Be marked in accordance with 49 C.F.R. § 390.21.
- [5.] 6. A copy of *the* [an annual multiple-trip permit, multiple trip-limited time permit or single-trip] permit may not be made for use in another vehicle.
- 7. A special purpose permit is valid for a period of 5 days as set forth on the permit and may be issued on a case-by-case basis for exceptionally large or heavy vehicle combinations or loads that exceed standard classification. The permit may authorize a round-trip or multiple trips, laden or unladen, utilizing different routes as necessary.
- 8. Special mobile equipment as defined in NRS 484.173 and operated in accordance with NAC 484.XXX does not require permitting.

Note: Paragraph 4/5 was approved 8/29/06 (R157-06), but not codified as of 7/5/07.

NAC 484.527 Permits for movement of implements of husbandry and farm equipment. (NRS 484.743, 484.762, 484.7625, 484.7631)

- 1. At no cost, the Department shall issue to an owner an annual multiple-trip permit for the movement, by the owner, of implements of husbandry and farm equipment that exceed 8 feet 6 inches in width but are not more than 12 feet in width; that are not more than 15 feet in height; or that exceed 70 feet in length but are not more than 110 feet in length. [An owner may drive or tow such equipment, without limitation, on an interstate or controlled access highway with a pilot car in the rear, must use the shoulder of the roadway as much as possible, and must follow, without limitation, the requirements of NAC 484.550.] An annual multiple-trip permit is valid for 12 consecutive months after the date of issue.
- 2. At no cost, the Department shall issue to an owner a *single*-trip permit for the movement [on an interstate or controlled-access highway], by the owner, of implements of husbandry and farm equipment that exceed [12 feet] 8 feet, 6 inches in width but are not more than 17 feet in width or that exceed 15 feet in height, or that exceed 110 feet in length. [The owner must haul such items of equipment with a pilot car in the rear and must follow, without limitation, the requirements of NAC 484.550.]
- 3. For a fee, the Department shall issue a single-trip or annual multiple-trip permit for the commercial movement of *implements of husbandry and farm equipment* [farm machinery used in seasonal harvesting that does not otherwise conform to statutory requirements or for multiple trips when an oversized or overweight vehicle travels on highways maintained by the Department]. Permits issued pursuant to this subsection will be subject to the normal fees [which pertain to these permits. An annual multiple-trip permit is valid for 12 consecutive months after the date of issue].
- 4. Permittee may drive or tow such equipment if not more than 12 feet in width, on an interstate or controlled-access highway, that are not otherwise restricted by this chapter, with a pilot car in the rear, but must travel only during hours of daylight, must travel as far to the right side of the roadway or shoulder as is safe, and must follow the requirements of NAC

484.550. If such equipment is more than 12 feet in width, it must be carried by trailer and the permittee must comply with applicable restrictions in NAC 484.545 and NAC 484.550.

NAC 484.535, General Conditions of Permits. (NRS 484.743, 484.762, 484.7625, 484.7631) Permits issued will authorize movement upon the highways maintained by the Department *and all other highways of the state* under the following conditions:

- 1. Transportation equipment must comply in all respects with the motor vehicle laws of the State of Nevada and all other provisions of the law regarding the use, operation and licensing of motor vehicles and must at all times be operated with regard to public safety. The permittee is responsible for complying with other special requirements as prescribed elsewhere in this section as well as letters of instructions published by the Department that are accessible at www.nevadadot.com.
- 2. When traffic, weather or other conditions are determined by the Department or the law enforcement agency to constitute a hazard, the permit may be temporarily suspended or restricted in use.
- 3. Except as otherwise provided in this subsection, all posted speed limits and "advisory speed" signs must be complied with. If the Department issues a permit that sets forth a speed limit for a particular highway or a section of a particular highway, that speed limit must be complied with.
- 4. Highway signs or markers shall not be disturbed or removed without written consent and approval of the NDOT district engineer. The cost of repair of any roadway shoulders, surfacing, guideposts, marker posts, snow marker posts, signs or signposts, bridge or bridge rail or any other appurtenances of the highway or highway right-of-way damaged or unduly disturbed by the permittee's operation must be paid by the permittee. The Department shall determine the amount of damages and bill the permittee. The permittee shall pay the bill by cash or certified check within 20 days after receipt of the bill. The failure of the permittee to pay the bill in a timely manner constitutes cause for revocation of his permit, and no other permits will be issued to him until the bill is satisfied.
- 5. The permittee shall defend, indemnify and hold harmless the State of Nevada, its officers, employees and agents from any liability, damages, claims or actions for injury to persons or damage to property, whether the property belongs to the State, to the permittee or to third parties, and whether caused by the permittee or an agent or employee of the permittee in the performance or exercise of the permit. Each permit issued by the Department must contain indemnification language in substantially the same form as set forth in this subsection.
- 6. The Department reserves the right to revoke any or all portions of a permit at any time or for any cause which the Department deems necessary to fulfill its obligations, and the Department is not responsible for any damage sustained by the permittee as a result of such revocation.
- 7. If drivers employed by a permittee or by a company under contract to a permittee receive three citations on separate occasions within a period of 6 months for violations of a condition or restriction on the permit, the Department may suspend all permit privileges of the permittee for up to 30 days.
- 8. Except as otherwise provided in this subsection and subsection 9 and unless a person possesses a permit issued by the Department that allows his vehicle to exceed the following limitations:

- (a) The maximum weight per tire, measured by pounds per inch of tire width, is 600 pounds per inch for the steering axle and 500 pounds per inch for all other axles, not to exceed the axle rating.
- (b) Except for steering axles and axles that weigh less than 10,000 pounds, each axle must have at least four tires if the tire width of each tire on an axle is less than or equal to 14 inches. If the maximum weight per tire does not exceed 500 pounds per inch of tire width, an axle may be equipped with tires that have a width of more than 14 inches.
- 9. The provisions of subsection 8 do not apply to a bus owned or operated by the Clark County Regional Transportation Commission.
- 10. A vehicle for which a permit is issued is subject to a Level 1 North American Standard Inspection by the Department or a law enforcement agency before the vehicle may be moved. If the vehicle fails to pass the inspection, the permit will be revoked. The Department hereby adopts by reference the procedures of the Commercial Vehicle Safety Alliance for conducting a Level I North American Standard Inspection. A copy of the procedures for conducting a Level I North American Standard Inspection may be obtained from the Commercial Vehicle Safety Alliance, 1101 17th Street, N.W., Suite 803, Washington, D.C. 20036, by telephone at (202) 775-1623 or at the Internet address http://store.yahoo.com/cvsa/noamstinprsc.html for the price of \$2.50 for members of the Commercial Vehicle Safety Alliance or \$3.50 for nonmembers.
- 11. Two or more oversized or overweight vehicles may not participate in a convoy unless the permit for each vehicle participating in the convoy so authorizes.
 - 12. A permittee shall coordinate additional utilities escorts, if necessary, and traffic control with the appropriate law enforcement agencies for:
 - (a) Loads wider than 17 feet on roads with two or three lanes.
 - (b) Loads wider than 19 feet on roads with four or more lanes.
 - 13. A permittee shall coordinate with local utility services for all loads higher than 19 feet.
- 14. Single-trip Permits will be requested by 4:15 PM of the business day before travel is desired, and annual and special purpose permits will be requested at least 30 days in advance of any requirement.
- 15. Permits cover only movement upon the roadways listed on the permit and any immediately adjacent roadways required to access trucking services. The issuance of a permit does not include nor imply authority to use any other roadways. Additional permits may be required for such movement from the parties having jurisdiction.
- 16. When disabled or when movement presents a safety risk or unreasonably impedes efficient traffic movement for any reason, permitted vehicles/loads and any required pilot cars will, at the earliest safe opportunity, stop as far off the roadway as practicable to allow other traffic to pass
- 17. Movement is not authorized during hours of darkness, on weekends or on legal holidays, unless the appropriate box on the permit is checked or as specified in the special instructions, irrespective of travel dates listed. Hours of darkness are considered one-half hour after sunset until one-half hour before sunrise. Hours of daylight are considered one-half hour before sunrise until one-half hour after sunset.
- 18. The Department or law enforcement officials may inspect permitted vehicles to ensure compliance with the terms of the permit.

Note: Paragraphs 7 and 12 were adopted by LCB R156-06 but not be codified as of 10/8/07.

NAC 484.542 Single-trip permits: Maximum dimensions of vehicle. (NRS 484.743, 484.762, 484.7625, 484.7631)

- 1. A vehicle with a single-trip permit must not exceed the following maximum dimensions unless specifically approved by the Department:
- (a) For travel during hours of darkness *or on a holiday, except as described in subparagraph* I(c) [on a highway with two or three lanes]:
 - (1) Width of [10] 12 feet;
 - (2) Height of 15 feet;
 - (3) Length of [105] 110 feet; and
 - (4) Overhang of [10] *15* feet.

[(b) For travel during hours of darkness on a highway with at least four lanes:

- (1) Width of 10 feet;
- (2) Height of 15 feet;
 - (3) Length of 110 feet; and
 - (4) Overhang of 10 feet.
- (c)] (b) For travel that is [not] during hours of [darkness] daylight on a weekend [on a highway with two or three lanes]:
 - (1) Width of 14 feet;
 - (2) Height of 15 feet;
 - (3) Length of [105] 110 feet; and
 - (4) Overhang of 15 feet.
- [(d) Except as otherwise provided in paragraph (g), for travel that is not during hours of darkness on a weekend on a highway with at least four lanes:
 - (1) Width of 14 feet;
 - (2) Height of 15 feet;
 - (3) Length of 110 feet; and
 - (4) Overhang of 15 feet.
- (e) For travel that is not during hours of darkness on a holiday on a highway with two or three lanes:
- (1) Width of 10 feet;
- (2) Height of 15 feet;
 - (3) Length of 105 feet; and
 - (4) Overhang of 15 feet.
- (f) For travel that is not during hours of darkness on a holiday on a highway with at least four lanes:
 - (1) Width of 10 feet;
 - (2) Height of 15 feet;
 - (3) Length of 110 feet; and
 - (4) Overhang of 15 feet.
- (g)] (c) For travel *that is during hours of daylight* on *either* a weekend *or a holiday* over the portion of Interstate Highway No. 80 between Sparks (Exit 21) and the boundary of California or [travels on a weekend] over the portion of Interstate Highway No. 15 between Las Vegas (Exit 33) and the boundary of California:
 - (1) Width of [10] 12 feet;
 - (2) Height of 15 feet;
 - (3) Length of 110 feet; and

- (4) Overhang of 15 feet.
- 2. For the purposes of this section, "oversized vehicle" does not include a mobile home, manufactured home or similar structure.
- 3. Any vehicle that exceeds the transportation permitting parameters or authority of any other State agencies as provided for by State statute or the following dimensions must adhere to Departmental instructions for special purpose permits:
 - a. Gross weight over 250,000 pounds; or
 - b. Wider than 17 feet in an urban area or 26 feet in a rural area; or
 - c. Higher than 19 feet; or
 - d. Longer than 110 feet in an urban area or 150 feet in a rural area.

NAC 484.543 Annual multiple-trip permits: Maximum dimensions of vehicle. (NRS 484.743, 484.762, 484.7625, 484.7631)

1. An oversized vehicle with an annual multiple-trip permit must not exceed the following maximum dimensions *for travel during hours of darkness, on weekends, or on holidays*:

(a) For travel during hours of darkness on a highway with two or three lanes: $\frac{(1)}{(a)}$ (a) Width of $\frac{10}{12}$ feet; [(2)] (b) Height of 15 feet; $\frac{(3)}{(c)}$ Length of $\frac{105}{110}$ feet; and (4) (d) Overhang of 10 15 feet. [(b) For travel during hours of darkness on a highway with at least four lanes: (1) Width of 10 feet; (2) Height of 15 feet; (3) Length of 110 feet; and (4) Overhang of 10 feet. (c) For travel that is not during hours of darkness on a weekend or a holiday on a highway with two or three lanes: (1) Width of 10 feet; (2) Height of 15 feet; (3) Length of 105feet; and (4) Overhang of 15 feet. (d) For travel on a weekend or a holiday on a highway with at least four lanes: (1) Width of 10 feet; (2) Height of 15 feet; (3) Length of 110 feet; and (4) Overhang of 15 feet. 2. For the purposes of this section, "oversized vehicle" does not include a mobile home,

2. For the purposes of this section, "oversized vehicle" does not include a mobile home manufactured home or similar structure.

[NAC 484.544 Multiple trip-limited time permits for movement of self-propelled cranes. (NRS 484.743, 484.762, 484.7625)

- 1. The Department may issue a multiple trip limited time permit for the movement of a self-propelled crane if the dimensions of the crane do not exceed:
- (a) A height of 15 feet;
- (b) A length of 90 feet;
- (c) A width of 12 feet; and

- (d) The maximum authorized weight as established pursuant to subsection 1 of NRS 484.743.
- 2. An applicant for a permit issued pursuant to subsection 1 must submit to the Department at the time of application a description of the self propelled crane that contains the height, length, width and weight of the self propelled crane in the position in which it will be transported.
- 3. For a self-propelled crane whose dimensions exceed the applicable dimensions set forth in subsection 1 of NAC 484.543, the Department will issue a permit pursuant to this section which is valid only:
- (a) For a period that does not exceed 180 days.
- (b) Within a circle, which excludes roadways where substandard sections or structures exist, with:
- (1) A radius of 50 miles whose center is the intersection of Interstate Highway No. 15 and U.S. Highway No. 95 in Las Vegas;
- (2) A radius of 30 miles whose center is the intersection of Interstate Highway No. 80 and U.S. Highway No. 395 in Reno; or
- (3) A radius of 75 miles whose center is the intersection of Interstate Highway No. 80 and State Route No. 278 in Carlin.]

NAC 484.550 [1.] All vehicles in excess of 8 feet 6 inches wide must display ["oversize load"] signs, *visible in the* front and rear, [. A sign displayed pursuant to this section must be at least 7 feet wide and at least 18 inches high] with black letters that are at least 10 inches high of 1 5/8-inch minimum stroke on a yellow background.

- [2. A sign displayed pursuant to this section must:
- (a) Read "oversize load";
- (b) Be neat, clean and mounted securely;
- (c) Be displayed only when necessary; and
- (d) Be] The signs must read "OVERSIZE LOAD" or "OVERSIZE" and may be mounted in two pieces if necessary. The signs must be neat, clean and mounted securely. The signs must be displayed only when necessary and be removed promptly upon the arrival of the vehicle at its final destination.

NOTE: The changes above were adopted by LCB R157-06 but not codified as of 10/8/07. Below are recommended additions for 2007.

Additionally, warning flags, 18 inches by 18 inches, solid red or fluorescent orange in color, will be displayed on the vehicle/load as follows:

- 1. One flag at each of the front and rear corners;
- 2. One additional flag for rear overhang in excess of 4 feet at the end of the projection; if the projection exceeds 2 feet in width, two flags to indicate the maximum width of the projection; and
- 3. Additional flags on the extreme outer edge of any side overhang wider than the front and rear corners.

NAC 484.555 Permits for emergency moves. (<u>NRS 484.737</u>, <u>484.743</u>, <u>484.762</u>, <u>484.7625</u>, <u>484.7631</u>)

1. Emergency movement is authorized only for declared disaster or relief operations, or for accidents having major impact on the transportation infrastructure. Emergency movement is not authorized for commercial operations unrelated to a bona fide emergency. Requests for emergency-related special purpose permits must be accompanied by a copy or

facsimile of the formal written declaration of the emergency from competent government authority.

- 2. The Department may issue a [written] special purpose permit at no cost for an emergency move of an oversized or overweight vehicle. Such a permit is valid for one round trip from the point of origin to the site of the emergency and the return from the site of the emergency back to the point of origin. Any deviation from the route requires an additional permit.
- 3. To facilitate regional or State-wide disaster or relief operations, the Department may issue a special purpose permit at no cost for a thirty-day period that authorizes multiple movements by a vehicle over all or some of the routes, within a designated area. The permit may be renewed in thirty-day increments as necessary.
- 4. If movement is necessary, before Department permitting officials can be contacted during normal business hours, the permittee must, prior to movement in the State, contact the State Emergency Operation Center (EOC) at (775) 687-0477 after working hours and provide at minimum the following information: point of contact name, contact telephone number, vehicle USDOT or state identification number, name of vehicle owner, vehicle type and load, anticipated route within the State, and description of the emergency. The EOC duty officer may authorize said movement at his discretion. The permittee is responsible for obtaining and carrying in the subject vehicle the name of the EOC duty officer, the EOC telephone number, and the pertinent EOC journal number. This information will be provided to law enforcement authorities and the Department when requested.
- 5. The permittee is responsible for arranging with the Department for a permit by the next business day.

NAC 484.560 Restrictions on travel on or near holidays. (NRS 484.743, 484.762, 484.7625, 484.7631)

[1. The Department will not issue a permit for the movement of an oversized or overweight vehicle on the following days] Holiday restrictions established in NAC 484.542 and NAC 484.543 apply on the following days and periods:

[(a)] 1. From 6 a.m. to 9:00 p.m. on New Year's Day, January 1;

(b) Martin Luther King, Jr. Day, third Monday in January;

(c) President's Day, third Monday in February;

(d) 2. From 6 a.m. to 9:00 p.m. on Memorial Day, last Monday in May;

[(e)] 3. From 6 a.m. to 9:00 p.m. on Independence Day, July 4;

[(f)] 4. From 6 a.m. to 9:00 p.m. on Labor Day, first Monday of September;

[(g)] 5. From 6 a.m. to 9:00 p.m. on Nevada Day, last Friday of October;

[(h) Veterans' Day, November 11;]

- 6. From 6 a.m. to 9:00 p.m. on the day after Nevada Day, the last Friday of October:
- (a) Within the boundaries of Carson City;
- (b) On U.S. Highway No. 395 between Reno and Minden; and
- (c) On U.S. Highway No. 50 between Carson City and Fallon.
- 7. From 12 noon until 12 midnight on the Wednesday prior to Thanksgiving Day, or the fourth Thursday of November;
- 8. From 12 noon until 12 midnight on the Sunday following Thanksgiving Day, or the fourth Thursday of November;
 - 9. From 12 noon until 12 midnight on Christmas Eve Day, December 24;
 - 10. From 6 a.m. to 9:00 p.m. on Christmas Day, December 25;

- 11. From 12 noon until 12 midnight on New Year's Eve Day, December 31;
- 12. From 12 noon until 12 midnight on the day before any three-day holiday weekend;
- 13. From 12 noon until 12 midnight on the last day of any three-day holiday weekend;
- [(i) Fourth Wednesday of November from 2 p.m. until 12 midnight;
- (j) Christmas Eve, December 24 from 2 p.m. until 12 midnight; and
- (k) Any day that may be designated by the President of the United States for a public fast, thanksgiving or holiday, except for a presidential designation of the fourth Monday of October as Veteran's Day.
- 2. If any holiday listed in subsection 1, falls on a Saturday, the preceding Friday is considered a holiday. If any holiday listed above falls on a Sunday, the following Monday is considered a holiday.
- 3. In addition to the days set forth in subsection 1, the Department will not issue a permit for the movement of an oversized or overweight vehicle on the Saturday immediately following the last Friday in October:
- (a) Within the boundaries of Carson City;
- (b) On U.S. Highway No. 395 between Reno and Minden; and
- (c) On U.S. Highway No. 50 between Carson City and Fallon.]