

**ADOPTED REGULATION OF THE
DEPARTMENT OF TRANSPORTATION**

LCB File No. R052-05

Effective September 7, 2005

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1-6, 8, NRS 484.743, 484.762, 484.7625, 484.7631; §7, NRS 484.743, 484.762, 484.7625.

A REGULATION relating to oversized vehicles; revising provisions related to oversize vehicles; and providing other matters properly relating thereto.

Section 1. Chapter 484 of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.

Sec. 2. *“Controlled-access highway” has the meaning ascribed to it in NRS 484.041.*

Sec. 3. 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. 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 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 in width but are not more than 17 feet in width. 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 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.

Sec. 4. *The Department may issue permits for the movement of oversized loads over the state highway system. The following conditions apply:*

1. The movement of oversized loads up to 26 feet in width will be allowed only if the character of the road and traffic conditions will allow such movement. Reduction in size of load may be necessary to accomplish the move.

2. The movement of loads over 26 feet in width is allowed only for short distances normally not to exceed 10 miles.

3. The route must be surveyed by the trucking company before moving to determine where obstructions may exist and provide for their removal or adjustment.

Sec. 5. NAC 484.460 is hereby amended to read as follows:

484.460 As used in NAC 484.460 to 484.580, inclusive, *and sections 2, 3 and 4 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 484.462 to 484.493, inclusive, *and section 2 of this regulation*, have the meanings ascribed to them in those sections.

Sec. 6. NAC 484.525 is hereby amended to read as follows:

484.525 1. 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.

2. An annual multiple-trip permit is valid for 12 consecutive months after the date of issue. This permit may be issued for:

(a) ~~[Farm machinery used in seasonal harvesting, construction]~~ **Construction** type equipment and 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 feet; and

(3) Height does not exceed 15 feet.

3. The original 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. A copy of an annual multiple-trip permit, multiple trip-limited time permit or single-trip permit may not be made for use in another vehicle.

Sec. 7. NAC 484.544 is hereby amended to read as follows:

484.544 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; ~~or~~

(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.

Sec. 8. NAC 484.545 is hereby amended to read as follows:

484.545 1. Pilot cars when required by the permit must be furnished by the permittee.

A pilot car must be either a passenger car or a truck with not more than two axles and a manufacturer's gross weight rating of not more than 16,000 pounds. ~~[The interval to be maintained between a pilot car and an escorted vehicle is:~~

~~—(a) For roads in mountainous areas, 300 feet minimum, 600 feet maximum;~~

~~—(b) For roads in other rural areas, 600 feet minimum, 1,000 feet maximum; and~~

~~—(c) For roads in urban areas, 100 feet minimum, 200 feet maximum.]~~ *A pilot car must be far enough in front of or behind, as applicable, the oversized vehicle or load to:*

(a) Notify, in a timely manner, the driver of the oversized vehicle or load to stop movement; and

(b) Signal a motorist so that the motorist may safely move around or pass the oversized vehicle or load.

2. If the provisions of a permit require the use of a single pilot car, the pilot car must:

(a) Precede the vehicle that it escorts on roads with two or three lanes.

(b) Follow the vehicle that it escorts on roads with four or more lanes.

↳ Exceptions to this subsection will be specifically stated on the permit.

3. In addition to the requirements of subsections 1 and 2:

(a) A pilot car must precede an escorted vehicle if:

- (1) The overhang of the load exceeds 25 feet in front of the vehicle;
- (2) The height of the load exceeds 15 feet 6 inches; or
- (3) The width of the load is between 12 and 14 feet and the vehicle travels on a

highway with two or three lanes.

↪ If the height of the load exceeds 15 feet 6 inches, the pilot car must also be equipped with a clearance pole.

(b) A pilot car must follow an escorted vehicle if:

- (1) The overhang of the load exceeds 25 feet behind the vehicle;
- (2) The length of the load exceeds 105 feet and travel is on a highway with two or three lanes or exceeds 110 feet and travel is on a highway with at least four lanes; or
- (3) The width of the load exceeds 14 feet but is not more than 16 feet and travel

is on a highway with at least four lanes.

(c) A pilot car must precede an escorted vehicle and a pilot car must follow the vehicle if:

- (1) The width of the load exceeds 14 feet but is not more than 16 feet and travel is on a two-lane highway; or
- (2) The width of the load exceeds 16 feet but is not more than 17 feet and travel

is on a highway with at least four lanes.

4. The Department will determine the requirements for pilot cars for a vehicle if the width of the load exceeds 17 feet.

5. The permittee shall ensure that pilot cars are properly equipped and that the operators of the pilot cars and any flagperson required pursuant to the provisions of the permit are briefed

as to their responsibilities. Failure of the operators and flagpersons to warn and direct traffic properly is a violation of the permit.

6. If the provisions of a permit require a flagperson to warn and direct approaching traffic, the flagperson must:

(a) Be at least 18 years of age;

(b) Wear appropriate protective clothing, including, without limitation, a vest which is constructed of solid, fluorescent yellow-green material and which completely covers the flagperson's torso; ~~and~~

(c) Be equipped with a sign that is:

(1) At least 18 inches wide;

(2) Marked with the word "STOP" on one side and the word "SLOW" on the other; and

(3) Is attached to a pole which is 5 feet in length ~~ft~~;

(d) Have completed an instructional course in flag procedures which is approved or conducted by the Department;

(e) Possess a valid certification card attesting that the flagperson has completed an instructional course in flag procedures pursuant to paragraph (d); and

(f) Have renewed his certification within the last 2 years.

7. If the provisions of a permit require a vehicle to be marked with flashing amber lights, the permittee must obtain an appropriate permit from the Nevada Highway Patrol pursuant to NRS 484.579.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R052-05

The Department of Transportation adopted regulations assigned LCB File No. R052-05 which pertain to chapter 484 of the Nevada Administrative Code August 5, 2005.

Notice date: 6/9/2005

Date of adoption by agency: 8/5/2005

Hearing date: 7/19/2005 & 7/21/2005

Filing date: 9/7/2005

INFORMATIONAL STATEMENT

The Nevada Department of Transportation held public hearings on July 19, 2005 in the Nevada Department of Transportation, District II Headquarters Conference Room, 310 Galletti Way, Sparks, Nevada; and on July 21, 2005 in the Nevada Department of Transportation, District I Headquarters Training Room A, 123 E. Washington Avenue, Las Vegas, Nevada for the amendments to chapter 484 of the Nevada Administrative Code.

(a) The public comment was solicited by written notice at the following locations: Nevada Department of Transportation Headquarters and its three District Headquarters in Elko, Las Vegas and Reno, the Governor's Office, Nevada State Personnel in Las Vegas, Washoe and Clark County Courthouses, the State Library and the major public library in county in Nevada in which the Department does not have a major office, the State Motor Transport Association in each of the 50 states. and each trucking firm which has been issued an annual overdimensional permit by the Nevada Department of Transportation within the last year (approximately 1,800) located throughout the United States. Public response focused on three issues: (1) the movement of implements of husbandry and farm equipment on an interstate or controlled-access highway; (2) the movement of loads over 26 feet in width; and (3) the circle with a radius of 30 miles whose center is the intersection of Interstate Highway No. 80 and State Route No. 225 in Elko. A copy of the written comments may be obtained by calling the Nevada Department of Transportation at (775) 888-7070 or by writing to the Department at 1263 S. Stewart St., Carson City, NV 89712.

(b) The following number of persons participated:

(1) Eight persons attended the hearing held on July 19, 2005 in Sparks, Nevada and 11 persons attended the hearing held on July 21,2005 in Las Vegas, Nevada.

(2) Two persons testified at the hearing held July 19, 2005 and 8 persons testified at the hearing held on July 21, 2005.

(3) One person submitted a written statement to the agency. Comments were submitted by Perry Crane & Rigging, Inc.

(c) Comments from the trucking industry were solicited though the public notices published in the locations identified in paragraph (a) above and through direct mailings. Written

response focused on the issues identified in paragraph (a) above. A copy of the summary may be obtained by contacting Richard Yeoman, Administrative Services Division, Nevada Department of Transportation, 1263 South Stewart Street, Carson City, Nevada, 89712 or by calling (702) 888-7070.

(d) The Director of the Nevada Department of Transportation, with changes, adopted the proposed regulation. Based on the trucking industry's needs and highway safety considerations, the Department's findings for each issue identified in paragraph (a) above follow:

(1) The Department provided clarification that the movement restrictions for implements of husbandry and farm equipment only applied to interstate and controlled-access highways. This explanation resolved all concerns.

(2) The Department will not normally approve loads that exceed 26 feet in width to travel on roadways under the jurisdiction of the Department for distances that exceed 10 miles. This restriction is consistent with similar restrictions that have historically applied only to the movement of houses, mobile homes, manufactured housing or similar structures.

(3) The request to increase the size of the circle in Elko and to change its center point was approved. The circle now has a radius of 75 miles whose center is the intersection of Interstate Highway No. 80 and State Route No. 278 in Carlin. This area is consistent with the rationale used to determine the circle sizes in both Las Vegas and Reno in that it reasonably covers the normal clientele serviced by the crane companies.

The Director adopted the regulations on July 29, 2005.

(e) The estimated economic effect of the regulation is as follows:

a. Business sought to be regulated.

(1) There is minimal, if any, impact on business as a result of these changes. Industry has been operating successfully within the current regulations for almost two years. With the added flexibility of granting exceptions to weekend travel restrictions and relatively minor changes in the height dimension, there will be little restriction on commerce.

(2) Immediate and long-term effects include safer highways for the general public as well as a potential reduction in operating costs to industry.

b. Public:

(1) No adverse effects are envisioned.

(2) Both the immediate and long-term effects on the public are safety for the general public.

(f) The cost to the agency for enforcement of the proposed regulation is minimal.

(g) 23 CFR part 658, in part, regulates the length, width and weight limitations of trucks. Under 23 U.S.C. 315, the Secretary of the U.S. Department of Transportation may prescribe regulations which carry out this Act. This federal law concerns and regulates the protection and preservation of the highways. Except for this federal regulation, there is no overlap or duplication of any federal, state or local government regulations of the proposed amendments.

(h) Except for the federal regulation referenced above, there aren't any federal regulations that overlap or duplicate the proposed amendments.

(i) There is no increase in the fee to be charged permits.