

**LCB File No. R157-06**

**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. One workshop will be held at the Nevada Department of Transportation Conference Room, #301 at 1263 South Stewart Street, Carson City, NV, commencing at 10:00 AM on August 1, 2006. This workshop will be video conferenced to the District I Training Room A, at 123 East Washington Avenue, Las Vegas, NV and to the District II Main Conference Room, at 310 Galletti Way, Sparks, NV. The workshop will be split into two parts. One portion will address proposed changes to the oversized permit regulations and the other portion will address proposed changes to permit regulations pertaining to vehicle combinations in excess of 70 feet in length. The purpose of this workshop is to solicit comments from all interested persons of the following topics addressed in the proposed amendments:

The proposed amendment to the oversized permit regulations: (1) Addresses signage on oversized loads will be amended to allow a reduced sign size as that allowed on pilot cars, and (2) Addresses various requirements for pilot cars.

The proposed amendment to the regulations for vehicle combinations that exceed 70 feet in length: (1) Addresses the transfer of a permit from one company to another under certain conditions.

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 So. Stewart Street  
Carson City, NV 89712

Nevada Department of Transportation  
District III Office  
1951 Idaho Street  
Elko, NV 89801

Nevada Department of Transportation  
District I Office  
123 East Washington Street  
Las Vegas, NV 897125

Nevada Department of Transportation  
Winnemucca Maintenance Station  
725 W. 4<sup>th</sup> Street  
Winnemucca, NV 89446

Nevada Department of Transportation  
Tonopah Maintenance Station  
805 Erie Main  
Tonopah, NV 89049

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 So. Third Street  
Las Vegas, NV 89155

Washoe County Courthouse  
75 Court Street  
Reno, NV 89520

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, Overdimensional Permits Section, Nevada Department of Transportation, 1263 So. Stewart Street, Carson City, NV 89712 or call (775) 888-7070.

## NOTICE OF INTENT TO ACT UPON A REGULATION

### Notice of Hearings for the Amendment and Adoption of Regulations of the Nevada Department of Transportation

The Nevada Department of Transportation will hold public hearings to receive comments from all interested persons regarding the amendment of regulations pertaining to Chapter 484 of the Nevada Administrative Code. The public hearings will be as follows:

August 23, 2006 - Commencing at 9:30 a.m.  
Nevada Department of Transportation  
District II Headquarters Bldg.  
District II Main Conference Room  
310 Galletti Way  
Sparks, NV 89431

August 24, 2006 - Commencing at 9:30 a.m.  
Nevada Department of Transportation  
District I Headquarters Bldg. A  
District Conference Room  
123 East Washington Avenue  
Las Vegas, NV 89101

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. These proposed amendments to the oversized permit regulations are needed for the administration of overdimensional permits and for vehicle combinations in excess of 70 feet in length permits. The purpose of the proposed amendments to the overdimensional permit regulations is to address signage on oversized loads and various requirements for pilot cars. The purpose of the proposed amendment to the regulations for vehicle combinations that exceed 70 feet in length is to allow the transfer of the permit from one company to another under certain conditions.
2. The proposed amended regulations are attached for review. For ease in identification, additions are italicized and highlighted. Deletions are lined out.
3. The estimated economic effect of the regulation follows:
  - a. Businesses:

(1) Updated regulations are easier to read and understand; regulations have been enhanced to assist businesses; and the transfer of the permit from one company to another

for vehicle combinations exceeding 70 feet in length will allow the various trucking companies to utilize the services of another more efficiently and economically.

(2) Immediate effects include better enforcement due to clarity of regulations, the trucking companies will have more flexibility and less administrative burden. Long term effects include safer highways for the general public.

b. Public:

(1) No adverse effects are envisioned. However, the flexibility included in the regulations will greatly assist the trucking industry and enhance the ability of the Nevada Highway Patrol in enforcement activities. This will result in safer highways for the traveling public.

(2) Both the immediate and long term effects on the public are safety related as identified above. No other immediate or long term effect on the public is envisioned.

4. There is no cost to the Department of Transportation for enforcement of the proposed amendments to the permit regulations.
5. 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.
6. This regulation is not required pursuant to federal law.
7. This regulation is not more stringent than existing federal regulations.

Persons wishing to comment upon the proposed action of the Nevada Department of Transportation may appear at the scheduled public hearings or may address their comments, data, views, or arguments in written form, to the Nevada Department of Transportation, Administrative Services Division, 1263 South Stewart Street, Carson City, NV 89712. Written submissions must be received by the Nevada Department of Transportation on or before July 21, 2006. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada Department of Transportation may proceed immediately to act upon any written submissions.

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 the notice and the regulations to be amended will be available at the Nevada Department of Transportation Headquarters, 1263 So. Stewart Street, Carson City, NV, the Nevada Department of Transportation, District I Office, 123 East Washington Avenue, Las Vegas, NV, the Nevada Department of Transportation, Tonopah Maintenance Station, 805 Erie

Main, Tonopah, NV, the Nevada Department of Transportation, District II Office, 310 Galletti Way, Sparks, NV, the Nevada Department of Transportation, District III Office, 1951 Idaho Street, Elko, NV, the Nevada Department of Transportation, Winnemucca Maintenance Station, 725 W. 4<sup>th</sup> Street, Winnemucca, NV, the Nevada Department of Transportation, Ely Maintenance Station, 1401 Avenue “F”, Ely, NV and at the main public library in each county where the Department does not have an office, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the internet at <http://www.leg.state.nv.us>. Copies of the notice will also be mailed to the state motor transport associations in each of the 50 states. The proposed regulations will be available on the Nevada Department of Transportation website at <http://www.nevadadot.com>. Copies of this notice and the proposed regulations will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the Nevada Department of Transportation, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reason for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

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

This notice of hearings has been posted at the following locations:

State Library  
100 Stewart Street  
Carson City, NV 89710

Governor’s Office  
Capitol Building  
Carson City, NV 89710

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

Nevada Department of Transportation  
District III Office  
1951 Idaho Street  
Elko, NV 89801

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

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

Nevada Department of Transportation  
Tonopah Maintenance Station  
805 Erie Main  
Tonopah, NV 89049

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 So. Third Street  
Las Vegas, NV 89155

Washoe County Courthouse  
75 Court Street  
Reno, NV 89520

A copy of this notice and proposed regulations is also available at these locations:

Churchill County Library  
5553 S. Maine Street  
Fallon, NV 89406  
(Fourth & Crook Street)

Goldfield Public Library  
P. O. Box 430  
Goldfield, NV 89013

Lincoln County Library  
93 Main Street  
Pioche, NV 89043  
(1125 Central Avenue)

Eureka Branch Library  
P. O. Box 293  
Eureka, NV 89316

Lyon County Library  
20 Nevin Way  
Yerington, NV 89447

Battle Mountain Branch Library  
P. O. Box 141  
Battle Mountain, NV 89820

Pershing County Library  
P. O. Box 781  
Lovelock, NV 89419  
(171 Central Street)

Douglas County Library  
P. O. Box 337  
Minden, NV 89423

Storey County Library  
P. O. Box 14  
Virginia City, NV 89440  
(95 South R Street)

Mineral County Library  
P. O. Box 1390  
Hawthorne, NV 89415  
(First & A Street)

## LCB File No. R157-06

### PROPOSED REGULATION OF THE DEPARTMENT OF TRANSPORTATION

#### **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 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.
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. 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. ~~[A permittee who receives three citations within a period of 6 months for violation of the permit conditions may, at the Department's discretion, have his permit privileges suspended for up to 30 days.]~~ *If any drivers employed by a permittee or by a company under contract to a permittee pursuant to NRS 484.743 receive three citations 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.

**NAC 484.545 Pilot cars; flagpersons; permits for flashing amber lights.** (NRS 484.743, 484.762, 484.7625, 484.7631)

1. Pilot cars when required by the permit must be furnished by the permittee *as delineated in the permit and pursuant to this section*. 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, *at least 60 inches wide, and otherwise not exceeding legal limits of size and weight.* ~~[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.]~~

*2. The driver of a pilot car will maintain sufficient distance from the oversize vehicle or load depending on speed, traffic, road and weather conditions, to allow for timely and safe notification of the oversize vehicle driver and other drivers to stop, slow or pass as necessary. The driver of the pilot car will direct the oversize vehicle or load to stop as far off the roadway as practicable to allow other traffic to pass, when the oversize vehicle or load becomes disabled, or when movement presents a safety risk or unreasonably impedes efficient traffic movement due to traffic, road or weather conditions. When an oversize vehicle or load is stopped on or adjacent to the roadway, the driver of the pilot vehicle or a flagperson will direct traffic in order to maintain safe and efficient traffic movement.*

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. *For loads wider than 17 feet on two or three lane roadways and wider than 19 feet on four or more lane roadways, the permittee will also coordinate additional escort and traffic control requirements with the highway patrol.*

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 *trained and* 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;~~

~~(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;~~

~~(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.]~~

*6. Pilot cars will not be loaded or equipped in any manner that impairs their traffic safety function or public recognition of that function. Specifically, each pilot car is required to be equipped as follows:*

*(a) Lead pilot cars for loads over 15 feet, 6 inches in height must be equipped with a clearance pole.*

*(b) A sign visible to the front and to the rear at least 5 feet wide and 10 inches high with black letters at least 8 inches high of 1 inch minimum stroke on a yellow background. Each sign must read "OVERSIZE LOAD"; be neat, clean and mounted securely; be displayed only when necessary; and be removed promptly upon the arrival of the vehicle at its final destination.*

*(c) Two additional oversize load signs to be used in case of damage or loss of a sign on a pilot car or oversize vehicle.*

*(d) Two flashing or rotating amber lights mounted above the roof line to either side of the oversize load sign or one amber flashing or rotating amber light mounted above the roof line visible from a minimum of 500 feet. The permittee must obtain the appropriate permit from the highway patrol pursuant to NRS 484.579.*

*(e) Identification placards fixed to each side of the pilot car visible from 50 feet during daytime stating the name, address and phone number of the individual/company providing the pilot car service.*

*(f) Standard 18 inch, two-sided STOP and SLOW sign attached to a 5 feet pole.*

*(g) Minimum of three bi-directional emergency reflective triangles.*

*(h) Minimum of one 5 pound, BC fire extinguisher.*

*(i) Flourescent orange or yellow-green vest, shirt or jacket, and hardhat, for all assigned personnel and flagpersons to be worn whenever operating outside the vehicle.*

~~[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.]~~

*7. Before a permit can be issued, the permittee must provide evidence to the Department of the following for any pilot car driver/flagperson:*

*(a) Possesses a valid motor vehicle driver's license;*

*(b) At least 18 years of age;*

*(c) Completion of an instructional course specific to traffic control requirements and procedures within the past 2 years, which is approved or conducted by the Department;*

*(d) Certification as required by the Department.*

**NAC 484.550 Signs.** (NRS 484.743, 484.762, 484.7625, 484.7631) ~~[1.]~~ All vehicles in excess of 8 feet 6 inches wide must display ~~["oversize load"]~~ signs front and rear. ~~[A sign displayed pursuant to this section must be at least]~~ *Each sign should be* 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. *When necessary to avoid covering vital vehicle components, such as license plates, required lights, and radiator, each sign may be as small as 5 feet wide and 10 inches high with black letters that are at least 8 inches high of 1 inch minimum stroke on a yellow background. Each sign must read "OVERSIZE LOAD"; be neat, clean and mounted securely; be displayed only when necessary; and be removed promptly upon the arrival of the vehicle at its final destination.*

~~[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 removed promptly upon the arrival of the vehicle at its final destination.]~~