**Greater-Than-Class C
Low-Level Radioactive Waste
Transportation Regulations
and Requirements Study**

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1. Decision diagram for determining the appropriate shipping packaging for normal form radioactive material 15

DEFINITIONS

A₁. The maximum activity of special form radioactive material permitted in a Type A package. (49 CFR 173.403)

A₂. The maximum activity of radioactive material, other than special form or low specific activity radioactive material, permitted in a Type A package. These values are either listed in §173.435 or may be derived in accordance with the procedure prescribed in §173.433. (49 CFR 173.403)

Exclusive Use. The sole use of a conveyance by a single consignor and for which all initial, intermediate, and final loading and unloading are carried out in accordance with the direction of the consignor or consignee. Any loading or unloading must be performed by personnel having radiological training and resources appropriate for safe handling of the consignment. Specific instructions for maintenance of exclusive use shipment controls must be issued in writing and included with the shipping paper information provided to the carrier by the consignor. (49 CFR 173.401)

Fissile Material. Any material consisting of or containing one or more fissile radionuclides. Fissile radionuclides are plutonium-238, plutonium-239, plutonium-241, uranium-233, and uranium-235. Neither natural nor depleted uranium is fissile material. Fissile material is classified according to the controls needed to provide nuclear criticality safety during transportation, as provided in §173.455. Certain exclusions are provided in §173.453. (49 CFR 173.403)

Hazardous Material. A substance or material, including a hazardous substance, that has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and that has been so designated. (49 CFR 171.8)

Hazardous Substance. A hazardous substance is a material, including its mixtures and solutions, that:

- Is listed in the appendix to §172.101
- Is in quantity, in one package, which equals or exceeds the reportable quantity (RQ) listed in the appendix to §172.101
- When in a mixture or solution, is in concentration by weight that equals or exceeds the concentration corresponding to the reportable quantity of the material, as shown in the following table. (49 CFR 171.8)

Reportable quantity — pounds (kilograms)	Concentration by weight	
	Percent	ppm
5,000 (2270)	10	100,000
1,000 (454)	2	20,000
100 (45.4)	0.2	2,000
10 (4.54)	0.02	200
1 (0.454)	0.002	20

Hazardous Waste. For the purposes of this document, hazardous waste is any material that is subject to the U.S. Environmental Protection Agency Hazardous Waste Manifest Requirements specified in 40 CFR 262. (49 CFR 171.8)

Limited Quantity. A quantity of radioactive material not exceeding the materials package limits specified in §173.423 and that conform with requirements specified in §173.421. (49 CFR 173.401)

Low Specific Activity (LSA). Means any of the following:

1. Uranium or thorium ores and physical or chemical concentrates of those ores.
2. Unirradiated natural or depleted uranium or unirradiated natural thorium.
3. Tritium oxide in aqueous solutions provided the concentration does not exceed 5.0 millicuries per milliliter.
4. Material in which the radioactivity is essentially uniformly distributed and in which the estimated average concentration of contents does not exceed:
 - 0.0001 millicurie per gram of radionuclides for which the A_2 quantity is not more than 0.05 curie
 - 0.005 millicurie per gram of radionuclides for which the A_2 quantity is more than 0.05 curie, but not more than 1 curie
 - 0.3 millicurie per gram of radionuclides for which the A_2 quantity is more than 1 curie.
5. Objects of nonradioactive material externally contaminated with radioactive material, provided that the radioactive material is not readily dispersible and the surface contamination, when averaged over an area of 1 square meter, does not exceed 0.0001 millicurie (220,000 disintegrations per minute) per square centimeter of radionuclides for which the A_2 quantity is not more than 0.05 curie, or 0.001 millicurie (2,200,000 disintegrations per minute) per square centimeter for other radionuclides. [49 CFR 173.403(n)].

Package (Shipping). Package means the packaging together with its radioactive contents as presented for transport (10 CFR 173.403).

Packaging. The assembly of components necessary to ensure compliance with the packaging requirements of 10 CFR 71 (49 CFR 173, Subpart I). It may consist of one or more receptacles, absorbent materials, spacing structures, thermal insulation, radiation shielding, and devices for cooling or absorbing mechanical shock. The vehicle, tiedown system, and auxiliary equipment may sometimes be designated as part of the packaging. (10 CFR 71.4 and 49 CFR 173.403)

Preferred Route or Preferred Highway. A highway for shipment of highway route controlled quantities of radioactive materials so designated by a state routing agency, and any interstate system highway for which an alternate highway has not been designated by such state agency as provided by §177.825(b). (49 CFR 171.8)

Reportable Quantity (RQ). The quantity specified in Column 3, Table 2, of the appendix to §172.101. (49 CFR 171.8)

Safety Analysis Report for Packaging (SARP). A document that provides a comprehensive technical evaluation and review of the design, testing, operational procedures, maintenance procedures, and quality assurance program to demonstrate compliance with the NRC regulatory safety standards, or equivalent standards established by DOE for approving packagings and issuing certificates of compliance. (DOE Order 1540.2)

Special Form. Radioactive material that: (a) is a single solid piece or contained in a sealed capsule that can be opened only by destroying the capsule, (b) has at least one dimension not less than 5 millimeters (0.197 inch), and (c) meets applicable test requirements as defined in 49 CFR 173.469. Special form encapsulations designed in accordance with the requirements of 49 CFR 173.389(g) in effect on June 30, 1983, and constructed prior to July 1, 1985, may continue to be used. [DOE 1540.2 and 49 CFR 173.403(z)]

Type A Packaging. Type A package with its limited radioactive contents. A Type A package does not require competent authority approval, since its contents are limited to A₁ (special form) and A₂ (regular form) radioactive material. Packaging designed to retain the integrity of containment and shielding required by 49 CFR 173, Subpart I, under normal condition of transport as demonstrated by tests set forth in §173.465 and §173.466, as appropriate. (10 CFR 71.4 and 49 CFR 173.403)

Type B Packaging. Packaging for shipping radioactive material greater than Type A quantity. Packaging designed to retain the integrity of containment and shielding required by 49 CFR 173, Subpart I, when subjected to the normal conditions of transport and to hypothetical accidents as set forth in 10 CFR 71. (10 CFR 71.4 and 49 CFR 173.403)

Waste Container. General term for receptacle (i.e., drum, box, can) used to contain radioactive waste. The waste container may or may not be part of the shipping package. (Not a regulatory definition.)

Waste Form. The radioactive waste materials and any encapsulating or stabilizing matrix (10 CFR 60.4). (There is no similar definition for LLW defined in 10 CFR 61.)

Waste Package. Waste form and any containers, shielding, packing and other absorbent materials immediately surrounding an individual waste container. (10 CFR 60.4) (There is no similar definition for LLW defined in 10 CFR 61.)

Greater-Than-Class C Low-Level Radioactive Waste Transportation Regulations and Requirements Study

1. INTRODUCTION

The purpose of this report is to identify the regulations and requirements for transporting greater-than-Class C (GTCC) low-level radioactive waste (LLW) and to identify planning activities that need to be accomplished in preparation for transporting GTCC LLW. A clear understanding of the regulations and requirements for transporting GTCC LLW is vital to implementing a successful shipping campaign. The regulations and requirements for transporting hazardous materials, of which GTCC LLW is included, are complex and include several Federal agencies, state and local governments, and Indian tribes. Without careful and detailed planning, regulatory requirements can be overlooked, resulting in complications including criminal and civil penalties assessed against those involved in the transport activities. Failure to comply could also result in serious schedule delays while issues are being resolved, possibly through the judicial system.

This report is divided into five sections and three appendices. Section 1 introduces the report. Section 2 identifies and discusses the transportation regulations and requirements. The regulations and requirements are divided into Federal, state, local government, and Indian tribes subsections. This report does not identify the regulations or requirements of specific state, local government, and Indian tribes, since the storage, treatment, and disposal facility locations and transportation routes have not been specifically identified.

Section 3 identifies the planning needed to ensure that all transportation activities are in compliance with the regulations and requirements. It is divided into (a) transportation packaging, (b) transportation operations, (c) system safety and risk analysis, (d) route selection, (e) emergency preparedness and response, and (f) safeguards and security. This section does not provide actual planning since the details of the Department of Energy (DOE) GTCC LLW Program have not been finalized, e.g., waste characterization and quantity, storage, treatment and disposal facility locations, and acceptance criteria. Sections 4 and 5 provide conclusions and referenced documents, respectively.

Appendix A shows a table of regulatory requirements from the DOE Headquarters Transportation Roadmap, M92-GT-0709-4,¹ prepared by EM-561, DOE's Transportation Management Division. Appendix B provides an example of typical state government regulations that are representative of requirements that can affect transportation activities. Appendix C is an example of a typical city ordinance restricting the transportation of radioactive materials within the city limits.

2. REGULATIONS AND REQUIREMENTS

The regulations and requirements for shipping GTCC LLW material are the same as for other radioactive material shipments. This section provides general regulations and requirements for radioactive material shipments by addressing Federal, state and local government, and Indian tribes. Additionally, the private sector has certain rights regarding radioactive material shipments that are identified. The table in Appendix A identifies the major regulatory requirements for transportation and DOE's status for compliance with the requirements. The table was prepared by the DOE Office of Environmental Restoration and Waste Management, EM-561, the Transportation Management Division (TMD), as part of a roadmap development process that was done to focus on issue identification, root-cause analysis, and issue resolution.

2.1 Federal

Federal agencies with transportation regulations and requirements that must be satisfied are the Department of Transportation (DOT), Nuclear Regulatory Commission (NRC), DOE, Environmental Protection Agency (EPA), Occupational Safety and Health Administration (OSHA), Interstate Commerce Commission (ICC), Council on Environmental Quality, and others. A listing of the applicable regulations and requirements by agency are as follows:

2.1.1 Department of Transportation (DOT)

DOT has overall responsibility for all modes of public transportation in the U.S. The applicable regulations are specified in 49 CFR 171-180, Hazardous Materials Regulations Research and Special Programs Administration DOT. DOT has primary responsibility for safety in transporting hazardous materials, which includes radioactive materials, in interstate commerce. DOT regulates shippers and carriers and sets design and performance specifications for packages carrying radioactive material.

49 CFR (DOT regulations)

Part 171 General Information, Regulations, and Definitions

This subchapter prescribes the requirements of DOT governing the transportation of hazardous materials by interstate railcar, aircraft, and vessel; and intrastate carriers by motor vehicle as related to hazardous waste and hazardous substances. It defines the requirements for manufacture, fabrication, marking, maintenance, reconditioning, repairing, and testing of packagings and containers that are used for transportation of hazardous materials.

Part 172 Hazardous Materials Tables and Hazardous Materials Communications Regulation

This subchapter prescribes the requirements of DOT governing hazardous material identification, shipping papers, marking, labeling, placarding, and emergency response information.

Part 173 Shippers—General Requirements for Shipments and Packagings

This subchapter prescribes the requirements governing shipper activities by requiring that shipments subject to the hazardous material regulations must be packaged, described, stored, and transported in accordance with the regulations. This part identifies the responsibilities of the shipper to instruct those persons offering hazardous materials for transportation about the applicable regulations.

Part 173 Radioactive Materials
Subpart I

This subpart sets forth requirements for the transportation of radioactive materials by carriers and shippers. The requirements prescribed in this subpart are in addition to other requirements set forth 49 CFR 173 and 10 CFR 71 for the packaging and transportation of radioactive materials.

Part 174 Carriage by Rail

This subpart prescribes requirements to be observed with respect to the transportation of hazardous materials in or on railcars.

Part 177 Carriage by Public Highway

This subpart covers the transportation of hazardous materials by private contract or common motor carriage. It requires that a motor carrier must comply with the hazardous material regulations and thoroughly instruct employees accordingly. These regulations, which govern such matters as packaging, routing, training, loading and unloading, and accident procedures, specifically impact DOE in regards to government-owned contractor-operated (GOCO) operations pursuant to DOE Order 5480.3, and also impact DOE by exempting certain DOE shipments of radioactive materials from regulation for national security purposes.

Parts 383, Federal Motor Carrier Safety Regulations
390–397,
and 399

These subparts prescribe the requirements for drivers operating in interstate commerce, and have direct application to their qualifications and duties. In addition, drivers must comply with the regulations of Part 397 when transporting hazardous materials in local or intercity service.

2.1.2 Nuclear Regulatory Commission (NRC)

NRC regulates the commercial nuclear power industry under the authority of the Atomic Energy Act and the Energy Reorganization Act. NRC's authority extends to regulating safety in receipt, possession, and transfer of radioactive materials.

NRC sets the standards for packages of fissile materials and Type B shipping packages. It designates physical protection requirements to protect against theft and acts of sabotage. NRC's regulatory authority does not extend to DOE transportation operations because DOE is not required to obtain an NRC materials license under the Energy Reorganization Act. However,

DOT requires DOE to use NRC casks or cask standards equivalent to those of NRC [49 CFR 173.7(d)].

General requirements, operating controls and procedures, exemptions, and NRC regulations for certification of Type B packages are specified in 10 CFR 71. Packaging and transportation of radioactive material regulations specify the standards for packaging of Type B, fissile, plutonium, and special form radioactive materials. These standards impose operating controls and procedures and set forth the quality assurance requirements for package design.

General license regulations for Type A packages for fissile material are identified in Subpart C, General Licenses, Sections 71.18 through 71.22 of 10 CFR 71.

NRC requires, in 10 CFR 71.97, advance notification of shipments of nuclear waste prior to transport outside the confines of an NRC-licensed plant. Advance notification is required when (a) Type B packaging is required, (b) material is transported across state boundaries to a disposal site, and (c) the quantity of material exceeds values specified in 10 CFR 71.97(b) (3).

In 10 CFR 30, Transfer of Byproduct Material, NRC defines the requirements for transferring radioactive material yielded in or made radioactive by exposure to the radiation incident to the process of producing or using special nuclear material (SNM). It requires that the shipper verify that the receiver be authorized to receive the material prior to making the shipment.

Periodically, NRC issues regulatory guides to NRC regulations, including transportation packages. The purpose of these guides is to clarify the regulations and to aid in the preparation of applications so that applicants can thoroughly and completely demonstrate that they meet NRC regulations prior to submittal for approval by NRC. Examples of these regulatory guides are:

- 7.4 Leakage Tests on Packages for Shipment of Radioactive Materials
- 7.8 Load Combinations for the Structural Analysis of Shipping Casks
- 7.9 Standard Format and Content of Part 71, Applications for Approval of Packaging of Type B, Large Quantity, and Fissile Radioactive Material
- 7.10 Establishing Quality Assurance Programs for Packaging Used in the Transportation of Radioactive Material.

The requirements for reporting transfer of nuclear material are provided in NUREG/BR-0006, Revision 3, *Instructions for Completing Nuclear Material Transaction Reports and Concise Note Forms*. NRC and DOE jointly use the Nuclear Materials Management and Safeguards System (NMMSS). Common reporting forms, DOE/NRC Form 741, Nuclear Material Transaction Report, are used to provide nuclear material data to meet the reporting requirements of both NRC and DOE. The NRC reporting requirements are found in (a) 10 CFR 40, Domestic Licensing of Source Material, (b) 10 CFR 74, Domestic Licensing of Special Nuclear Material, (c) 10 CFR 75, Safeguards on Nuclear Material—Implementation of US/IAEA Agreement, and (d) 10 CFR 150, Exemptions and Continued Regulatory Authority in Agreement States and in Offshore Waters Under Section 274.

2.1.3 Department of Energy (DOE)

DOE orders govern all DOE operations and apply to DOE and DOE contract operations. The following are DOE orders and other documents that pertain to transportation:

1300.2A Department of Energy Technical Standards Program

Establishes policy, assigns responsibility, and provides requirements for development and application of technical standards in DOE facilities, programs, and projects; provides for participation in nongovernment standards bodies; provides for the establishment of a DOE technical standards program; and assigns the responsibility for the management of the DOE-wide technical standards program.

1540.1 Materials Transportation and Traffic Management

Establishes policy and procedures for management of transportation activities, including traffic management.

1540.2 Hazardous Material Packaging for Transport—Administrative Procedures

Establishes administrative procedures for the certification and use of radioactive and other hazardous materials packaging. DOT requires DOE to use NRC casks or cask standards equivalent to those of NRC [49 CFR 173.7(d)].

5000.3B Occurrence Reporting and Processing of Operations Information

Establishes a system for reporting of operations information related to DOE-owned or operated facilities, and processing of that information, to provide for appropriate corrective action in accordance with the policy set forth in the Order.

5440.1E National Environmental Policy Act Compliance Program

Sets forth the provisions for implementation of the National Environmental Policy Act.

5480.3 Safety Requirements for the Packaging and Transportation of Hazardous Materials, Hazardous Substances, and Hazardous Wastes

Establishes safety requirements for the packaging and transportation of hazardous materials, substances, and wastes.

5480.5 Safety of Nuclear Facilities

Establishes nuclear facility safety program requirements to ensure that (a) nuclear facilities are sited, designed, constructed, modified, operated, maintained, and decommissioned in accordance with generally uniform standards, guides, and codes that are consistent with those applied to

comparable licensed nuclear facilities; (b) radioactive and fissionable materials are produced, processed, stored, transferred, or handled in such a manner that the probability of an accident is acceptably low; (c) an environment, safety, and health (ES&H) program is established in accordance with the requirements stipulated in Paragraphs 8 through 13 of the Order; (d) ES&H matters are comprehensively addressed and receive an objective review, with all identifiable risks reduced to acceptably low levels, and management authorization of the operation is documented; (e) consideration is given to all potential criticality hazards associated with fissionable material operations outside nuclear reactors; and (f) government property and essential operations are protected from the effects of potential accidents.

5480.23 Nuclear Safety Analysis Report

Establishes requirements for contractors responsible for the design, construction, operation, decontamination, or decommissioning of nuclear facilities to develop safety analyses that establish and evaluate the adequacy of the safety bases of the facilities. The nuclear safety analysis report required by this Order documents the results of the safety analysis.

5500.1B Emergency Management System

Establishes overall policy and requirements for the DOE Emergency Management System (EMS). The EMS provides the framework for development, coordination, and direction of planning, preparedness, and readiness assurance activities. This Order addresses responses to operational, energy, and continuity of government emergencies involving DOE or requiring DOE assistance.

5500.2B Emergency Categories, Classes, Notification, and Reporting Requirements

Establishes DOE emergency categories, classes, and notification and reporting requirements to facilitate the communication and reporting of emergency events.

5500.3A Planning and Preparedness for Operational Emergencies

Establishes the requirements for planning and preparedness for operational emergencies involving DOE or requiring DOE assistance. It identifies the interface and coordination requirements for (a) Federal, state, tribal, and local agencies, (b) organizations responsible for offsite emergency response, and (c) protection of the environment, health, and safety of the public.

5500.4 Public Affairs and Planning Requirements for Emergencies

Establishes requirements and guidelines for DOE public affairs actions in emergency situations and applies to DOE, its power administration, petroleum reserves, GOCOs, and other facilities where DOE is responsible for public health, safety, and the environment.

- 5500.10 Emergency Readiness Assurance Program**
- Establishes the requirements of the Emergency Readiness Assurance Program with a goal of ensuring that the DOE EMS is ready to respond promptly, efficiently, and effectively to any emergency involving DOE facilities or requiring DOE assistance.
- 5632.2A Physical Protection of Special Nuclear Material and Vital Equipment**
- Prescribes the DOE policy for the physical protection of SNM and vital equipment, including nuclear reactors, and establishes baseline requirements and standards for those security interests.
- 5632.5 Physical Protection of Classified Matter**
- Establishes DOE policy and objectives for the physical protection of classified matter and establishes the baseline requirements and standards for those interests. It applies to all DOE elements, contractors, and subcontractors performing work for DOE.
- 5633.3 Control and Accountability of Nuclear Materials**
- Prescribes the DOE minimum requirements and procedures for control and accountability of nuclear materials.
- 5700.6C Quality Assurance**
- Establishes (a) basic quality assurance policy for DOE, (b) quality assurance programs and plans to be used by DOE contractors for research, development, design, production, construction, installation, test, operation, maintenance, deactivation, and decommissioning activities that will contribute significantly to the achievement of project and program objectives in a safe, reliable, and predictable manner, and (c) coordination and standardization, where appropriate, of quality assurance procedures and practices of DOE contractors to improve performance and ensure consistent application in interfacing matters.
- 5820.2A Radioactive Waste Management**
- Establishes policies, guidelines, and minimum requirements by which DOE manages its radioactive, mixed waste, and contaminated facilities.
- DOE/ID-10500 *DOE Hoisting and Rigging Manual***
- A document to be used by supervisors, line managers, safety personnel, equipment operators, and any other personnel responsible for safety during hoisting and rigging operations at DOE sites. The manual identifies OSHA and American National Standards Institute (ANSI) requirements, codes, standards, and regulations for hoisting and rigging. Use of the manual is not required; however, its use is strongly recommended.

2.1.4 Environmental Protection Agency (EPA)

The EPA is responsible for environmental quality. It requires documentation assessing the anticipated environmental impact of the shipments and the maximum potential environmental impact of the worst-case scenario. Environmental regulations are presented in 40 CFR.

40 CFR

Parts 260 to 299 Solid and Hazardous Waste Regulations

Solid and hazardous waste regulations of the Resource Conservation and Recovery Act (RCRA) contain provisions authorizing the states to regulate the treatment, disposal, and storage of solid and hazardous wastes. The EPA governs the activities of Federal agencies and contractors, and has responsibility for the proper identification and classification of wastes and for proper preparation of the manifest. It requires the carrier to obtain a waste hauler identification number from the EPA, and the carrier must receive proper permits prior to tendering hazardous waste shipments.

The primary objective of RCRA is to protect human health and the environment. RCRA provides a cradle-to-grave tracking system of hazardous waste from the generator to those who transport, treat, store, or dispose of waste. Anyone who generates, transports, treats, stores, or disposes of hazardous waste must comply with RCRA.

Part 302 Designation, Reportable Quantities, and Notification

This regulation designates, under Section 102(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), those substances in the statutes referred to in Section 101(14) of the Act; identifies reportable quantities for those substances; and sets forth the notification requirements for releases of these substances. This regulation also sets forth reportable quantities for hazardous substances designated under Section 311(b)(2)(A) of the Clean Water Act.

Part 355 Emergency Planning and Notifications

The Emergency Planning and Notification Order of CERCLA establishes the list of extremely hazardous substances threshold quantities and outlines the notification responsibilities and implementation of state and local emergency response plans. CERCLA imposes reporting requirements on owners and operators of vessels and facilities. Releases of reportable quantities of hazardous substances must be reported, and the responsible party must clean them up.

2.1.5 Occupational Safety and Health Administration (OSHA)

The Department of Labor administers OSHA regulations specified in 29 CFR. These regulations are intended to ensure, so far as possible, that all employees have safe and healthful working conditions, and are intended to preserve human resources.

29 CFR

1910.38 Employee Emergency Plans and Fire Protection Plans

Establishes OSHA requirements for preparing emergency action and fire prevention plans. It defines the elements, alarm systems, evacuation, training, housekeeping, and maintenance requirements that are required for the plans.

1910.120 Hazardous Waste Operations and Emergency Response

Establishes the requirements for emergency response operations for release of, or substantial threats of release of, hazardous substances without regard to the location of the hazard. It defines (a) the safety and health program, (b) site characterization and analysis, (c) training, (d) medical surveillance, (e) engineering controls, work practices, and personal protection equipment for employee protection, (f) monitoring, (g) informational programs, (h) handling drums and containers, (i) decontamination, (j) emergency response by employees at uncontrolled hazardous waste sites, (k) illumination, (l) sanitation at temporary work, (m) new technology programs, (n) certain operations conducted under RCRA, and (o) emergency response to hazardous substance releases.

Subpart I Personal Protective Equipment

Establishes the protective equipment requirements (personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, protective shields), and establishes barriers to be used and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants, encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation, or physical contact.

Subpart N Material Handling and Storage

Establishes the material handling and storage requirements; includes the use of mechanical equipment, e.g., lifting equipment, storing material safely, housekeeping, clearance limits, blocking railcars, and guards for holes. It also covers servicing of rim wheels, lifting equipment, gear, and operations.

1910.1200 Hazardous Communications

Mandates employee training on the subject of emergency response. Hazardous materials manufacturers must disclose the exact chemical composition of

substances in the event of a release. Its purpose is to ensure that the hazards of all products, domestic or import, are evaluated, and that information concerning those hazards is transmitted to the employees.

2.1.6 Interstate Commerce Commission (ICC)

The ICC regulations are found in 49 CFR 1000–1399. The ICC has jurisdiction over the economic (cost) aspects of shipping radioactive material, such as regulating carrier rates.

2.1.7 Council on Environmental Quality

The Council on Environmental Quality implementing regulations are found in 40 CFR 1500–1508. The provisions require appropriate National Environmental Policy Act (NEPA) reviews of programs and projects to support decisionmaking. The NEPA review determines whether proposed actions are categorically excluded (55 FR 46458) or require preparation of an environmental impact statement (EIS) or environmental assessment (EA).

2.1.8 Other Federal Agencies

The U.S. Postal Service, U.S. Coast Guard, and Association of American Railroads also have regulations affecting the handling and transport of radioactive material.

2.1.9 Standards and Codes

NRC invokes selected ANSI standards and American Society of Mechanical Engineers (ASME) codes and code cases. Primarily, these come from the ANSI N14 series and the sections of the *ASME Boiler and Pressure Vessel Code*. DOE also requires that nongovernment standards, like these, be followed if appropriate. The following is a list of some of the standards that may be appropriate for transportation activities:

- American National Standard Institute (ANSI)
 - N14 Guide Administrative Guide for the Liability Insurance Aspects of Shipping Nuclear Materials
 - N14.1 Nuclear Materials—Uranium Hexafluoride—Packaging for Transport
 - N14.5 Radioactive Materials—Leakage Tests on Packages for Shipment
 - N14.6 Radioactive Materials—Special Lifting Devices for Shipping Containers Weighing 10,000 Pounds (4,500 kg) or More
 - N14.19 Nuclear Materials—Irradiated Fuel Shipping Casks—Ancillary Features
 - N14.24 Highway Route Controlled Quantities of Radioactive Materials—Domestic Barge Transport
 - N14.27 Truckload Quantities of Radioactive Materials—Carrier and Shipper Responsibilities and Emergency Response Procedures for Highway Transportation Accidents

N14.29 Radioactive Materials—Guide for Writing Operating Manuals for Packaging (Revision and Redesignation of ANSI N679-76)

N14.30 Design, Fabrication and Maintenance of Semi-Trailers Employed in the Highway Transport of Weight—Concentrated Radioactive Loads

- American Society of Mechanical Engineers *ASME Boiler and Pressure Vessel Code*

Section III Rules for Construction of Nuclear Power Plant Components (Subsection NF)

Section V Nondestructive Examination

Section VIII Rules for Construction of Pressure Vessels

Section IX Qualification Standard for Welding and Brazing Procedures, Welders, Brazers, and Welding and Brazing Operators.

2.2 State and Local Governments and Private Sector

State and local governments have a legitimate concern about hazardous materials being transported through their area of responsibilities. They are responsible for the health and welfare of citizens and the environment, and for responding to accidents. DOE policy is to comply with applicable state and local regulations and ordinances. However, a determination of "applicable" may need to be defined by the judicial system as state and local governments become more aggressive in (a) regulating times and routing through populated areas, (b) requiring surveys of shipments entering and leaving the states, (c) escorting the shipments, (d) collecting fees, (e) requiring special permits, e.g., oversized loads, and (f) enforcing current regulations.

The Hazardous Materials Transportation Act (HMTA), the responsibility of DOT, allows states and local governments to regulate the transport of hazardous materials except when those regulations have been preempted by HMTA or any other Federal law (49 CFR 171.1, 390, Subpart A, and 397.3).

The private sector has rights to most information under the Freedom of Information Act, however, private parties do not have rights to shipment schedule information. Withholding of technical or procedural information is not permissible. The private sector can comment on all technical and safety aspects of the campaign; their comments have to be addressed.

Appendix B is an example of state-imposed regulations that pertain to all transportation activities within the state's boundaries. Appendix C is an example of a city ordinance restricting the time of day radioactive material can be transported within city limits. This ordinance was passed in response to the route selected for transporting transuranic waste to the Waste Isolation Pilot Plant. DOE is committed to working with state and local governments to accommodate their special needs. However, if every state, county, city, and town along a route imposed similar regulations, the transportation action would be so restrictive that making shipments would not be possible and the delays could result in additional risks to the public.

2.3 Indian Tribes

Indian tribes, like state and local governments, have a legitimate concern about hazardous materials being transported through their areas of responsibilities. They are also responsible for the health and welfare of their citizens and the environment, and for responding to accidents. DOE's policy is to comply with applicable Indian tribe regulations. However, a determination of "applicable" may need to be defined by the judicial system as tribes become more aggressive in regulating hazardous material shipments.

The HMTA, the responsibility of DOT, allows Indian tribes to regulate the transport of hazardous materials except when those regulations have been preempted by HMTA or any other Federal law (49 CFR 171.1).

3. COMPLIANCE PLANNING

To ensure that the GTCC LLW shipments are made in accordance with the regulations and requirements, it is critical that detailed planning be done. This section addresses key transportation activities and requirements; it identifies planning that may be done to ensure that the regulatory requirements are met. The transportation activities identified in this section are transportation packaging, transportation operations, system safety and risk analysis, route, emergency preparedness and response, and safeguards and security.

3.1 Transportation Packaging

DOT has responsibility for safety in the transport of radioactive materials in interstate commerce. Packaging standards and package content limits for radioactive material are promulgated by DOT under 49 CFR 173. NRC sets the standards for packages of fissile materials and Type B shipping packages. NRC has responsibility for certifying transport containers containing radioactive material quantities above specified activity levels, called Type B quantities. NRC requirements for certification of Type B packages are specified in 10 CFR 71. DOE, through administrative orders, provides standards and procedures for packaging radioactive material owned by or under control of the DOE. DOE's authority to certify packaging is found in 49 CFR 173.7(d). DOE Order 5480.3 requires that Type B packaging used by DOE or its contractors meet the standards specified in 10 CFR 71.

DOT, in 49 CFR 173, generally defines packaging requirements based on the radioactivity level of the contents. A_1 means the maximum activity of special form material permitted in a Type A package. A_2 means the maximum activity of radioactive material, other than special form or low specific activity radioactive material, permitted in a Type A package. Testing regulations for Type A packaging are identified in 49 CFR 173.465. Special form is radioactive material that has been demonstrated to satisfy specified conditions that limit material mobility. Quantities above A_1 or A_2 must be packaged in Type B packaging. Significant quantities of GTCC LLW are likely to require Type B packages.

Type B packages must be reviewed and certified by NRC or DOE. NRC requirements are specified in 10 CFR 71. Certification requires submission of a safety analysis report for packaging (SARP), which describes the package and demonstrates that it will meet stringent performance requirements under normal and accident conditions specified in the regulation. The SARP must address the following topics: general information, structural evaluation, thermal evaluation, containment, shielding, criticality, operating procedures, and acceptance and maintenance programs. Specific requirements for a comprehensive quality assurance program for the design, fabrication, use, maintenance, and decommissioning of a Type B package are defined in 10 CFR 71, Subpart H. DOE certification requirements are identified in DOE Order 1540.2. Those requirements are basically the same as the regulations imposed by NRC. Both NRC and DOE require that applicable standards, i.e., ANSI, ASME, etc., and regulatory guides be used for designing, fabricating, certifying, and handling Type B packages.

The planning documentation needed to ensure that transportation packaging requirements are met includes:

- SARP for Type B packaging
- Operations and maintenance manual for the packaging and supporting equipment

- Detailed operating procedures (DOPs) for loading, unloading, maintenance and inspections of the packaging
- Quality assurance plan.

3.2 Transportation Operations

Transportation operations are primarily governed by DOT, NRC, DOE, EPA, and OSHA. DOT requires that a shipper complete the following steps before releasing a shipment: (a) identify the material and whether that material is a hazardous substance and waste, (b) determine the hazard class, identified in the Hazardous Materials Table (HMT) in 49 CFR 172.101, (c) determine the proper shipping name found in the HMT, (d) select the identification number that corresponds to the proper shipping name and hazard class found in the HMT, (e) determine the mode of transport and identify any restrictions, (f) determine and select the proper package, (g) prepare shipping papers per the requirements in 49 CFR 172.200 through 172.205, (h) certify, per 49 CFR 172.204, that the material being shipped is properly classified, described, packaged, marked, and labeled, and is in proper condition for transport according to applicable DOT regulations, (i) mark the package in accordance with 49 CFR 172.300, (j) select and affix proper labeling per 49 CFR 172.400, (k) placard the shipment correctly according to 49 CFR 172.500, and (l) load, block, and brace the package properly to the transport vehicle. Figure 1 illustrates a decision diagram that can be used to help determine the appropriate shipping packaging and associated regulations.

Additional requirements for the shipper include (a) conducting training, (b) making notifications to the receiver, state and local governments, and Indian tribes, as required, (c) keeping records, (d) maintaining a 24-hour emergency response telephone number, (e) providing the carrier with written instructions, appropriate shipping documentation, and written emergency response procedures, as required, (f) providing the receiver with information pertaining to the waste classification and characterization and special unloading instruction, if needed, and (g) tracking surveillance, if needed.

The carrier responsibilities include (a) inspecting all transportation equipment for safety prior to leaving the point of origin, including tiedowns; additional inspections may be made by Federal, state, or local competent authorities, if authorized; (b) ensuring that the vehicle is properly placarded; (c) ensuring that the routes minimize radiological risk; and (d) training the truck drivers or train operators in the operation of their mode of transportation, emergency conditions, and procedures. To ensure that the truck drivers have pertinent regulations readily available, the American Trucking Association provides a pocket-size booklet that is carried with the drivers during transport. The booklet, entitled *Federal Motor Carrier Safety Regulations*,² contains 49 CFR 383, 390–397, and 399 regulations.

The receiver must (a) respond to arrival notifications by being ready to process the papers necessary to receive, take title to, and process the material, (b) have personnel ready to physically accept the waste, (c) inspect and confirm that the payload corresponds to the shipping and title records, and (d) provide the shipper and the transporter with all the receipts and releases, and other documentation needed to meet all legal, regulatory, and administrative requirements for each waste shipment.

Assumptions: A. Dedicated transporters will be used.

B. All Radioactive Materials are Normal Form, A2; Special Form, A1, has higher limits.

Figure 1. Decision diagram for determining the appropriate shipping packaging for normal form radioactive material.

The following DOE orders require that DOE shipments be made in accordance with DOT regulations: 1540.1, 1540.2, and 5480.3. DOE may be directed to enter into consultation and cooperation agreements with transportation corridor states, tribes, and local authorities. It may be necessary to develop some components of the transportation system to meet the special needs of the program. If so, DOE will be responsible for the development of the transportation components and for compliance with the applicable regulations.

Highway route controlled quantities of radioactive materials, as defined in 49 CFR 173.403(l), have additional special requirements. These requirements include a route plan and special training for the driver as defined by 49 CFR 177.825. Highway route controlled quantities of radioactive materials also have special placarding requirements.

The NRC regulations involving radioactive material shipments are found in 10 CFR 71, Subpart G, Operating Controls and Procedures, §71.81 through §71.99. This subsection covers (a) applicability of operating controls and procedures, (b) assumptions as to unknown properties, (c) preliminary determination, (d) routine determination, (e) air transport of plutonium, (f) opening instructions, (g) records, (h) inspections and tests, (i) reports, (j) advance notifications of shipment of nuclear waste, and (k) violations.

Transporting hazardous waste requires that (a) EPA Form 8700.22, and when required Form 8700.22a, Hazardous Waste Manifest, be prepared in accordance with 40 CFR 262.20 (see 49 CFR 172.205), and (b) each package and container be marked as required by 49 CFR 172.300. Markings must also comply with EPA requirements described in 40 CFR 262.32.

In the event of an accident, the spill-reporting requirements in 49 CFR 171.15, Immediate Notice of Certain Hazardous Materials Incidents, require carriers to immediately report to DOT any incident during loading, temporary storage, transportation, or unloading in which, as a result of hazardous materials, (a) a person is killed, (b) personal injuries require hospitalization, (c) property damage is estimated to exceed \$50,000, (d) fire, breakage spillage, or suspected contamination occurs involving radioactive materials, and (e) situation results in a continuing danger to life at the incident scene. Additional reporting requirements are found in 49 CFR 171.16, Detailed Hazardous Materials Incident Report; 40 CFR 302.6 and 49 CFR 171.15, EPA Special Reporting Requirements for Hazardous Substance Discharges; 40 CFR 355.401, Reporting Requirements for Discharges of Extremely Hazardous Substances; and 40 CFR 355.40.(b)(3), Follow-Up Notice Requirements.

DOE's reporting requirements for occurrences are found in DOE Order 5000.3B. Occurrences are all events that could (a) affect the health and safety of the public, (b) have a serious impact on the intended purpose of DOE facilities, (c) have a noticeable adverse effect on the environment, or (d) endanger the health and safety of workers. This Order also establishes a system for determining appropriate corrective action and for ensuring that such action is effectively taken. Specifically, DOE Order 5000.3B requires:

- Timely identification, categorization, notification, and reporting to DOE and contractor management of all reportable occurrences at DOE-owned or operated facilities
- Timely evaluation of and implementation of appropriate corrective actions

- Maintenance of a central DOE operational data base containing all occurrence reports
- Review of reportable occurrences to assess significance, root causes, generic implications, and the need for corrective action
- Dissemination of occurrence reports to DOE operations and facilities to prevent similar occurrences.

Planning that could be done to ensure that all of the transportation operating requirements are satisfied includes:

- Operations transportation plan that addresses:
 - Communication between transport vehicle and traffic management
 - Shipment tracking in transit
 - Security
 - Emergency notification
 - Shipment routing
 - Shipment notification
 - Driver training and qualifications
 - Vehicle maintenance and inspection
 - State and/or Indian tribe surveillance
 - Inspection and recertification of transport packaging
 - Worker hazardous communications and protection
 - Loading and unloading procedures
- Transportation management and operation plan
- Quality assurance plan for the transportation and receipt
- Waste transportation policies and procedures manual
- Coordination center transportation monitoring responsibilities manual
- Hazardous material transportation safety training procedures
- DOPs for loading, unloading, maintenance, and inspections, etc.
- Records management procedures.

3.3 System Safety and Risk Analysis

The DOE GTCC LLW Program is subject to the provisions of NEPA (P.L. 96-196) and the Council on Environmental Quality implementing regulations (40 CFR 1500-1508) and DOE orders (DOE Order 5440.1E). The provisions require appropriate NEPA reviews of programs and projects to support decisionmaking. The NEPA review determines whether proposed actions are categorically excluded or require preparation of an EIS or EA. Ideally, DOE's GTCC LLW Program activities (including packaging and transportation) are addressed in a programmatic NEPA document. However, a treatment, storage, or disposal (TSD) facility NEPA document

might also include transportation issues. If the proposed packaging and transportation activities are not a component of a program or project requiring an EA or EIS, and the transportation is onsite or is routine transportation to an existing TSD, it may qualify for a proposed categorical exclusion (55 *FR* 46458). Possible planning documentation includes an EIS, or EA, or a transportation section in the facility EIS or EA.

3.4 Route

DOT requires (in 49 CFR 177.825, Routing and Training Requirements for Radioactive Materials) that a carrier transporting radioactive material must be placarded and must use a route that minimizes radiological risk. Route determination must be based on information regarding accident rates, transit time, population density and activities, time of day, and day of week during which transportation will occur. The carrier must inform the driver that the driver is transporting a radioactive shipment and must identify a general route to be taken. 49 CFR 397.9 requires that transport of hazardous materials must avoid heavily populated areas, assembled crowds, tunnels, narrow streets, and alleys if possible.

Transporting highway route controlled quantities of radioactive material, as defined in 49 CFR 173.403(l), requires the use of preferred routes [interstate system highways or a state routing agency designated route (49 CFR 171.8)]. Deviations are allowed for (a) emergency conditions that would make continued use of the preferred route unsafe, (b) necessary rest, fuel, and vehicle repair stops, and (c) pick up, delivery, or transfer, to the extent necessary, of a highway route controlled quantity package of radioactive materials.

Highway route controlled quantity shipments must have a written route plan as defined in 49 CFR 177.825(c). The route plan must contain (a) origin and destination points, the route, all planned stops, and estimated departure and arrival times, and (b) telephone numbers to access emergency assistance in each state to be entered. Any variation between the route plan and routes actually used, and the reason for the variation has to be reported in an amendment to the route plan delivered to the shipper, as soon as practicable, but within 30 days following the deviation.

Except for packages shipped in compliance with the physical security requirements of NRC stated in 10 CFR 73, each carrier who accepts a highway route controlled quantity of radioactive material for transport, must file information identified in 49 CFR concerning the transportation of each package with the Director, Office of Hazardous Materials Transportation, RSPA, within 90 days following the acceptance of the package. A route plan that includes all required amendments reflecting the routes actually used is required.

3.5 Emergency Preparedness and Response

The overall responsibility for responding to any type of transportation emergency, i.e., chemical, radiological, etc., belongs to the state and local governments where it occurs. State and local governments have police, firefighters, medical, and emergency management capabilities for responding to emergencies. In the event of a major emergency, the state can request assistance from several Federal agencies to provide expertise and specialized equipment. The commercial sector also has capabilities available to assist in the event of an emergency.

DOE Order 5500.3A states that, where possible, interrelationships with Federal, state, tribal, and local organizations must be prearranged and documented in formal plans, agreements, understandings, and other prearrangements for mutual assistance. These documents detail the emergency measures to be provided by non-DOE entities. State, tribal, and local governments should be encouraged to prepare their own response plans where the emergency planning zone extends beyond DOE boundaries. If state, tribal, and local governments refuse to participate, DOE should include probable state and local response activities in DOE plans.

As part of the Emergency Management System (EMS), DOE and DOE contractors shall establish and maintain emergency management programs consisting of plans and procedures for response to operational emergencies involving or affecting DOE facilities, including DOE transportation activities. These emergency management programs must be commensurate with the assessment of potential hazards and targets, and must include the following elements: (a) emergency response organization, (b) offsite response interfaces, (c) operational emergency event classes, (d) notification, (e) consequence assessment, (f) protective actions, (g) medical support, (h) recovery and reentry, (i) public information, (j) emergency facilities and equipment, (k) training, (l) drills and exercises, and (m) program administration. Further, DOE elements and the managers/administrators of DOE- or contractor-operated facilities shall establish emergency readiness assurance programs, as set forth in DOE Order 5500.10.

DOT emergency response information and telephone number requirements are found in 49 CFR 172, Subpart G, Emergency Response Requirements, 172.600 through 172.604.

EPA requirements are found in 40 CFR 265.50, Subpart D, Contingency Plan and Emergency Procedures. Subpart D defines content, copies, amendments, emergency coordinator, and procedures for the contingency plan.

Emergency response and preparedness for the GTCC LLW shipments should be integrated with other DOE programs to avoid redundant planning. The following are examples of this generic planning:

- Emergency response and recovery roles and responsibilities for transportation incidents.
- Emergency plan/RCRA contingency plan.
- Strategy for training assistance to state, tribal, and local governments.
- Emergencies public affairs policy and planning requirements.
- Emergency public affairs plan.
- Transportation institutional plan (TIP). The TIP identifies emergency response, inspection, and enforcement issues, and provides a foundation for issue discussion and resolution processes that prove instrumental in developing a strategy document. These include:
 - Defining roles and responsibilities
 - Defining potential emergency situations

- Defining first responder actions
- Developing system of inspections
- Developing a set of inspection criteria
- Determining training needs by assessing existing training programs, certification or standards process, timing of training
- Determining the definition of assistance
- Determining eligibility for assistance
- Assessing potential funding and assistance mechanisms.

3.6 Safeguards and Security

The requirements for reporting transfer of nuclear material are provided in NUREG/BR-0006, Revision 3, *Instructions for Completing Nuclear Material Transaction Reports and Concise Note Forms*. NRC and DOE jointly use NMMSS. Common reporting forms, DOE/NRC Form 741, Nuclear Material Transaction Report, are used to provide nuclear material data to meet the reporting requirements of both NRC and DOE.

NRC identifies two types of nuclear material that fall within the safeguards and security requirements. The two categories are (a) source materials (depleted uranium, natural uranium, or thorium) and (b) SNM (U-233, U-235, or plutonium). The NRC requires that any inventory adjustment involving one kilogram or more of source material or one gram or more of SNM be reported using DOE/NRC Form 741. Reports are also required whenever nuclear material in the above types and amounts are transferred to or from nuclear waste sites (i.e., if the shipper or receiver, reporting identification symbol, begins with the letter V).

The DOE reporting requirements for DOE-owned (leased, loan, contract) materials are covered in the DOE 5630 Order series. Specifically, DOE requires that all nuclear materials be controlled and accounted for as required by the orders. DOE identifies, in DOE Order 5633.3, three types of nuclear materials: source, SNM, and other nuclear materials. Detailed information on reporting requirements can be found in DOE Order 5633.5. Submission of DOE/NRC Form 741 is normally required as a matter of contract or lease administration for all DOE-owned nuclear material transferred, regardless of quantity.

Assuming that there is accountable material that needs to be reported and that there are no special requirements for GTCC LLW, it is recommended that arrangements be made for the originator to declare the material as waste and formally delete it from the records prior to transport to the storage or disposal facility. DOE and NRC will need to agree on the process for deleting the accountable material from the records.

4. CONCLUSIONS

Transporting GTCC LLW will involve a complex maze of regulations and requirements dictated by several Federal agencies, state and local governments, and Indian tribes. Having a clear understanding of the regulations and requirements is critical to having a successful shipping campaign. This report identifies the major requirements and planning activities needed to ensure a shipping campaign with minimal issues. The planning activities are summarized as follows:

- **Transportation packaging**
 - **SARP for Type B packaging**
 - **Operations and maintenance manual for the packaging and supporting equipment**
 - **DOPs for loading, unloading, maintenance, and inspections of the packaging**
 - **Quality assurance plan**
- **Transportation operations**
 - **Operations transportation plan**
 - **Transportation management and operation plan**
 - **Quality assurance plan for transportation and receipt**
 - **Waste transportation policies and procedures manual**
 - **Coordination center transportation monitoring responsibilities manual**
 - **Hazardous material transportation safety training procedures**
 - **DOPs for loading, unloading, maintenance, inspections, etc.**
 - **Records management procedures**
- **System safety and risk analysis**
 - **Possible EIS or EA or transportation section in the facility EIS or EA**
- **Route**
 - **Route plan, if required**
- **Emergency preparedness and response**
 - **Emergency response and recovery roles and responsibilities for transportation incidents**

- **Emergency plan/RCRA contingency plan**
- **Strategy for training assistance to state, tribal, and local governments**
- **Public affairs policy and planning requirements for emergencies**
- **Emergency public affairs plan**
- **Transportation institutional plan**
- **Safeguards and security**
 - **DOE/NRC agreement on disposition of accountable material.**

5. REFERENCES

1. *Headquarters Transportation Roadmap, Volume I: Assessment Phase*, M92-GT-0709-Coy, U.S. Department of Energy, September 1992.
2. American Trucking Association, *Federal Motor Carrier Safety Regulations*, Parts 383, 390-397, and 399, U.S. Department of Transportation, Federal Highway Administration, current version.

Appendix A

Table of Regulatory Requirements

(Extracted from U.S. Department of Energy *Headquarters
Transportation Roadmap*, M92-GT-0709-Coy, September 1992; prepared
by EM-561, Transportation Management Division.)

**U.S. DEPARTMENT OF ENERGY
HEADQUARTERS TRANSPORTATION ROADMAP
ASSESSMENT PHASE**

**REGULATORY
REQUIREMENTS**

The Regulatory Requirements Document identifies requirements applicable to TMD. It briefly describes each regulation and provides information on compliance status.

The purpose of identifying the regulatory requirements in this document is to convey the regulatory status of TMD and to provide substantive support for issues, needs, and activities identified in the Analysis Phase.

The Regulatory Requirements Document provides a resource that can help identify and/or substantiate issues and their priorities. Applicable Federal, state, and local regulatory requirements have been included.

Status of DOE Compliance with Major Regulatory Requirements			
Regulation	Title and Authority	Description	DOE in Compliance?
TRANSPORTATION STATUTES			
49 U.S.C. 10101	The Motor Carrier Act of 1935	The Motor Carrier Act of 1935 amended the Interstate Commerce Act and provides for the regulation of the transportation of passengers and property by motor carriers operating in interstate and foreign commerce.	Yes
49 U.S.C. 10101	Interstate Commerce Act Interstate Commerce Commission	Regulates all modes of transportation, promotes safe, adequate, economical and efficient service, fosters sound economic conditions among the carriers, maintains reasonable rates and charges and prevents unfair advantages or destructive competition. Encourage fair wages and working conditions and to adequately meet the needs of commerce of the United States, the Postal Service and the national defense.	Yes
49 U.S.C. 1651 et seq.	Department of Transportation Act of 1966 DOT	Transferred all safety-related functions from the Interstate Commerce Commission to the DOT and combined the activities of the Federal Maritime Administration and the Federal Aviation Administration. As a result the DOT has plenary jurisdiction over all matters pertaining to these transportation modes and related activities, except those related to operating authorities and economic regulation which remain with the ICC.	Yes
49 U.S.C. 1801	Hazardous Materials Transportation Act of 1975 DOT/Research and Special Programs Administration	Established the regulations which are administered by RSPA governing the transportation of hazardous materials in interstate, intrastate and foreign commerce.	Yes
23 U.S.C. 402, 403	Motor Carrier Safety Assistance Program (MCSAP) Federal Highway Administration	Motor Carrier Safety Assistance Program (MCSAP)	Yes
22 U.S.C. 3201	The United States Customs Service Act U.S. Treasury/Customs Service	The United States Customs Service Act.	Yes
TRANSPORTATION REGULATIONS			
49 CFR 171-180	The Hazardous Materials Regulations (HMR) DOT/Research & Special Programs Administration (RSPA)	Defines the regulatory and enforcement authority of the Secretary of Transportation to protect the nation against the risks inherent in the offering to, and transportation of, hazardous materials by air, rail, vessel and motor carrier, in interstate, intrastate and foreign commerce. These regulations govern the activities of federal agencies and contractors when engaged in the transportation of hazardous materials in commerce. *Note: Corrective measures being taken where necessary to come into compliance with DOT interpretation of these regulations as they pertain to GOCO operations in commerce.	See *Note

Status of DOE Compliance with Major Regulatory Requirements			
Regulation	Title and Authority	Description	DOE in Compliance? See *Note
49 CFR 173	Shippers -- General Requirements for Shipments and Packaging DOT/RSPA	Specifically govern shipper activities by requiring that shipments subject to the HMRs must be packaged, described, stored and transported in accordance with the regulations. This part makes DOE responsible as the shipper to instruct those persons offering hazardous materials for transportation concerning the applicable regulations. This regulation exempts certain DOE shipments of radioactive materials from the regulations for national security purposes. *Note: Corrective measures being taken where necessary to come into compliance with recently promulgated regulations under HM-181.	See *Note
49 CFR 174	Regulations Governing Carriage By Rail DOT/RSPA	Specifically regulates the transportation of hazardous materials in or on rail cars to ensure that a rail carrier performs the duties specified in compliance with the HMRs, and instructs its employees accordingly. It governs the preparation of shipping papers, handling and loading requirements and specifies the handling requirements for certain extraordinarily hazardous products, including radioactive materials. *Note: Corrective measures being taken where necessary to come into compliance with recently promulgated regulations under HM-181.	See *Note
49 CFR 175	Regulations Governing Carriage By Air DOT/RSPA	Specifically regulate the air transportation of hazardous materials by requiring that each aircraft operator shall perform the duties specified in compliance with the HMRs, and shall instruct its employees accordingly. These regulations specifically impact the DOE with regard to Ross Aviation, Government-Owned Consultant-Operated (GOCO) air operations. These regulations do not apply to aircraft owned and operated by the government for government purposes, nor any aircraft operated under the exclusive direction and control of the government. *Note: Corrective measures being taken where necessary to come into compliance with recently promulgated regulations under HM-181.	See *Note
49 CFR 176	Regulations Governing Carriage By Vessel DOT/United States Coast Guard	Specifically govern the transportation of hazardous materials by vessel by requiring that each water carrier operator shall comply with the HMRs and instruct its employees accordingly. The regulations define those hazardous materials which are excluded from transportation and the stowage requirements and segregation distances for cargo transported, including certain extraordinarily hazardous materials. *Note: Corrective measures being taken where necessary to come into compliance with recently promulgated regulations under HM-181.	See *Note

Status of DOE Compliance with Major Regulatory Requirements			
Regulation	Title and Authority	Description	DOE in Compliance?
49 CFR 177	Regulations Governing Carriage By Public Highway DOT/RSPA	Covers the transportation of hazardous materials by private contract or common motor carriage and require that a motor carrier must comply with the HMRs and thoroughly instruct its employees accordingly. These regulations which govern such matters as packaging, routing, training, loading and unloading and accident procedures, specifically impact the DOE with regard to GOCO operations pursuant to DOE Order 5480.3, and exempt certain DOE shipments of radioactive materials from regulation for national security purposes. *Note: Corrective measures being taken where necessary to come into compliance with recently promulgated regulations under HM-181. An exemption request is in process to go before DOT/RSPA to broaden National Security Exemption to cover explosives. Additional corrective measures are being taken where necessary to come into compliance with DOT interpretation of these regulations as they pertain to GOCO operations in commerce.	See *Note
49 CFR 200-286	The Federal Railway Administration Regulations Department of Transportation (DOT)/ Federal Railway Administration (FRA)	Establishes the rules and regulations pertaining to railway safety, operations, maintenance, abandonments and financing matters. These regulations directly impact the transportation of radioactive high-level waste and spent nuclear fuel by DOE.	Yes
49 CFR 1000-1399	The Interstate Commerce Commission Regulations Interstate Commerce Commission (ICC)	Covers the establishment and publication of rates, licensing procedures, rules of practice, finance and accounting and credit procedures of motor and rail carriers engaged in interstate and foreign commerce.	Yes
49 CFR 107	DOT/RSPA/GC	Prescribes procedures for the DOT/RSPA/GC Offices in carrying out their duties under the laws pertaining to the transportation of hazardous materials. Incorporates the process whereby exemptions from DOT regulations are sought. In addition, it includes the preemption request procedures, requests for designation as an approval or certification agency, and sets out penalties for violation of the HMRs.	Yes
49 CFR 301-399	The Federal Highway Administration Regulations DOT/ Federal Highway Administration (FHWA)	Covers motor carrier safety, commercial driver's licenses, motor carrier financial responsibility, vehicle maintenance and employee safety and health standards. The regulations directly impact DOE contractors in their usage of government provided equipment. *Note: Corrective measures being taken where necessary to come into compliance with DOT interpretation of these regulations as they pertain to GOCO operations in commerce.	See *Note
48 CFR 47.2	Contracts for Transportation or Transportation Related Services GSA	Contracts for Transportation or Transportation Related Services.	Yes

Status of DOE Compliance with Major Regulatory Requirements			
Regulation	Title and Authority	Description	DOE in Compliance?
41 CFR 109-138	Motor Equipment Management Regulations DOE/Director, Contracts & Services Division	Ensures that contractors using Government-owned and/or rented motor vehicles or aircraft do so for an official purpose only. These regulations cover registration, transfer, maintenance, usage, and acquisition of motor vehicles by DOE. They also cover aircraft and watercraft operations, safety, acquisition and identification numbers for watercraft. These regulations ensure that contractors using Government-owned and/or rental motor vehicles or aircraft establish and maintain an effective vehicle maintenance program.	Yes
41 CFR 101	The Federal Property Management Regulations Government Services Administration (GSA)	Prescribes the policies and procedures governing Government-owned/leased vehicles including reporting, registration, official use, inspection, and identification. This coverage is specific to DOE with regard to the operations of these vehicles by DOE contractors.	Yes
49 CFR 387	Motor Carrier Minimum Levels of Financial Responsibility DOT/FHWA & ICC	Specify the Schedule of Limits for various motor carrier services and requires that a transporter of hazardous materials in bulk or explosives, poisons and highway route controlled quantities of radioactive material, must obtain a minimum of \$5 million public liability coverage through insurance, surety bond, or a self insurance program approved by the ICC. Transporters of other quantities and types of hazardous materials must obtain a minimum of \$1 million in similar coverage. It impacts DOE in that no Federal agency may use a motor carrier who has an unsatisfactory safety rating (i.e., failure to obtain adequate levels of financial responsibility) to transport hazardous materials for which placarding is required. (49 U.S.C. § 1814) *Note: Corrective measures being taken where necessary to come into compliance with DOT interpretation of these regulations as they pertain to GOCO operations in commerce.	See *Note
49 CFR 385	Motor Carrier Safety Procedures DOT/FHWA	Impose the requirements that all motor carriers must undergo a safety fitness or compliance review and demonstrate that each meets the safety standards. If notified of a conditional or unsatisfactory rating, the carrier shall certify that appropriate corrective actions have been taken. DOE is impacted in that no federal agency may use a motor carrier who has an unsatisfactory safety rating to transport hazardous materials for which placarding is required. (49 U.S.C. § 1814) *Note: Corrective measures being taken where necessary to come into compliance with DOT interpretation of these regulations as they pertain to GOCO operations in commerce.	See *Note

Status of DOE Compliance with Major Regulatory Requirements

Regulation	Title and Authority	Description	DOE in Compliance?
10 CFR 871	Regulations Governing Air Transportation of Plutonium DOE and FAA	Specify the conditions under which the DOE Operations Offices Managers may authorize the air shipment of plutonium to meet national security purposes or in cases where death, serious injury, considerable property damage or other significant threat to public health or safety is involved. Such shipments must be made in compliance with 10 CFR Part 71.88.	Yes
46 CFR 147.1	Hazardous Ships' Stores (Radioactive Materials) Regulations U. S. Coast Guard	Requires that radioactive materials must not be brought on board a vessel for any reason unless authorized by a current license issued by the Nuclear Regulatory Commission (NRC), pursuant to 10 CFR 30.34.	Yes
14 CFR Subchapter C	Certification Procedure for Products and Parts Federal Aviation Administration (FAA)	Governs the issuance of the aircraft airworthiness certificate as required for DOE aircraft under 41 CFR Part 109-38.50.	Yes
OTHER REGULATORY STATUTES			
42 U.S.C. 2011 <u>et seq.</u>	Atomic Energy Act of 1954 NRC	Established the Atomic Energy Commission (AEC), granting it powers over certain nuclear materials to enhance the general welfare and contribute to the common defense and security. The NRC impacts the DOE in that it regulates certain packaging and transportation security activities of the DOE.	Yes
39 U.S.C. 101 <u>et seq.</u>	Postal Reorganization Act U.S. Postal Service (USPS)	The Postal Reorganization Act transferred authority from the United States Post Office, a government agency, to the USPS, a quasi-government agency.	Yes
OTHER REGULATIONS			
39 CFR 1-999	U. S. Postal Regulations U. S. Postal Service	Governs the use of international and domestic mail service. *Note: Internal study in process to ensure full compliance with private express mail statute.	Yes See *Note
39 CFR 20.5	The International Mail Manual U. S. Postal Service	Governs the mailing of radioactive materials and dangerous articles in international mail service.	Yes
19 CFR Ch.1, <u>et seq.</u>	Customs Regulations U.S. Treasury/Customs Service	Customs Regulations.	Yes
48 CFR 947	DOE Acquisition Regulations (Transportation) DOE	Covers government purchase of insurance if no statutory prohibition and insurance funds are available. Requires the contract to contain a statement that DOE will use carriers whose services are commensurate with DOE needs, and take advantage of special reduced rates.	Yes

Status of DOE Compliance with Major Regulatory Requirements			
Regulation	Title and Authority	Description	DOE in Compliance?
Safety Series No. 6, Revised 1985	Regulations for the Safe Transportation of Radioactive Materials International Atomic Energy Agency (IAEA)	Purpose of these Regulations for the Safe Transportation of Radioactive Materials, Safety Series No. 6 Revised, 1985 Edition (as amended 1990), is to establish standards of safety which provide an acceptable level of control of the radiation hazards to persons, property and the environment that are associated with the transport of radioactive material. These Regulations apply to the transport of radioactive material other than that which is an integral part of the means of transport by all modes on land, water, or in the air, including transport which is incidental to the use of radioactive materials.	Yes
10 CFR Part 71	Packaging and Transportation of Radioactive Material Nuclear Regulatory Commission (NRC)	Packaging and transportation of radioactive material regulations specify the standards for packaging of TYPE B, fissile, plutonium and special form radioactive materials. They impose operating controls and procedures and set forth the quality assurance requirements for package design. They impact DOE in that they establish the standard by which DOE may self-certify packagings. *Note: Corrective measures are being taken where necessary to come into compliance.	See *Note
19 CFR 1	Import/Export of Nuclear Materials Regulations U.S. Treasury/Customs Service	Import/Export of Nuclear Materials Regulations	Yes
48 CFR 942.14	DOE Acquisition Regulations (DEARs) (Traffic and Transportation Management) Regulations DOE	Requires coordination with DOD. Assigns DOD responsibility for prescribing DOE's shipping papers.	Yes
48 CFR 47	The Federal Acquisition Regulations GSA	FARS (Transportation) regulates the acquisition of transportation and related services unless procured on government bills of lading.	Yes
10 CFR 73.25-73.3	Physical Protection of Special Nuclear Materials in Transit Regulations NRC	Establishes the capabilities for protecting strategic special nuclear material and the requirements for the physical protection of irradiated reactor fuel while in transit. They impact DOE operations of the Security and Safeguards Transportation (SST).	Yes
USPS Pub. No. 52	Acceptance of Hazardous or Perishable Articles Regulations U. S. Postal Service	Governs the acceptability of hazardous articles in domestic mail service.	Yes
10 CFR 110	Radioactive Shipment Export Regulations NRC	Governs license requirements, provides a listing of import and export equipment and material, types of licenses, public notification and administrative requirements. Impacts the DOE in cases where it seeks an export license under section 111 of the Atomic Energy Act. (42 USC 2011)	Yes
ENVIRONMENTAL/SAFETY STATUTES			

Status of DOE Compliance with Major Regulatory Requirements

Regulation	Title and Authority	Description	DOE in Compliance?
42 U.S.C. 4321	National Environmental Policy Act Council on Environmental Quality	Establishes a national policy to ensure that consideration is given to environmental values and factors in Federal planning and decision making. It requires the generation of documents such as: an Environmental Assessment (EA), a Finding of No Significant Impact (FONSI), notice of intent to file and environmental impact statement (EIS), Record of Decision (ROD), Categorical Exclusion (CX) determination or other appropriate documentation evidencing complete assessment and full disclosure of environmental consequences of proposed actions. DOE implementing procedures can be found in 10 CFR 1021.	Yes
29 U.S.C. 6512	Occupational Safety and Health Act (OSHA) Department of Labor	Stimulates employers and employees to institute new and to perfect existing programs for providing safe and healthful working conditions. Subpart Z, Hazard Communications Standards requires DOE to produce a Material Safety Data Sheet (MSDS) for each hazardous chemical shipment tendered. DOE is responsible for properly labelling its shipments to warn workers of the hazard to which they are exposed. DOE is covered by these standards through Executive Order 12196. *Note: In compliance. DOE and OSHA have signed a cooperative agreement (see DOE Orders 5483.1A and 5480.4).	Yes. See *Note
42 U.S.C. 6901	The Resource Conservation and Recovery Act (RCRA) EPA	Provides for the careful planning and management of the disposal of solid and hazardous waste, including the recovery and conservation of such materials. *Note: In compliance or have entered agreements with appropriate regulatory body setting forth terms and conditions to correct deficiencies.	See *Note
42 U.S.C. 9601-9675	Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) EPA	Provides for liability, compensation, cleanup, and emergency response for actual or threatened release of hazardous substances into the environment and the cleanup of inactive hazardous waste disposal sites. *Note: In compliance or have entered agreements with appropriate regulatory body setting forth terms and conditions to correct deficiencies.	See *Note
42 U.S.C. §§ 11001 to 11050	Superfund Amendments and Reauthorization Act of 1986 (SARA) EPA	Established authority governing federal facilities, worker protection, environmental restoration, emergency planning and right to know, material data safety sheets, hazardous chemical inventory forms and matters related to toxic chemical release forms. It increased settlement, liability, and land enforcement powers for EPA and the public. EPA and DOE have entered in a Memorandum of Understanding (MOU) that delineates the enforcement responsibilities of each agency under this Act. *Note: In compliance or have entered agreements with appropriate regulatory body setting forth terms and conditions to correct deficiencies.	See *Note

Status of DOE Compliance with Major Regulatory Requirements			
Regulation	Title and Authority	Description	DOE in Compliance?
40 CFR 355	Emergency Planning and Notification Order EPA	The Emergency Planning and Notification Order of CERCLA establishes the list of extremely hazardous substances threshold quantities and outlines the notification responsibilities and implementation of state and local emergency response plans.	Yes
ENVIRONMENTAL/SAFETY REGULATIONS			
40 CFR 260-299	Solid and Hazardous Waste Regulations EPA	Solid and hazardous waste regulations of RCRA contain provisions authorizing the States to regulate the treatment, disposal and storage of solid and hazardous wastes. The EPA governs the activities of federal agencies and contractors. DOE is responsible for the proper identification and classification of wastes and for proper preparation of the manifest. It requires the carrier to obtain waste hauler identification number from EPA, and DOE must ensure that the carrier is properly permitted prior to tendering hazardous waste shipments. *Note: In compliance or have entered agreements with appropriate regulatory body setting forth terms and conditions to correct deficiencies.	See *Note
29 CFR 1910.120	Hazardous Waste Operations and Emergency Response Department of Labor	Covers operations where there is employee involvement or a reasonable possibility for exposure to safety or health hazards. Regulatory coverage extends to clean up operations by the Federal government.	Yes
29 CFR 1910.1200	Hazard Communications Regulations Department of Labor	Mandates employee training on the subject of emergency response. Hazardous materials manufacturers must disclose the exact chemical composition of substances in the event of a release. Its purpose is to ensure that the hazards of all products, domestic or imported, are evaluated, and that information concerning those hazards is transmitted to the employers and employees.	Yes
29 CFR 1910.20	Access to Employee Exposure and Medical Records Department of Labor	Provides employees and their designated representatives a right of access to relevant exposure and medical records. Each employer shall ensure that the preservation and access requirements of this section are met.	Yes
40 CFR 262	Standards Applicable to Generators of Hazardous Waste Regulations EPA	Defines a generator and requires it to obtain an EPA identification number in order to accumulate waste, and to keep records and reports. A generator may not offer hazardous waste to a transporter which does not have an EPA identification number. DOE must comply with these regulations, as it meets the definition of a generator.	Yes
40 CFR 109-192	Radiation Protection Program EPA	Provides the radiation protective standards for nuclear power operations and the management and disposal of SNF, HLW, and TRU waste. Also provides standards for uranium and thorium mill tailings. *Note: In compliance. Exemption granted by DOT to transport uranium mill tailings by truck at specified points.	Yes See *Note

Status of DOE Compliance with Major Regulatory Requirements			
Regulation	Title and Authority	Description	DOE in Compliance?
40 CFR 263.11	EPA Identification Number Regulations EPA	Requires that a transporter must not transport hazardous waste without receiving an EPA hazardous waste hauler identification number.	Yes
40 CFR 264.16	RCRA Training Interim Standards for Owners and Operators of Hazardous Waste Storage, Treatment and Disposal Facilities EPA	Requires that personnel must complete classroom instruction programs which teach how to perform duties in compliance with regulations. Training must cover standards, preparedness, prevention, contingency plans and emergency procedures. *Note: In compliance. Compliance training programs are ongoing.	Yes See *Note
40 CFR 265.16	RCRA Training Standards for Owners and Operators of Hazardous Waste Storage, Treatment and Disposal Facilities EPA	Requires that personnel must complete classroom instruction programs which teach how to perform duties in compliance with regulations. Training must cover standards, preparedness, prevention, contingency plans and emergency procedures. *Note: In compliance. Compliance training programs are ongoing.	Yes See *Note
40 CFR 300.399	Hazardous Substances Regulations EPA	The hazardous substances regulations of CERCLA require the identification and cleanup of inactive hazardous waste sites by responsible parties, and impose certain response and reporting requirements for releases of hazardous substances. DOE is included in the joint and several liability coverage for a release occurring during transportation. *Note: In compliance or have entered agreements with appropriate regulatory body setting forth terms and conditions to correct deficiencies.	Yes See *Note
ENERGY STATUTES			
42 U.S.C. 5801	Energy Reorganization Act NRC	Established the Nuclear Regulatory Commission (NRC), and the Energy Research and Development Administration (ERDA) as independent executive agencies.	Yes
42 U.S.C. 7101	Department of Energy Organization Act DOE	Established the DOE by transferring certain functions from ERDA and the NRC.	Yes
DOE ORDERS/DIRECTIVES			
DOE Order 1540.1	Materials Transportation and Traffic Management TMD	Establishes policy and procedures for management of transportation activities, including traffic management. *Note: Corrective measures being taken where necessary to come into compliance. The Order provides conflicting direction regarding classification of transport vehicles, i.e., "in commerce" compared to direction provided by the Order. Also section 14 of the Order prohibits funds to be expended for insurance, which runs contrary to requirements in 49 CFR 387. The Order is being revised to correct this discrepancy.	See *Note

Status of DOE Compliance with Major Regulatory Requirements			
Regulation	Title and Authority	Description	DOE in Compliance?
DOE Order 1540.2	Hazardous Material Packaging for Transport TMD	Establishes administrative procedures for the certification and use of radioactive and other hazardous materials packaging. *Note: Corrective measures being taken to come into compliance. The Order is outdated in that DP no longer has responsibility to provide certifying official. Other organizational changes also are not reflected in the Order, which is being revised to correct this deficiency.	See *Note
DOE Order 1540.3	Base Technology for Radioactive Material Transportation Packaging Systems TMD	Establishes policy and responsibilities for coordinating and planning base technology for radioactive material transportation packaging systems. *Note: In compliance. Efforts in process to enhance base technology transfer.	Yes See *Note
DOE Order 1540.4	Physical Protection of Unclassified Irradiated Reactor Fuel in Transit DOE/TS&D	Prescribes the physical protection procedure for unclassified irradiated reactor fuel in transit.	Yes
DOE Order 5480.1B	Environmental Safety and Health Program for Department of Energy Operations DOE/EH	This Order (re Environmental Safety and Health Program for Department of Energy Operations) establishes the (ES&H) programs and applies to all DOE elements and contractors performing work for the Department.	Yes
DOE Order 5480.3	Safety Requirements for the Packaging and Transportation of Hazardous Materials, Hazardous Substances, and Hazardous Wastes DOE/EM-561	The Order (re Safety Requirements for the Packaging and Transportation of Hazardous Materials, Hazardous Substances, and Hazardous Wastes) establishes requirements for the packaging and transportation of hazardous materials, substances and wastes, and applies to all DOE elements and contractors performing work for the Department. *Note: Corrective measures are being taken to come into compliance. The Order grants authority to Heads of Field Organizations to issue Certificates of Compliance for DOE packages. The Order is being revised to correct this discrepancy.	See *Note
DOE Order 5480.4	Environmental Protection Safety, and Health Protection Standards DOE/EH	This order (re Environmental Protection Safety, and Health Protection Standards) carries requirements for the application of the mandatory ES&H standards applicable to all DOE elements and contractors performing work for the Department.	Yes
DOE Order 5480.5	Safety of Nuclear Facilities DOE/EH	The Order (re Safety of Nuclear Facilities) establishes the nuclear facility program and applies to all DOE elements and contractors performing work for the Department.	Yes

Status of DOE Compliance with Major Regulatory Requirements			
Regulation	Title and Authority	Description	DOE in Compliance?
DOE Order 5480.11	Radiation Protection for Occupational Workers DOE/EH	The Order (re Radiation Protection for Occupational Workers) establishes radiation protection standards and program requirements for the DOE and applies to all DOE elements and contractors performing work for the Department. *Note: Efforts are underway to standardized exposure limits for consistency of application of the purposes of this order.	Yes. See *Note
DOE Order 5480.18A	Accreditation of Performance-Based Training for Category A Reactors and Nuclear Facilities DOE/NE	Accreditation of Performance-based Training for Category A Reactors and Nuclear Facilities. The Order applies to all DOE contractors and applies to training programs for operations, maintenance, and technical support positions for DOE Category A reactors and non-reactor nuclear facilities.	Yes
DOE Order 5480.20	Personnel Selection, Qualification Training, and Staffing Requirements at DOE Reactor and Non-Reactor Nuclear Facilities DOE/NE/NS/EH	Personnel selection, qualification training, and staffing requirements at DOE reactor and non-reactor nuclear facilities. The Order establishes the selection, qualification, training, and staff requirements for personnel in the operation, maintenance and technical support areas of the DOE-owned Category A and B reactors and non-reactor nuclear facilities and applies to all DOE elements and contractors performing work for the Department.	Yes
DOE Order 5482.1B	Environment, Safety, and Health Appraisal Program DOE/EH	The Order (re Environment, Safety, and Health Appraisal Program) establishes the ES&H appraisal program for the DOE and applies to all DOE elements and contractors performing work for the Department.	Yes
DOE Order 5483.1A	Occupational Safety and Health Program for DOE Contractor Employees at Government-Owned Contractor Operated Facilities DOE/EP	The Order (re Occupational Safety and Health Program for DOE Contractor Employees at Government-Owned Contractor Operated Facilities) establishes requirements and procedures to assure that the duly prescribed OS&H standards provide OS&H protection for DOE contractor employees in GOCO facilities which is consistent with OSHA standards.	Yes
DOE Order 5500.1B	Emergency Management System DOE/DP	The Order (re Emergency Management System) establishes overall policy and requirements for DOE-EMS and applies to all DOE elements and contractors performing work for the Department.	Yes
DOE Order 5500.2B	Emergency Categories, Classes, and Notification and Reporting Requirements DOE/DEO	The Order (re Emergency Categories, Classes, and Notification and Reporting Requirements) establishes DOE emergency categories, classes, and notification requirements and applies to all DOE elements and contractors performing work for the Department.	Yes
DOE Order 5500.4	Public Affairs Policy and Planning Requirements for Emergencies DOE/CP	The Order (re Public Affairs Policy and Planning Requirements for Emergencies) establishes requirements and guidelines for DOE public affairs actions in emergency situations and applies to the DOE, its power administration, petroleum reserves, GOCO and other facilities where the Department is responsible for public health, safety and the environment.	Yes

Status of DOE Compliance with Major Regulatory Requirements			
Regulation	Title and Authority	Description	DOE in Compliance?
DOE Order 5610.1	Packaging and Transportation of Nuclear Explosives, Nuclear Components, and Special Assemblies DOE/DP	The Order (re Packaging and Transportation of Nuclear Explosives, Nuclear Components, and Special Assemblies) establishes DOE policy and assigns responsibilities and authorities for packaging and transporting nuclear, nuclear components and special assemblies and applies to all DOE elements and contractors performing work for the Department.	Yes
DOE Order 5632.1A	Protection Program Operations DOE/DP	The Order (re Protection Program Operations) establishes policies for the physical protection of security interests and baseline physical protection standards and applies to all DOE elements and contractors performing work for the Department.	Yes
DOE Order 5632.2A	Physical Protection of Special Nuclear Material and Vital Equipment DOE/DP	The Order (re Physical Protection of Special Nuclear Material (SNM) and Vital Equipment) prescribes DOE policy for the physical protection of SNM and vital equipment and establishes baseline security standards and applies to all DOE elements and contractors performing work for the Department.	Yes
DOE Order 5632.5	Physical Protection of Classified Matter DOE/DP	The Order (re Physical Protection of Classified Matter) establishes DOE policy and objectives for the physical protection of classified matter and establishes the baseline requirements and standards for those interests. It applies to all DOE elements, contractors and subcontractors performing work for the Department.	Yes
DOE Order 5700.6C	Quality Assurance DOE/NE and DOE/EH	The Order (re Quality Assurance) establishes quality assurance requirements for the DOE and applies to the work performed by all DOE elements and M&O contractors. *Note: Corrective measures being taken where necessary to come into compliance with the Order.	See *Note
DOE Order 5820.2A	Radioactive Waste Management DOE/DP	The Order (re Radioactive Waste Management) establishes policies, guidelines, and minimum requirements by which DOE manages its radioactive and mixed waste and contaminated facilities and applies to all DOE elements, contractors and subcontractors performing work for the Department.	Yes
DOE Order 6430.1A	General Design Criteria DOE/MA	The Order (re General Design Criteria) provides general design criteria for use in the acquisition of DOE facilities and establishes responsibilities and authorities for the development and maintenance of these criteria and applies to all facilities reported on the DOE Real Property Inventory System or the GSA annual "Summary Report of Real Property Owned by the U.S. Throughout the World."	Yes

Appendix B

Example of State Imposed Regulations, *Vehicle Size and Weight Regulations,* *Idaho Transportation Department* *Permit Manual*

VEHICLE
SIZE & WEIGHT
REGULATIONS
IDAHO TRANSPORTATION
DEPARTMENT
PERMIT MANUAL

ITD-638 2-90

MANUAL UPDATE COVER SHEET

TO HOLDER OF _____ MANUAL NO. _____

FROM PERMIT OFFICE, MAINTENANCE SECTION DATE NOVEMBER 1992
(ORIGINATING SECTION)

MANUAL SECTION AND / OR PAGE NUMBERS	DESCRIPTION OF MATERIAL	REPLACE PAGE	ADD PAGE	DISCARD PAGE
	****PLEASE REPLACE ENTIRE MANUAL****			

BY

CLAYTON L. SULLIVAN
(TYPED NAME)MAINTENANCE ENGINEER
(TITLE)

IDAHO TRANSPORTATION DEPARTMENT
Boise, Idaho

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IDAHO TRANSPORTATION DEPARTMENT
Boise, Idaho

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CHAPTER C - HIGHWAYS

RULE NO. 39.C.01

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

DEFINITIONS

1. **AUTHORITY.** This rule is adopted under the authority of Section 40-312, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule gives the definitions for terms used in rules in chapter C dealing with highway matters. (10/02/89)
3. **DEFINITIONS**
 - a. **ACCESSORIES** - additional parts of the single item load that have been removed to reduce width, length or height. (10/02/89)
 - b. **ADMINISTRATIVE COST** - the government's cost of processing, issuing and enforcing a permit. (10/02/89)
 - c. **ANALYSIS** - a mathematical study of a vehicle or combination of vehicles and the stress they cause over bridges or specific sections of highways conducted by a professional engineer. (10/02/89)
 - d. **ANNUAL** - 12 consecutive months. (10/02/89)
 - e. **AUTOMOBILE TRANSPORTER** - a vehicle combination constructed for the purpose of transporting vehicles. (04/24/92)
 - f. **BASE WIDTH** - the measurement below the eaves of a mobile home or a modular unit. (01/01/90)
 - g. **BOAT TRANSPORTER** - any vehicle combination designed and used specifically to transport assembled boats and boat hulls. Boats may be partially disassembled to facilitate transporting. (09/14/92)
 - h. **CARGO UNIT** - a full truck, a semi-trailer, a full trailer, or a semi-trailer converted to a full trailer by means of a dolly or a converter gear mounting a fifth wheel. A dromedary tractor equipped with conventional fifth wheel, not stinger steered, shall be excluded from the definition of a cargo unit. (09/14/92)
 - i. **CONVOY** - a group of two or more vehicles traveling together for protection or convenience. (09/14/92)
 - j. **DEPARTMENT** - Idaho Transportation Department. (09/14/92)

DEFINITIONS

- k. DROMEDARY TRACTOR - every motor vehicle designed and used primarily for drawing a semitrailer and so constructed as to carry manifested cargo in addition to a part of the weight of the semitrailer. (09/14/92)
- l. ECONOMIC HARDSHIP - the loss of a substantial amount of money caused by economic changes. (09/14/92)
- m. EMERGENCY MOVEMENT - a vehicle or vehicle combination hauling a load traveling to the site of an emergency for the purpose of aiding in eliminating the emergency. (09/14/92)
- n. ESCORT VEHICLE - pilot car (refer to Rule 39.C.12, Section 10). (09/14/92)
- o. EXCESS WEIGHT - vehicle combinations hauling reducible loads operating on Interstate Routes with total gross loads exceeding 80,000 pounds but not to exceed 20,000 per single axle, 34,000 per tandem, and not to exceed the weight limit for any group of two or more consecutive axles established by Section 49-1001, Idaho Code. (09/14/92)
- p. EXTRA-LENGTH - any vehicle combination in excess of the legal limits but not more than 105 feet as established in Section 49-1010, Idaho Code which normally haul reducible loads. (09/14/92)
- q. EXTRA-ORDINARY HAZARD - any situation where the traveling public's safety or the capacity of the highway system is endangered. (09/14/92)
- r. FARM TRACTOR - every motor vehicle designed or adapted and used primarily as a farm implement power unit operated with or without other farm implements attached in any manner consistent with the structural design of that power unit. (09/14/92)
- s. GCW - gross cargo weight. (09/14/92)
- t. GROSS WEIGHT - the weight of a vehicle including the load thereon. (09/14/92)
- u. HEAVILY LOADED - exceeding legal weight or hauling a load which obstructs the driver's view. (09/14/92)
- v. HEAVY DUTY WRECKER TRUCK - a motor vehicle designed and used primarily for towing disabled vehicles. (09/14/92)
- w. HEIGHT - the total vertical dimension of a vehicle above the ground surface including any load and load-holding device thereon. (09/14/92)

DEFINITIONS

- x. IMPLEMENT OF HUSBANDRY - every vehicle including self-propelled units, designed or adapted and used exclusively in agricultural, horticultural, dairy and livestock growing and feeding operations when being incidentally operated. Such implements include, but are not limited to, combines, discs, dry and liquid fertilizer spreaders, harrows, hay balers, harvesting and stacking equipment, pesticide applicators, plows, swathers, mint tubs and mint wagons, and farm wagons. A farm tractor when attached to or drawing any implement of husbandry shall be construed to be an implement of husbandry. "Implement of husbandry" does not include semi-trailers, nor does it include motor vehicles or trailers, unless their design limits their use to agricultural, horticultural, dairy or livestock growing and feeding operations. (09/14/92)
- y. LEGAL - in compliance with the Idaho Code on size and weight. (09/14/92)
- z. LENGTH - the total longitudinal dimension of a single vehicle, a trailer, or a semi-trailer. Length of a trailer or semi-trailer is measured from the front of the cargo-carrying unit to its rear, exclusive of all overhang and any appurtenances listed in Rule No. 39.C.06. (09/14/92)
- aa. LIGHT TRUCK - every motor vehicle 8,000 pounds gross weight or less which is designed, used or maintained primarily for the transportation of property. (09/14/92)
- bb. MOBILE HOME - a vehicle designed for human habitation with attached axles and wheels making it capable of being towed in the same manner as a semi-trailer on public highways and streets. Similarly constructed vehicles used permanently or temporarily for advertising, sales, display or promotion of merchandise or services shall be included in this definition. (09/14/92)
- cc. MODULAR HOUSING UNIT - a facility designed as a building or building section transported on a tractor and conventional semi-trailer combination. (09/14/92)
- dd. NON-REDUCIBLE - a load that consists of a single piece (a machine and its accessories loaded separately is considered non-reducible also). (09/14/92)
- ee. OFF-TRACKING - the difference in the path of the first inside front wheel and of the last inside rear wheel as a vehicle negotiates a curve. (09/14/92)

DEFINITIONS

- ff. OVERALL COMBINATION LENGTH - the total length of a combination of vehicles, i.e. truck tractor-semitrailer-trailer combination, measured from front bumper of the motor vehicle to the back bumper or rear extremity of the last trailer including the connecting tongue(s). (09/14/92)
- gg. OVERDIMENSIONAL - any vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (09/14/92)
- hh. OVERHEIGHT - a vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (09/14/92)
- ii. OVERLEGAL - any vehicle, vehicle combination or load which exceeds the limits established in Idaho Code. (09/14/92)
- jj. OVERLENGTH - any load non-reducible in length being hauled or towed that is in excess of the limits established in Section 49-1010, Idaho Code. (09/14/92)
- kk. OVERSIZE - a vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (09/14/92)
- ll. OVERWEIGHT - a single vehicle or a vehicle combination hauling or towing a non-reducible load whose weight is in excess of the limits established in Section 49-1001, Idaho Code. (09/14/92)
- mm. OVERWIDTH - a vehicle or load in excess of the limits established in Section 49-1010, Idaho Code. (09/14/92)
- nn. REDUCIBLE - a load consisting of multiple pieces or general commodities. (09/14/92)
- oo. SINGLE AXLE - an assembly of two or more wheels whose centers are in one transverse vertical plane or may be included between two parallel transverse planes 40 inches apart extending across the full width of the vehicle. (09/14/92)
- pp. SPECIAL PERMIT - a document issued by the Idaho Transportation Department which authorizes the movement of vehicles or loads on the state highway system in excess of the sizes and weights allowed by Sections 49-1001, 49-1002 or 49-1010, Idaho Code. (09/14/92)
- qq. STINGER-STEERED - a truck-tractor semi-trailer combination where the kingpin is located five feet to the rear of the centroid of the rear axle(s). (09/14/92)

DEFINITIONS

- rr. TANDEM AXLE - any two axles whose centers are more than 40 inches but not more than 96 inches apart and are individually attached to or articulated from, or both, a common attachment to the vehicle including a connecting mechanism designed to equalize the load between axles. (09/14/92)
- ss. VARIABLE LOAD SUSPENSION AXLE - axles which can be regulated by the driver of the vehicle. These axles are controlled by hydraulic and air suspension systems, mechanically, or by a combination of these methods. (09/14/92)
- tt. WIDTH - the total outside transverse dimension of a vehicle including any load or load-holding devices thereon, but excluding any appurtenances listed in Rule No. 39.C.06. (09/14/92)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.06

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

ALLOWABLE VEHICLE SIZE

1. **AUTHORITY.** This rule is adopted under authority of Sections 40-312(1) and 49-1011, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule is promulgated to define and regulate the size of vehicles not specifically addressed in Section 49-1010 of the Idaho Code or to authorize vehicle sizes in excess of those specified in Section 49-1010, Idaho Code, in order to comply with federal requirements. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **ALLOWABLE TOLERANCE, LEGAL OR PERMITTED SIZE LIMITS**
 - a. Determination of vehicular length and/or width as defined by Idaho Code or by Board regulation shall be exclusive of those external devices or appurtenances whose function is related to safe and efficient operation. (10/02/89)
 - b. Rearview mirrors, turn signal lamps, splash and spray suppressant devices and load induced tire bulge shall be excluded from the calculation of allowable width. Front mounted refrigeration units, energy conservation devices, bolsters, mechanical fastening devices, hydraulic lift gates, external front mounted side curtain rollers, and other noncargo carrying appurtenances or devices shall be excluded from a determination of allowable length. (01/03/92)
 - c. Other appurtenances not listed above may not extend beyond three inches on each side or end of a vehicle or load. Other appurtenances may include, but shall not be limited to, clearance lights, door handles, handholds, window fasteners, door and window trim, moldings, and load securement devices. (10/02/89)
5. **DROMEDARY TRACTORS.** A truck tractor containing a dromedary box, deck or plate in legal operation on or before December 1, 1982, shall be authorized to continue to operate, notwithstanding its cargo carrying capacity, throughout its useful life. Proof of such legal operation on December 1, 1982, shall rest upon the operator of the equipment. (12/26/90)

ALLOWABLE VEHICLE SIZE

6. LOAD OVERHANG. The overhang or extension of a load shall not extend: (09/14/92)
- a. More than four feet beyond the front of a vehicle other than an automobile transporter or a boat transporter. (04/24/92)
 - b. More than 15 feet beyond the last axle of a vehicle other than an automobile transporter or a boat transporter. (04/24/92)
 - c. More than six inches outside the right fender of a passenger vehicle. (04/24/92)
 - d. Outside the left fender of a passenger vehicle. (04/24/92)
 - e. More than seven feet front and rear combined length of an automobile transporter or boat transporter. (04/24/92)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.07

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

RESTRICTED ROUTES FOR SEMITRAILERS

1. **AUTHORITY.** The rule is adopted under authority of Sections 40-312, 49-1004 and 49-1010, Idaho Code.
(10/02/89)
2. **PURPOSE.** The Idaho Transportation Board is authorized to restrict certain routes for operation of semitrailers having a length of 48 feet or less but exceeding an overall combination length of 65 feet. This rule lists the regulation for these semitrailers. Refer to Rule 39.C.22 for operation of semitrailers exceeding 48 feet in length.
(09/14/92)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule.
(10/02/89)
4. **DESIGNATED ROUTES.** The department shall produce a color-coded map designating the restricted routes. Routes or portions of routes shall be added or deleted from the map when necessary due to changing conditions, such as traffic volume or construction.
(10/02/89)
5. **CONDITIONS AND REQUIREMENTS FOR SEMITRAILERS IN EXCESS OF AN OVERALL COMBINATION LENGTH OF 65 FEET**
 - a. Semitrailers in excess of an overall combination length of 65 feet shall be subject to the following conditions, limitations and requirements. (09/14/92)
 - b. Routes for operation of semitrailers in excess of an overall combination length of 65 feet shall be restricted in two categories:
(09/14/92)
 - i. Routes restricted for travel by semitrailers in excess of an overall combination length of 65 feet (**magenta coded routes**). Legal length semitrailers in excess of an overall combination length of 65 feet are not authorized to travel on these routes.
(09/14/92)
 - ii. Routes not restricted for legal length semitrailers exceeding an overall combination length of 65 feet (**white coded routes**). Legal length semitrailers in excess of an overall combination length of 65 feet may operate on these routes without obtaining a special permit or computing off-track. (09/14/92)

RESTRICTED ROUTES FOR SEMITRAILERS

6. A map showing the color-coded designation of routes is available for distribution at the Idaho Transportation Department, Special Permit Section, Boise, Idaho, and at other locations as the department may designate.
(10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.08

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

WEIGHT LIMITS

1. **AUTHORITY.** This rule, governing the movement of vehicles or loads, is adopted under the authority of Sections 40-312, 49-1004, and 49-1001, Idaho Code. (01/03/92)
2. **PURPOSE.** This rule is necessary to protect the structural integrity of the bridges and pavements on the highways of this state. (01/03/92)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **WEIGHT LIMITS**
 - a. No allowance will be made, in computation of total gross vehicle or axle group weight, for any retractable or variable load suspension axle used on vehicles operating upon highways of this State not having a manufacturer's rating of 9,000 pounds or more and equipped with tires having a manufacturer's rating adequate to carry the load thereon. Allowances for computation of total gross vehicle or axle group weight will be made only if the pressure regulating device which controls the load transfer to such retractable or variable load suspension axle is located so as not to be accessible from the driver's compartment. The up/down switch to fully raise or fully deploy those axles may be located in the driver's compartment. (09/18/92)
 - b. Axles of all retractable or VLS devices manufactured or mounted on a vehicle after January 1, 1990, shall be self-steering. (01/03/92)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.09

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

SPECIAL PERMITS - GENERAL CONDITIONS AND REQUIREMENTS

1. **AUTHORITY.** This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by Sections 49-1001, 49-1002 or 49-1010, Idaho Code, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule states the general conditions and requirements for special permits. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **RESPONSIBILITY OF ISSUING AUTHORITY**
 - a. The primary concern of the Department, in the issuance of special permits, shall be the safety and convenience of the general public and the preservation of the highway system. (01/03/92)
 - b. The Department shall, in each case, predicate the issuance of a special permit on a reasonable determination of the necessity and feasibility of the proposed movement. (01/03/92)
5. **AUTHORITY TO ISSUE PERMITS ON STATE HIGHWAYS ONLY.** The special permit authority of the Department shall cover travel on state highways only and special permits issued by the Department shall be valid only on completed sections of state highway, described on the permit by route number or otherwise. The right to use county highways or city streets is neither granted nor implied. The special permit authority of the Department shall include those sections of state highways within corporate limits of cities and towns. Contractors hauling loads within the limits of state highway construction projects do not require special permits, but the loads must comply with the weight limits specified in the state highway contract. (01/03/92)
6. **OFFICES FOR ISSUANCE OF SPECIAL PERMITS.** The Department shall maintain a centralized special permit system at the Department Headquarters, making permits available by telecopy equipment at each of the six District Offices, at certain engineering offices, maintenance stations and Port of Entry stations throughout the State. Permits will be available Monday through Friday, state holidays excepted, from 7:00 a.m. to 6:00 p.m. A map indicating

SPECIAL PERMITS - GENERAL CONDITIONS AND REQUIREMENTS

the location of state offices where permits can be obtained is available at the Headquarters Special Permit Office and district offices, at the following location and telephone numbers: (01/03/92)

- a. IDAHO TRANSPORTATION DEPARTMENT
SPECIAL PERMIT OFFICE
P.O. Box 7129
3311 West State Street
Boise, Idaho 83707-1129
(208) 334-8420 (01/03/92)
 - b. IDAHO TRANSPORTATION DEPARTMENT, DISTRICT ONE
600 West Prairie
Coeur d'Alene, Idaho 83814-8764
(208) 772-1200 (01/03/92)
 - c. IDAHO TRANSPORTATION DEPARTMENT, DISTRICT TWO
26th and North and South Highway
Lewiston, Idaho 83501-0837
(208) 746-1345 (01/03/92)
 - d. IDAHO TRANSPORTATION DEPARTMENT, DISTRICT FOUR
Date Street
Shoshone, Idaho 83352-2028
(208) 886-2411 (01/03/92)
 - e. IDAHO TRANSPORTATION DEPARTMENT, DISTRICT FIVE
South of Pocatello on So. 5th
Pocatello, Idaho 83205-4700
(208) 232-4270 (01/03/92)
 - f. IDAHO TRANSPORTATION DEPARTMENT, DISTRICT SIX
206 N. Yellowstone
Rigby, Idaho 83442-0097
(208) 745-7781 (01/03/92)
7. INSURANCE OR BOND FOR EXTRAORDINARY HAZARD. Evidence of insurance or the posting of a bond shall be required when necessary because of loads creating an extraordinary hazard to the traveling public or to protect the public investment when a load presents an extraordinary hazard to the highway system. In such cases of extraordinary hazard to the roadway or structures, the Department may require the posting of a cash bond in such amount as to cover the maximum damage that could be expected to occur to the highway with the permittee also required to reimburse the Department for any engineering required to ascertain the extent of damages, if any, occurring to the roadway during the movement of the excessive load.
(10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.10

IDAHO TRANSPORTATION DEPARTMENT
Boise, Idaho

WHEN SPECIAL PERMIT IS REQUIRED

1. **AUTHORITY.** This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by Sections 49-1001, 49-1002 or 49-1010, Idaho Code, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule lists when a special permit is required and when exemptions and temporary waivers from obtaining special permits are allowable. (12/26/90)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **GENERAL.** A special permit in writing shall be required for any movement on any completed section of highway under the jurisdiction of the Department by any vehicle or vehicles with indivisible loads which exceed the allowable weights or sizes established in Section 49-1001, 49-1002 and 49-1010, Idaho Code. (01/03/92)
5. **FARM TRACTORS ON INTERSTATE**
 - a. Farm tractors transported on interstate routes are required to have special permit authority if width exceeds 9 feet according to Section 49-1010, Idaho Code. See Rule 39.C.16, Section 7 for permits available to farmers, dealers or custom operators for interstate highway transportation of farm tractors. (10/02/89)
 - b. The transportation of farm tractors or implements of husbandry for hire is a common carrier operation. Exemptions from legal width limitation do not apply to common carrier operations. Farm tractors or implements of husbandry hauled for hire are subject to the same special permit regulations as other oversize loads when the width of load exceeds legal width limitations. (10/02/89)
6. **COMPLIANCE WITH OTHER LAWS AND ORDINANCES.** The special permit will be effective only insofar as the Department has authority for its issue and does not release the permittee from complying with other existing laws, local ordinances or resolutions which may govern the movement. (01/03/92)
7. **WAIVER OF LIMITATIONS FOR EMERGENCY MOVEMENTS.** Notwithstanding other provisions of these regulations, the Idaho Transportation Board may waive existing permit policy

WHEN SPECIAL PERMIT IS REQUIRED

limitations in the event of an emergency, subject to such limitations or special requirements as the Board may impose. (10/02/89)

- a. **Military Emergency Affecting National Security.** Any movement by or for a military or other government agency which is in excess of permit policy maximum limits of weight or size or which is otherwise outside established regulations must be certified as a military necessity involving national security before receiving any special consideration to provide any waiver of normal permit regulations. Certification of military necessity must be made by an official designated as having such authority by the Department of Defense Directory, issued by the Office of the Chief of Transportation, Department of Army. All applications for military emergency movements must be channeled through the Vehicle Size and Weight Specialist, Idaho Transportation Department. (10/02/89)
- b. **Emergencies Endangering the Public Health, Safety or Welfare Including but not Limited to Fire, Flood, or Earthquake.** During an emergency endangering the public health, safety or welfare, there may be an urgent and immediate need for equipment and it will not be in the public interest to require that a special permit be in the vehicle prior to an overlegal movement. Verbal approval to proceed without a special permit in the vehicle may be obtained from the Special Permit Office or an Idaho Port-of-Entry. Once the emergency movement is completed, formal application for a Special Permit must be submitted to the Special Permit Office. (01/03/92)
- c. **Economic Emergencies.** When a circumstance occurs in which an economic hardship is expected to result due to the application of existing regulations or limitations, the Transportation Board may consider a petition for the temporary waiver of those regulations or limitations which are perceived as being the cause of such economic hardship. (10/02/89)
- d. **Emergency Removal of Disabled Transportation Vehicles.** Annual permits or single trip permits will be issued to heavy duty wrecker trucks or other vehicles used for the emergency removal of disabled trucks and/or trailers or combinations and their unladen return, subject to the following regulations: (12/26/90)

WHEN SPECIAL PERMIT IS REQUIRED

- i. The permitted vehicle involved in the removal of disabled vehicles shall have adequate weight and traction to control the combination of wrecker and attached vehicles, and shall provide brakes to the trailer axles and stop, signal and clearance lights to such towed disabled vehicles. (12/26/90)
- ii. Loaded weight of the permitted vehicle's drive axle(s) will be permitted up to 25,000 pounds/single and up to 43,000 pounds/tandem axle. Length of the combination will be limited to the legal or permitted length of the disabled combination plus 40 feet. Width will be limited to 10 feet or to the permitted width of a permitted disabled overwidth vehicle/load. (12/26/90)
- iii. Time of travel restrictions shall be waived when necessary to clear the travelway. (10/02/89)
- iv. Emergency movement of disabled vehicles will be authorized from the point at which the vehicles were disabled to the nearest appropriate commercial site having facilities for adequate repair services and cargo security. Secondary movements shall be limited to 75 feet overall length. (10/02/89)
- e. Emergency Movements After Dark or Weekends. Any overwidth load moving after dark or on weekends on a red coded route must be preceded by an escort vehicle displaying a rotating or flashing amber light to warn other traffic of the presence of the hazard. Any overwidth load moving after dark on black coded routes, if width exceeds 10 feet, must also be preceded by such an escort vehicle. All overwidth loads moved after dark shall have the extreme dimensions marked by lights as required by Sections 9 and 11 of Rule 39.C.12. Self-propelled vehicles utilized to clear the travelway of snow or debris are exempt from the provisions listed in this paragraph. (01/01/90)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.11

IDAHO TRANSPORTATION DEPARTMENT
Boise, Idaho

SPECIAL PERMITTEE RESPONSIBILITY AND TRAVEL RESTRICTIONS

1. **AUTHORITY.** This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by Sections 49-1001, 49-1002 or 49-1010, Idaho Code, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule states the responsibility of the permittee and the travel restrictions for overlegal loads. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **RESPONSIBILITY OF PERMITTEE**
 - a. **General.** The permittee shall determine and declare the gross weight, distribution of weight, and the dimensions of the vehicle and load and shall submit all other required information before issuance of the permit. The acceptance of a special permit by the permittee is his agreement that the vehicle and load covered by the permit can and will be moved in compliance with the terms and limitations set forth in the permit. When a permit has been accepted by the permittee, such action shall be deemed in unequivocal assurance that he has complied, or will comply with all operating, licensing, and financial responsibility requirements. (10/02/89)
 - b. **Permit to be Carried in Vehicle**
 - i. The special permit must be carried in the vehicle to which it refers during the time of movement and shall upon demand be delivered for inspection to any peace officer or authorized agent of the Idaho Transportation Board or any officer or employee charged with the care and protection of the public highways. The original ITD-217E annual permit must be carried in the vehicle within 60 days of the date of issue. (01/01/90)
 - ii. When the route of the permitted vehicle will not pass in the vicinity of a state operated transceiver station, the applicant may complete Form ITD-217-10, APPLICATION FOR SPECIAL PERMIT NUMBER, and provide pertinent information by telephone to the special permit office. If the special permit

SPECIAL PERMITTEE RESPONSIBILITY AND TRAVEL RESTRICTIONS

office approves the application, a special permit number will be assigned to complete the Form

ITD-217-10. Form ITD-217-10 will serve as evidence of intent to obtain the special permit and will be honored by law enforcement subject to the officer checking with the special permit office. The applicant must qualify for this procedure by obtaining a permit fee account number. The special permit office will complete the Special Permit Form ITD-217 and charge the fee to the applicant's permit fee account number. (Rule 39.C.21, Section 6) (01/03/92)

- c. Certification Load is Indivisible. Upon application, the permittee must certify that steps have been taken to reduce the dimensions and/or weight of vehicle and/or load concerned in the permit to legal limitations, or if that is impractical, to reduce the excess to a minimum. (10/02/89)
 - d. Basic Limitations Shall Not be Exceeded. Special permits shall not be issued for vehicles or loads in excess of the maximum limitations of size or weight or which otherwise exceed the limitations for overlegal loads as set forth in this manual unless exception is made by the Transportation Board, or as otherwise provided herein. (10/02/89)
 - e. Movement, Loading, Parking on State Highways.
 - i. The movement of overlegal loads shall be made in such a way that the traveled way will remain open at all times to provide for the continuous movement of opposing traffic and to provide for frequent passing of vehicles traveling in the same direction. Overlegal vehicles or loads shall be pulled off the traveled way at every suitable location when necessary to relieve any accumulation of traffic behind such overlegal vehicle or load. (10/02/89)
 - ii. The overlegal vehicle shall not be loaded, unloaded or parked, upon any State highway, except for emergencies, without the specific permission or by direction of the Department or policing agency having jurisdiction over such highway. (01/03/92)
5. TIME OF TRAVEL RESTRICTIONS FOR OVERLEGAL LOADS. Oversize loads may be transported on Idaho Highways subject to the following conditions: (10/02/89)
- a. Red-coded routes: Daylight travel until 2:00 PM on Friday, no Saturday, no Sunday. (10/02/89)

SPECIAL PERMITTEE RESPONSIBILITY AND TRAVEL RESTRICTIONS

- b. **Black-Coded Routes:** Loads not in excess of 10 feet wide, 100 feet long or 14 feet 6 inches high may travel 24 hours per day, 7 days per week; loads in excess of 10 feet wide, 100 feet long or 14 feet 6 inches high may travel daylight hours 7 days per week. (12/26/90)
- c. **Interstate:** Loads not in excess of 10 feet wide, 115 feet long or 14 feet 6 inches high may travel 24 hours per day, 7 days per week; loads in excess of 10 feet wide, 115 feet long or 14 feet 6 inches high may travel daylight hours, 7 days per week. (01/01/90)

NOTE: See Rule 39.C.12, Sections 9 and 11 for after dark lighting requirements. The Pilot Car and Time of Travel Restrictions Map listing the red-coded, black-coded and interstate routes is available at the Idaho Transportation Department offices. (10/02/89)

d. Exceptions:

- i. **Red-Coded Routes:** No travel for any load after 2:00 PM on the day preceding a holiday or holiday weekend. A holiday weekend occurs as three consecutive days, when a designated holiday occurs on a Friday or Monday, or when the designated holiday occurs on a Saturday or Sunday, in which case the preceding Friday or the following Monday shall be included in such three-day holiday weekend. Travel may be resumed at dawn on the day following the holiday or holiday weekend. (12/26/90)
- ii. **Black-Coded Routes and Interstate Routes:** Loads in excess of 10 feet wide, 100 feet long or 14 feet 6 inches high may not travel after 4:00 PM on the day preceding a holiday; travel may be resumed at dawn on the day following the holiday. (12/26/90)
- iii. **The following days are designated as holidays:**
 - (a) New Year's Day
 - (b) Memorial Day
 - (c) Independence Day
 - (d) Labor Day
 - (e) Thanksgiving
 - (f) Christmas(12/26/90)
- iv. **Additional restrictions are listed in Rule 39.C.18, Section 8.** (12/26/90)

SPECIAL PERMITTEE RESPONSIBILITY AND TRAVEL RESTRICTIONS

- v. Other time of travel exceptions may be noted on the permit due to special circumstances. (12/26/90)
- e. Hours of darkness shall be defined as extending from one-half hour after sundown to one-half hour before sun rise or at any other time when visibility is restricted to less than 500 feet. (10/02/89)
- f. The movement of oversize vehicles or loads which are in excess of 12 feet in width, in excess of 85 feet in length, or in excess of 16 feet in height may be prohibited from movement on highways within the urban limits of the following cities: Boise, Caldwell, Coeur d'Alene, Idaho Falls, Lewiston, Nampa, Pocatello, Twin Falls, Garden City, and Chubbuck at times of heavy commuter traffic. Unless otherwise defined on the permit, the times of heavy commuter traffic shall be considered to be 7:00 to 8:00 a.m., 12:00 noon to 1:00 p.m. and 4:30 to 6:00 p.m. This restriction shall not apply to sections of completed Interstate Highway within the above listed cities. Such a restriction of oversize load travel to avoid conflict with heavy commuter traffic volumes shall appear on the face of the permit. (10/02/89)
- g. The movement by special permit of mobile homes, modular housing sections and buildings shall be prohibited and otherwise valid permits shall automatically become invalid enroute when travel conditions become hazardous due to ice, snow or frost; when visibility is restricted to less than 500 feet by fog, dust, smoke or smog or other atmospheric condition; or when wind velocity exceeds 20 miles per hour. The wind velocity limitation shall not apply to mobile or modular homes transported on 5-axle truck tractor and semi-trailer combinations similar in weight and construction to those used in general trucking operations. (10/02/89)
- h. The permittee and/or operator of the permitted towing vehicle shall be responsible for determining if road, wind, weather conditions, are safe for travel, or lateral or vertical clearance is adequate for the permitted load. (10/02/89)
- i. Enforcement personnel responsible for any section of highway may delay movements and carry out enforcement action for violations involving operation during hazardous operating conditions. (10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.12

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

SAFETY REQUIREMENTS OF SPECIAL PERMIT

1. **AUTHORITY.** This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by Sections 49-940, 49-1001, 49-1002 or 49-1010, Idaho Code, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (09/14/92)
2. **PURPOSE.** This rule states when pilot cars, oversize load signs, red warning flags, a flagman or special lighting requirements are required, and it states the specifications for these safety requirements. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **PILOT CAR REQUIREMENTS**
 - a. **Front -** The movement of an oversize vehicle or load shall be preceded by a flagman escort (pilot car) on those sections of highway where the vehicle or load cannot travel within its proper travelway lane. (10/02/89)
 - b. **Rear -** As authorized by Section 49-940, Idaho Code, when the width of a load obstructs the driver's view to the rear or when traffic control is required, a rear escort shall be required to accompany the oversize load and to communicate with the driver of the permitted load concerning impeded overtaking traffic for the purpose of providing passing opportunity. (09/14/92)
 - c. **Advance Escort -** A third escort, with radio, slow/stop paddle, and flagman's vest may be required when the load is of such extreme dimensions for the route of travel as to require holding opposing traffic at turnouts and intersections to provide for passage of the load. (10/02/89)
 - d. **First Movement from the Forest -** A pilot car is not required on the first movement from the forest of tree-length logs or poles if the overall length does not exceed 110 feet. Secondary movements must comply with the requirements stated on the Pilot Car and Travel Time Requirements map. (01/03/92)
 - e. **Spacing -** Approximately 1,000 feet shall be maintained in rural areas between the escorting vehicle and any

SAFETY REQUIREMENTS OF SPECIAL PERMIT

oversize load. This spacing may be reduced in urban areas when necessary to provide traffic control for turning movements. (01/03/92)

- f. Pilot Car and Travel Time Requirements Map - Color-coded maps on pilot car and travel time requirements for overwidth loads are available from the Headquarters Special Permit Office and all Highway District offices for the information of enforcement officers and the trucking industry. These maps, based on the width of load and character of the route of travel, depict the general escort requirements previously listed. (01/03/92)

5. OVERSIZE LOAD SIGNS

- a. All pilot cars or escort vehicles while escorting an oversize load shall display a sign having the words OVERSIZE LOAD or other terminology approved by the Vehicle Size and Weight Specialist. Such signs shall not be displayed and shall be considered illegal except when the pilot car is actually escorting an oversize load. (01/01/90)
- b. Oversize load signs shall always be displayed on both the towing vehicle and the towed unit in the movement of 14-foot wide mobile homes. Such signs may also be displayed, but shall not be required, on other oversize loads not requiring a pilot car escort. (10/02/89)

6. CONVOY OF OVERLEGAL LOADS

- a. Oversize loads which individually would require a pilot car, except overwidth mobile homes, may be permitted to travel in convoy with pilot cars in front of and behind the convoy, but such convoys shall not exceed four oversize loads or vehicles between pilot cars. Maximum width of units in a convoy shall be limited to 14 feet 6 inches on the interstate system or on black-coded routes of the Pilot Car and Travel Time Requirements Map and to 12 feet 6 inches on red-coded routes of the Pilot Car and Travel Time Requirements Map. Oversize loads which do not individually require a pilot car may travel in convoy without pilot cars. Maximum length of units in a convoy shall be limited to 100 feet on red-coded and black-coded routes of the pilot car map and 115 feet on the interstate system. (12/26/90)
- b. No convoy of overwidth mobile homes shall include more than two mobile home units and two escorting vehicles. On those routes where pilot cars are required in front and rear of an overwidth mobile home, two units may travel in convoy between such escorting vehicles. On

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routes requiring only a front pilot car, the mobile home mover may have the option of convoying two units between front and rear escorts. At no time shall more than one mobile home be escorted by one pilot car. Minimum spacing of approximately 1000 feet shall be maintained between all units in a convoy except when an escort is required to control traffic in turning movements.

(10/02/89)

7. **RED WARNING FLAGS.** All overwidth and overlength vehicles and/or loads, excluding extra-length vehicle combinations, shall be marked by red or orange fluorescent flags located as follows: (01/03/92)
 - a. **Front** - Fastened to each front corner of the vehicle or load if it exceeds legal width. (01/03/92)
 - b. **Rear** - Fastened to each corner at the rearmost part of the vehicle or load if it exceeds legal width at a height of seven feet above the roadway surface or at the top of the load, whichever is greater. (01/03/92)
 - c. **Side** - Fastened to mark any extremity of size if wider than the front or the rear. (10/02/89)
 - d. **Rear Overhang** - If rear overhang exceeds 4 feet one flag is required at the extreme rear if the width of the projection is 2 feet wide or less. If the projection exceeds 2 feet in width then two flags are required at the extreme rear to indicate the maximum width. (01/03/92)
8. **FLAGMAN.** A flagman shall be required, or may be used in lieu of a pilot car, at particular locations on a route of travel where a hazard to traffic is created by the over-legal vehicle or load, due to: (10/02/89)
 - a. **Overweight:** If an overweight load is required to cross on the centerline of a structure, and/or when necessary to flag other traffic off a structure while the overweight load is crossing. (10/02/89)
 - b. **Overheight:** If necessary to stop in the line of traffic to clear an overhead obstruction or if necessary to cross lane lines because of reduced vertical clearance when crossing structures. (10/02/89)
 - c. **Overlength:** If load interferes with traffic by crossing lane lines while negotiating turning movements. (10/02/89)

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d. Overwidth: When crossing narrow bridges. (10/02/89)

9. LIGHTING REQUIREMENT FOR OVERSIZE AFTER DARK MOVEMENTS. Those overdimensional loads permitted by Rule 39.C.10, Section 7.e. and Rule 39.C.11, Section 5 to travel state highways during hours of darkness shall be required to display warning lights to mark the extremities of the load. Warning lights required for after dark travel of oversize loads shall comply with the specifications of Rule 39.C.12, Section 11 and shall be in addition to those clearance lights required on legal size vehicles when traveling at night. Loads which are overlength shall be required to display warning lights to mark the extremity of the length if the load overhangs the trailer by more than 4 feet. (01/03/92)

10. SAFETY EQUIPMENT STANDARDS FOR PILOT CARS

a. Pilot Car Specifications:

- i. Pilot cars shall be furnished by the permittee and shall be either passenger cars, light trucks or vehicles authorized by the Vehicle Size and Weight Specialist except that officers trained in traffic control may use motorcycles as a lead pilot car or as an advance escort. The light trucks used as escort vehicles shall not be heavily loaded. Vehicles towing trailers shall not qualify as escort vehicles. (01/01/90)

- ii. Pilot cars shall carry in the vehicle a red warning flag on a staff, shall appropriately display an "Oversize Load" sign, shall be equipped with flashing or rotating warning lights and two-way radio capable of communication with the escorted vehicle and with other escort vehicles (01/01/90)

- iii. Pilot car drivers operating for hire shall have a valid operators license. (01/01/90)

b. Oversize Load Signs: Oversize load signs shall meet the following minimum specifications:

- i. On oversize vehicle or load - 18 inches high by 7 feet wide, letter height 10 inches, letter type Standard Series C, stroke width 1 5/8 inch, black letters on yellow background. (10/02/89)
- ii. On escort vehicle - 10 inches high by 5 feet wide, type Standard Series B, 8 inch high letters, 1 inch stroke width, black letters on yellow background. (10/02/89)

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- iii. On motorcycles used as escort vehicles: A WIDE LOAD sign may be used with the word WIDE above the word LOAD, minimum 6 inch letter height, minimum 3/4 inch stroke, overall size minimum 18 inches wide by 15 inches high, black letters on yellow.(10/02/89)
 - c. Red Warning Flags: Warning flags required to mark oversize loads shall be plain red or orange fluorescent in color with no wording, emblem, symbol or insignia thereon and shall be in good condition with a minimum size of 18 inches by 18 inches. (01/03/92)
11. SAFETY EQUIPMENT STANDARDS FOR FLASHING OR ROTATING WARNING LIGHTS. Flashing or rotating lights used in the operation of oversize vehicles or loads shall meet the following minimum requirements: (01/03/92)
- a. Oversize Load: Amber lights displayed on the rear of an oversize load, as required by Rule 39.C.12, Section 9, shall meet the requirements of SAE Standard Specifications (SAE J595b) for flashing warning lamps for authorized emergency, maintenance and service vehicles except that the minimum diameter shall be 6 inches. Two such lights shall be displayed on the rear of the load, mounted at the same height and at the outside edges of the load at a minimum height of 8 feet (or as high as practical for loads less than 8 feet in height). If a load overhangs the trailer by more than 4 feet two red lights shall be mounted on the load overhang to indicate maximum width. (01/03/92)
 - b. Towing Vehicle: Amber flashing lights displayed on a towing vehicle, as required by Rule 39.C.12, Section 9, shall be mounted above the cab and shall meet the following requirements: (01/03/92)
 - i. Flashers frequency 60 to 90 revolutions or flashes per minute. (01/03/92)
 - ii. Option 1 - Rotating beacon, frequency 60-90 revolutions per minute, 360 degrees, minimum diameter 8 1/2 inches. (01/03/92)
 - iii. Option 2 - Strobe lights mounted at each end of oversize load sign, minimum diameter 6 inches. (01/03/92)
 - c. Escort Vehicle:
 - i. The flashing amber lights displayed on pilot car escort vehicles shall be mounted at each end of the required OVERSIZE LOAD sign above the roof line of the vehicle. These lights shall meet the minimum requirements outlined under oversize loads

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above except that they may be a minimum of 4 inches in diameter. Motorcycles used for escort vehicles shall also display two lights (one at each end of the required OVERSIZE LOAD sign) having a minimum diameter of 4 inches and also meeting the minimum requirements of SAE J595b. (10/02/89)

- ii. As an alternate, a pilot car may display one rotating amber beacon warning light mounted either magnetically or permanently on or above the roof of the pilot car. It shall rotate through 360 degrees, have a frequency between 60 and 90 revolutions per minute, an approximate minimum size of 8 1/2 inches in diameter and 8 inches in height. These units shall be equal to Grote Model SB-32, Dietz Model 240, Federal Model 14, or equivalent. (10/02/89)

12. TWO-WAY RADIO

- a. On all movements requiring an escort vehicle, both the towing unit and the escort vehicle(s) shall be equipped with two-way radio facilities, licensed under Federal Communications Commission regulations, adequate to provide reliable voice intercommunication between the drivers thereof at all times during the movement of the escorted load. Transmitting and receiving capabilities of the radio facilities used shall be adequate to provide the required intercommunication over a minimum distance of 1/2 mile separation under conditions normally encountered along the proposed route. (10/02/89)
- b. Radio Communication shall be open and monitored between escort vehicle(s) and oversize load at all times during movement. (10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.13

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

OVERWEIGHT PERMITS

1. **AUTHORITY.** This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by Sections 49-1001, 49-1002 or 49-1010, Idaho Code, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule states the maximum weight authorized by special permits for loads consisting of single items. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **GENERAL REQUIREMENTS**
 - a. Any vehicle subject to registration shall be registered for its maximum allowable legal load to be eligible for an overweight permit. Farm tractors, road rollers, and road machines are exempt from registration but are not exempt from legal weight limitations. (10/02/89)
 - b. Overweight permits will be issued only for loads consisting of single items, with weight reduced to a practical minimum, except that a permit may be issued for a machine with accessories and loaded separately on the transporting vehicle. Vehicles hauling overweight loads will normally be required to have five or more axles to qualify for overweight permit. (10/02/89)
5. **MAXIMUM OVERWEIGHT LEVELS**
 - a. The total gross load allowable by overweight permit is subject to the seasonal stability of the roadway and the capacity of the structures on the route of travel. For the purpose of issuing special permits, three levels of overweight are established, based on the weight formula of $W = 500((LN/N-1) + 12N + 36)*$. (01/03/92)

*NOTE: Where "W" is the maximum weight in pounds (to the nearest 500 pounds) carried on any group of two or more consecutive axles. "L" is the distance in feet between the extremes of any group of two or more consecutive axles and "N" is the number of axles under consideration. (01/03/92)

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1. GREEN OVERWEIGHT - The green overweight level is based on a tandem loading of 43,000 pounds or the equivalent loading as determined by spacing and number of axles and computed by applying the formula $W = 625((LN/N-1) + 12N + 36)*$. Loads at the green overweight level may travel routes coded either green or purple on the route capacity map and may travel routes not color-coded provided structures posted for five or six axle loads of less than 80,000 pounds are restricted to single lane operations as defined in Rule 39.C.13, Section 6. Annual overweight permits may be issued at the green overweight level.
(01/03/92)
- ii. PURPLE OVERWEIGHT - Structures on completed sections of the Interstate System and certain other sections of highway are rated to have a capacity for 50,000 pound tandems or the equivalent loadings as determined by spacing and number of axles and computed by applying the formula $W = 700((LN/N-1) + 12N + 36)*$. Loads at the purple overweight level are limited to purple coded routes of the route capacity map. Such loads may also operate on green coded routes subject to single lane operating procedures on all bridges (Rule 39.C.13, Section 6). Loads in this category may operate by single trip permits or by annual permit on routes appropriately color-coded on the route capacity map.
(01/03/92)
- iii. WEIGHTS ALLOWED SUBJECT TO SINGLE LANE OPERATING PROCEDURES OVER BRIDGES ON GREEN AND PURPLE ROUTES. Loads which do not exceed a 50,000 pound tandem axle or 200,000 pound total gross weight may operate using single lane operating procedures if any group of two or more axle groups does not exceed the formula $W = 750((LN/N-1) + 12N + 36)*$ and when a truck tractor is involved the distance from the first drive axle to the last axle on the combination does not exceed $W = 800((LN/N-1) + 12N + 36)*$. Loads in this category may operate by single trip permits only.(01/03/92)
- b. The maximum overweight levels shall not exceed 800 pounds per inch width of tire nor the maximum weights authorized by Rule 39.C.13, Section 5.a. (01/03/92)
- c. Route capacity maps are available at the Idaho Transportation Department Headquarters office and all Highway Division District Offices. A route capacity map will be attached to each annual overweight permit.
(01/03/92)

OVERWEIGHT PERMITS

6. WEIGHT ADJUSTMENT FOR SINGLE-LANE OPERATION. Single lane operation shall be defined as operation of a truck on the centerline of a two-lane structure at a speed not in excess of 15 miles per hour, with a minimum of steering or braking and with no other traffic on the structure during the crossing. (01/03/92)
7. WEIGHT BONUS FOR 10-FOOT WIDE AXLES, EIGHT TIRES PER AXLE. A 5% bonus may be allowed for axles 10 feet in width, a 10% bonus may be allowed for eight tires per axle and 10 in feet width, or 14-inch tires and 10-foot axle width. (10/02/89)
8. PERMIT FOR LOADS IN EXCESS OF MAXIMUM WEIGHT LIMITS. Proposals to transport loads having weights in excess of the maximum overweight limits may require an engineering analysis if structures are involved on the route to be traveled. The Department may waive the requirement for engineering analysis provided sufficient prior analyses for similar loadings have been performed by the Department for the involved structures. The Department may take approximately 24 hours to research if an engineering analysis may be waived. Engineering analysis or consideration to waive such analysis will be undertaken subject to the following requirements: (01/03/92)
 - a. A written statement by the applicant to provide a reasonable determination of the necessity and feasibility of the proposed movement. (10/02/89)
 - b. A schematic drawing or other specific information with regard to placement of axles, distance between axles and/or wheels, and distribution of gross weight on axles and/or wheels. (10/02/89)
 - c. The applicant shall provide the Department the information required for conducting the analysis as soon as possible. A minimum of two weeks shall be expected prior to approval or denial of the proposed move. (01/03/92)
 - d. The applicant shall deposit \$100.00 with the Department as the minimum cost required to undertake the engineering analysis of the vehicle combination. (10/02/89)
 - e. At the time a permit is issued which requires an inspector, the issuing office shall require a deposit of \$100.00 in addition to permit fee. This deposit shall serve as a guarantee of payment of costs incurred by the Department in furnishing the inspector with vehicle and equipment necessary in the inspection

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surveillance. When structures are involved in the move, a certified bridge inspector will be required.
(10/02/89)

9. FEES FOR NON-REGISTERED VEHICLES. Overweight fees shall be determined on the registered weight of vehicles subject to registration and on legal weight for vehicles not subject to registration.
(10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.14

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

POLICY DURING SPRING BREAKUP SEASON

1. **AUTHORITY.** This rule, governing the policy used during spring breakup season, is adopted under the authority of Sections 40-312 and 49-906, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule states the size, weight or speed limit restrictions the Department may place on the state highway system if the operation of vehicles could cause damage to the road due to climatic or other conditions. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **TYPE OF LOAD RESTRICTIONS.** Depending upon the type of road construction, the amount of moisture, temperature conditions, and severity of frost heaves and breakup, routes or sections of routes will be posted for restricted loadings to one of the following categories as required to protect the roadway and in the interests of public safety. (10/02/89)
 - a. Maximum of legal allowable weight. (10/02/89)
 - b. Maximum of 16,000 pounds on any axle. (10/02/89)
 - c. Maximum of 14,000 pounds on any axle. (10/02/89)
 - d. Maximum of 12,000 pounds. (10/02/89)
5. **WEIGHT LIMITS BASED ON TIRE SIZES.** In administering load limits based on tire sizes or width of tires, credit for tubed tires will be based on the manufacturer's width marked on the tire; for example, a 10.00 x 24 tire will be given credit for 10 inches of tire width. Tubeless tires will be given credit for the width of the conventional tubed tires which they replace. (10/02/89)
6. **WIDTH LIMITATION ON TWO-LANE ROAD.** A spring-breakup weight restriction to less than legal weight shall automatically place a restriction on width allowed by special permit. On any section of highway restricted to less than legal weight, the maximum width by special permit shall be restricted to 12 feet 6 inches during the period of the weight restriction. (10/02/89)

POLICY DURING SPRING BREAKUP SEASON

7. **SPEED RESTRICTIONS.** On those sections of highways which are posted for a maximum of legal loads, or to less than legal loads, trucks and buses with a gross weight of 10,000 pounds or more will be restricted in critical areas to a maximum speed of 30 miles per hour. Restricted speed zones will be marked by red and yellow markers. A red marker will mean speed is restricted to 30 miles per hour and a yellow marker will mean that legal speed may be resumed. These markers will generally be attached to existing highway sign posts and when properly used will afford protection to the highway subgrade and surface as well as speeding the flow of traffic. (10/02/89)

8. SPECIAL PERMIT POLICY DURING SPRING BREAKUP

a. Normal overweight special permit limits will be suspended on all highways in the area when seasonal load and speed restrictions are imposed. (10/02/89)

b. Spring breakup weight restrictions are primarily concerned with limiting the weight imposed on the highway by individual axles rather than the total gross weight of vehicles or vehicle combination. It will therefore be permissible to issue overweight permits which exceed legal allowable total gross load for a vehicle combination subject to these conditions: (10/02/89)

i. Minimum tire width is 10 inches or larger. (10/02/89)

ii. Maximum axle weight on single axle having two single wheels shall not exceed 10,000 pounds. (10/02/89)

iii. Maximum axle weight on single axle having four or more tires shall not exceed 14,000 pounds. (10/02/89)

iv. Permits for nonreducible loads only. (10/02/89)

9. **LEGAL WEIGHT LIMITS MAINTAINED ON CERTAIN HIGHWAYS.** The policy of the Department will be to maintain legal load limits on the Interstate highway system and arterials serving through state traffic or connecting major termini, unless conditions are such that severe breakup will result. (10/02/89)

POLICY DURING SPRING BREAKUP SEASON

10. TEMPORARY SUSPENSION OF POSTED WEIGHT AND SPEED RESTRICTIONS

- a. Spring breakup restrictions are required because of a seasonal characteristic in which freeze/thaw cycles occur, making the roadway unstable and reducing its load-bearing capability. The load-bearing capacity may be temporarily restored by a freeze-up of the pavement after a section has been posted for load and speed restrictions.
(10/02/89)
- b. District Engineers may provide a temporary waiver of the spring breakup restrictions by posting GREEN markers on the speed limit signs, and on other signs, if appropriate, within a section of highway posted for reduced loads. In addition to posting green markers, a twice-daily status of the posted section will be provided by the area Maintenance Foreman to the District Maintenance Office, who will notify area State Police, Ports of Entry, and the local Sheriff's office.
(10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.15

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

INTERSTATE EXCESS WEIGHT PERMITS

1. **AUTHORITY.** This rule, governing vehicles operating on the Interstate system in excess of 80,000 pounds, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule authorizes the issuance of special permits which allow vehicle combinations to operate in excess of 80,000 pounds on the Interstate system if legal axle weight limits are not exceeded. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **GENERAL REQUIREMENTS AND CONDITIONS**
 - a. The Federal Highway Amendments Act of 1974 established allowable legal weight limits on Interstate System Highways at 20,000 pounds on single axles, 34,000 pounds on tandems, and formula weights for total gross loads not exceeding 80,000 pounds. (10/02/89)
 - b. Excess weight permits will be issued for vehicle combinations operating on Interstate Routes with total gross loads exceeding 80,000 pounds but not to exceed 20,000 per single axle, 34,000 per tandem, and not to exceed the weight limit for any group of two or more consecutive axles established by Section 49-1001, Idaho Code. Combination excess weight and extra-length permits are available. (01/03/92)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.16

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

OVERSIZE PERMITS

1. **AUTHORITY.** This rule, governing the movement of vehicles or loads which are in excess of the sizes allowed by 49-1010, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule states the maximum sizes allowed by special permit. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this Rule. (10/02/89)
4. **GENERAL OVERSIZE LIMITATIONS**
 - a. The maximum dimensions of oversize vehicles or oversize loads shall depend on the character of the route to be traveled: width of roadway, alignment and sight distance, vertical or horizontal clearance, and traffic volume. Special permits will not normally be issued for movements which cannot allow for the passage of traffic as provided in Rule 39.C.11, Section 4.e, except under special circumstances when an interruption of low volume traffic may be permitted (not to exceed 10 minutes) or when adequate detours are available. (10/02/89)
 - b. Oversize loads shall be reduced to a minimum practical dimension. Overwidth loads may not be hauled on an extra length combination. Except as noted below, permits will not be issued to exceed legal size if the load is more than one unit in width, length or height. (01/01/90)
5. **PERMITS FOR MULTIPLE-WIDTH or MULTIPLE-HEIGHT LOADING**
 - a. **Pipe:** Special permits may be issued to allow the movement of multiple-width loads of pipe up to a maximum width of 8 feet, 10 inches. This regulation will provide for the issuance of permits for hauling corrugated metal pipe loaded lengthwise (two 4-foot diameters, four 2-foot diameters, or other combinations, plus binders) or concrete pipe loaded crosswise of the hauling vehicle. (10/02/89)
 - b. **Cylindrical Hay Bales:** Special permits may be issued for overwidth transportation of cylindrical hay bales, produced by balers having bale chambers which may be 5 feet or more in width. Such bales may be loaded two

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bales wide and two bales high. Hauling vehicles eligible for permit for this purpose shall be legal size vehicles registered for travel on public highways. Operation of such overwidth loads shall be subject to the same time of travel and other safety requirements as other overwidth loads having a similar width. This type operation is intended as an option to the use of farm tractors hauling such loads on size-exempt implement of husbandry vehicles. Maximum width of such loads without tolerance may not exceed 11 feet 6 inches, maximum height 14 feet 0 inches. (10/02/89)

- c. Crane Booms: Special permits may be issued for overwidth transportation of two crane boom units hauled side by side up to a maximum width of 10 feet 6 inches. Hauling vehicles eligible for permit for this purpose shall be legal size vehicles registered for travel on public highways. Operation of such overwidth loads shall be subject to the same time of travel and other safety requirements as other overwidth loads having a similar width. (10/02/89)
- d. Conveyor Units: Special permits may be issued for overwidth transportation of two conveyor units hauled side by side up to a maximum width of 10 feet, 6 inches. Hauling vehicles eligible for permit for this purpose shall be legal size vehicles registered for travel on public highways. Operation of such overwidth loads shall be subject to the same time of travel and other safety requirements as other overwidth loads having a similar width. (01/03/92)
- e. Reducible Loads: Special permits may be issued to allow the transportation of reducible loads in excess of 14 feet high but not in excess of 14 feet 9 inches high on designated highways. The vehicle height must not exceed 14 feet. A map listing the designated highways is available at the Idaho Transportation Department. (01/03/92)

6. OVERWIDTH HAULING VEHICLES, RESTRICTIONS

- a. Special permits shall not be issued for hauling any load on an overwidth vehicle unless such vehicle has been designed and constructed for the specific purpose of hauling a particular load the nature of which makes it impossible to be hauled on a legal width vehicle. Overwidth hauling equipment shall not exceed 10 feet in width. The permit issued for oversize loads being hauled on oversize equipment will be valid for the unladen movement or an incidental haul either to or from the point of loading or unloading of the oversize load. The permittee is required to carry

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proof that the unladen movement or incidental haul is on the way to or from the point of loading or unloading of the oversize load. (01/03/92)

- b. Any load exceeding the dimensions of the trailer shall be non-reducible in size, and any load exceeding legal allowable weight shall be non-reducible in weight. Annual permits issued for such 10-foot hauling vehicles shall be subject to the requirements and limitations of Rules 39.C.19 and 39.C.13, Sections 5 and 6.

(01/03/92)

- c. Special overwidth hauling vehicles exceeding 10 feet in width will be permitted, and may be required, in the hauling of excessively heavy loads to improve the lateral distribution of weight, or when a combination of weight, width, or height makes extra width in the hauling vehicle desirable in the public interest. The use of such vehicles more than 10 feet in width shall be restricted to loads requiring an overwidth hauling vehicle and the backhaul permit shall be for the unladen vehicle.

(10/02/89)

- d. Buildings which are too wide to be safely transported on legal-width hauling vehicles shall be moved either on house moving dollies or on trailers which can be reduced to legal width for unladen travel.

(10/02/89)

7. OVERWIDTH PERMITS FOR IMPLEMENTS OF HUSBANDRY-INTERSTATE SYSTEM OPERATIONS

- a. Farm tractors transported on Interstate routes are required to have special permit authority if width exceeds 9 feet. 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 designed or adapted and used exclusively for agricultural operations and only incidentally operated or moved upon the highway. "Incidentally operated" with reference to implements of husbandry shall mean the transport of the implement of husbandry from one farm operation to another. Farmers, equipment dealers or custom operators may be issued single trip or annual permits under this regulation for transportation of farm tractors, having a width in excess of 9 feet to or from a farm involving Interstate system travel. The transportation of farm tractors or implements of husbandry for hire, or not being transported from one farm operation to another, is a common-carrier operation. Exemptions from legal width limitation do not apply to common-carrier operations. Farm tractors or implements of husbandry hauled for

OVERSIZE PERMITS

hire are subject to the same special permit regulation as other oversize loads when the width of load exceeds legal-width limitations. (10/02/89)

- b. Implements of husbandry exceeding 8 feet 6 inches in width being transported other than from one farm operation to another farm operation shall require special permit authority. (10/02/89)
- c. Single trip permits may be obtained at any permit office or the operator may post a security bond to establish credit (See Rule 39.C.21, Section 6) and thereby qualify to complete an application form, call the special permit office for a permit number, and carry the application form with the overwidth vehicle in lieu of the special permit form. Under provisions of Rule 39.C.19, Section 4 annual permits will be issued to towing units or to self-propelled farm tractors or towed units, or blanket permits may be issued to the applicant without vehicle identification. Such blanket permits may be transferred from one vehicle to another vehicle but shall be valid only when the permit is with the overwidth vehicle or load. A photocopy of the permit is valid provided that the Pilot Car and Travel Time Requirements Map and Vertical Clearance of Structures Map furnished by the Idaho Transportation Department are attached. Such annual permits for implements of husbandry or farm tractors are subject to the same maximum dimensions, travel time exclusions and safety requirements as other overwidth annual permits and are valid for continuous travel for 12 consecutive months. (01/03/92)

CHAPTER C-HIGHWAYS

RULE NO. 39.C.17

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

OVERSIZE PERMITS FOR MOBILE/MODULAR HOMES

1. **AUTHORITY.** This rule, governing the movement of mobile or modular homes in excess of the sizes allowed by Section 49-1010, Idaho Code, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code.
(10/02/89)
2. **PURPOSE.** This rule states the regulations for special permits issued for the movement of mobile or modular homes.
(10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule.
(10/02/89)
4. **REGISTRATION AND LICENSING REQUIREMENTS.** All trailer houses or mobile homes moved on any public highway are required to be licensed. The mobile home registration and general property tax receipt shall be made available for inspection upon demand of any enforcement officer.
(10/02/89)
5. **INSURANCE REQUIREMENTS.** The permittee or the driver of all overwidth mobile home or modular housing unit towing vehicles shall be required to carry evidence of insurance in the permitted vehicle written by a company licensed in Idaho showing coverage in the minimum amounts of \$500,000 combined single limit.
(10/02/89)
6. **MOBILE HOMES**
 - a. **Connection Device** - A ball hitch coupler. (10/02/89)
 - b. **Length** - Not in excess of 80 feet including tongue.
(10/02/89)
 - c. **Mobile homes** having a basic width of 14 feet and having an overall width not exceeding 17 feet at the eave with extension to the left not exceeding 6 inches shall be considered to have a grandfather right to exceed an overall width of 14 feet if manufactured prior to March 1, 1985.
(10/02/89)
 - d. **Width** - Shall be limited to 14 feet at the base and shall not exceed 16 feet overall width including the eaves unless the mobile home qualifies for the grandfather rights established in Rule 39.C.17, Section 6.c. or Rule 39.C.18, Section 4.c. The eave extension to the left shall not exceed 1 foot.
(12/26/90)

OVERSIZE PERMITS FOR MOBILE/MODULAR HOMES

- e. Weight - In no case shall the weight exceed 600 pounds per inch width of tire or the tire manufacturer's warranted weight rating, whichever is less.
(01/01/90)
- f. Running Gear Assembly - General - The entire system (frame, drawbar, and coupling mechanism, running gear assembly including brake systems, axles and lights) shall be in accordance with Code of Federal Regulations title 24, chapter 11, subpart J, part 280, effective June 15, 1976, and as thereafter amended. In addition thereto, all tires used in transportation of mobile homes under this category shall be in accord with Federal Motor Carrier Safety Regulations title 49, chapter 111, subchapter B, part 393 effective October 1, 1975, and as thereafter amended.
(01/01/90)
- g. Construction - In accord with Federal HUD Mobile Home Construction and Safety Standards title 24, chapter 11, part 280, effective June 15, 1975, and as thereafter amended.
(01/01/90)
- h. Axles - Unless the mobile home bears the HUD label, a minimum of three axles are required for units over 60 feet in length including the tongue. All other units shall have a minimum of two axles when width exceeds 10 feet.
(01/01/90)
- i. Brakes - Unless the mobile home bears the HUD label, brakes are required on all wheels of two axles, when two or more axles are required; and, on all wheels of one axle, when one axle is required.
(01/01/90)
- j. Lights - The unit shall have stop lights, turn signals and tail lights that meet the requirements of Federal Motor Carrier Safety Standards, section 393.
(01/01/90)
- k. Safety Chains - Two safety chains shall be used, one each on right and left sides of (but separate from) coupling mechanism connecting the tow vehicle and the mobile home while in transit. Chain shall be 3/8 inch diameter steel capable of passing a minimum break-test load of 16,200 pounds. Chains shall be strongly fastened at each end to connect the tow vehicle and mobile home and assure that in the event of a coupling failure the mobile home will track behind the tow vehicle.
(01/01/90)

OVERSIZE PERMITS FOR MOBILE/MODULAR HOMES

7. TOW VEHICLES FOR MOBILE HOMES

- a. Tow vehicles for mobile homes shall comply with the following minimum requirements:

<u>Mobilehome Width</u>	<u>Tire Width</u>	<u>Drive Axle Tire Rating</u>	<u>Min.Unladen GCW</u>	<u>Weight</u>	<u>Rear Axle Rating</u>
Over 8' to 10'	7.00"	6 Ply	None	6,000#	None
Over 10'to 12'	8.00"	8 Ply	35,000#	8,000#	15,000#
Over 12'to 14'	8.25"	10 Ply	35,000#	9,000#	15,000# (10/02/89)

- b. Brakes - Towing vehicle shall have brakes on all wheels.
(10/02/89)
- c. Rear Axle - Towing vehicle shall have dual-mounted tires or equivalent.
(10/02/89)
- d. Hitch Assembly - Shall meet the requirements of Federal Motor Carrier Safety Standards, section 393.(10/02/89)
- e. Horsepower Requirement - Capable, when towing a mobile home, of attaining a minimum speed of 35 mph within a distance of 2,000 feet from a stopped position.
(10/02/89)
- f. Two-Way Radio - See Rule 39.C.12, Section 12.
(10/02/89)
- g. Operator Requirements - Shall be familiar with traffic laws, with experience and skill and be properly authorized to operate tow vehicles.
(10/02/89)
- h. Special Safety Equipment - eight flares, first aid kit and two red flags each on a 3-foot staff. (10/02/89)

8. MODULAR BUILDING UNIT

- a. Length - Not in excess of 80 feet. (10/02/89)
- b. Width - Not in excess of 16 feet. (10/02/89)
- c. Weight - In no case shall the weight of the modular building unit and hauling equipment exceed 600 pounds per inch of total tire width.
(01/01/90)

OVERSIZE PERMITS FOR MOBILE/MODULAR HOMES

- d. Hauling Equipment - Shall be truck tractor-semitrailer combinations designed to meet the requirements of Federal Motor Carrier Safety Standards for vehicles engaged in interstate commerce. Such trailers shall be of structural capacity to safely accommodate the loading at all times. Connection device shall be a kingpin to fifth wheel connection. (01/01/90)
 - e. Construction - In accord with the Uniform Building Code as applies to design and construction requirements that will affect overall structural strength and roadability. (01/01/90)
 - f. Lights - The unit shall have stop lights, turn signals and tail lights that meet the requirements of Federal Motor Carrier Safety Standards, section 393. (01/01/90)
 - g. Securing Loads - A minimum of four steel, 3/4 inch diameter bolts will be used to directly connect the main support members of the modular building unit to the support frame of moving equipment. Two bolts each shall be located not less than 12 feet from the forward and rear ends of the modular building unit. Each of the four bolts shall be at least 4 feet apart. Equivalent methods of fastening, such as chains or binders, may be used as alternatives. (01/01/90)
9. GENERAL PROVISIONS
- a. Paneling of Open Sides of Multi-Section Mobile Homes and Modular Building Units - Shall be rigid material, or 0.5 mil plastic sheathing (or stronger) backed by a grillwork to prevent billowing and fully enclosed open sides of section in transit. (10/02/89)
 - b. Interior Loading - If the mobile home or modular building unit is to transport furnishings or other loose objects they shall be secured in position for safe travel. (10/02/89)
 - c. Determination of modular/mobile unit width shall be exclusive of such appurtenances as clearance lights, door handles, window fasteners, door and window trim, moldings and load securement devices up to but not in excess of 3 inches on each side of load. (10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.18

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

SPECIAL PERMITS FOR RELOCATION OF BUILDINGS OR HOUSES

1. **AUTHORITY.** This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by 49-1001, 49-1002 or 49-1010, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule states the regulations for special permits issued for the movement of buildings or houses. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **GENERAL REQUIREMENTS**
 - a. Special permits for the transportation of buildings or houses having a basic width in excess of 16 feet shall be limited to the relocation of previously used buildings. The transportation of new, centrally manufactured houses, buildings, building sections, mobile or modular homes, etc., shall be denied special permits if the width at the base is in excess of 16 feet. (10/02/89)
 - b. The requirements of each permit for relocation of a used building or house shall depend on the dimensions of the load as well as a consideration of the width and alignment of the roadway, passing opportunity for the traveling public, vertical or horizontal clearance of bridges or other structures along the route of travel, and traffic volumes. (10/02/89)
 - c. Housing units manufactured prior to January 1, 1980 and having a basic width exceeding 14 feet mounted on factory installed mobilehome axles shall be considered to have a grandfather right for issuance of a special permit under the economic emergency provisions of Rule 39.C.10, Section 7.c. (10/02/89)
5. **INFORMATION REQUIRED IN APPLICATION**
 - a. Overall width of the building:
 - i. At the base (10/02/89)
 - ii. At the eaves or widest point (10/02/89)

SPECIAL PERMITS FOR RELOCATION OF BUILDINGS OR HOUSES

- b. Out-to-out width of the tires of the hauling vehicle or house moving dollies. (10/02/89)
 - c. Overhang of the building load to the right and left of the hauling vehicle or its tires. (10/02/89)
 - d. Loaded height of the building. (10/02/89)
 - e. Combination length of the towing vehicle and its building load. (10/02/89)
 - f. Identification of the owner of the building, and of the permittee. (10/02/89)
 - g. Proposed route of travel on state highways and other public roads. (10/02/89)
 - h. Availability of turnouts if required for passage of traffic. (10/02/89)
6. PASSING LANE MUST BE PROVIDED. Except for short movements in urban areas, and on routes having very low Average Daily Traffic (ADT) permits will not be issued for a load of such dimension that continuous passage of opposing traffic and frequent passing of following traffic cannot be maintained. Ten feet or more of travelway should be provided for passage of traffic unless there are frequent turnouts, intersections, etc., to provide relief of accumulated traffic to the rear. On Interstate highways, permits will not be issued for any load which cannot travel the route in the right lane and right paved shoulder without crossing the centerline. (10/02/89)
7. VERTICAL CLEARANCE REQUIREMENTS
- a. The issuance of any permit for movement of overheight loads will be subject to the vertical clearance of any structure involved along the route of travel. The Department may require a minimum of 24 hours to allow for the proposed route to be evaluated. (01/03/92)
 - b. Any movement of a building, or other overheight load, having a loaded height of 16 feet 6 inches or more may require 2 weeks' advance notice if overhead traffic signals are involved in the route. (10/02/89)
 - c. Permits for loads 18 feet or more high will not be issued until the applicant furnished certification that arrangements have been made with public utility companies for clearing the route for the overheight load. (10/02/89)

SPECIAL PERMITS FOR RELOCATION OF BUILDINGS OR HOUSES

8. TIME OF TRAVEL

- a. Excessively oversize loads shall be restricted to the time of day, or day of the week, when traffic interference will be at a minimum. (10/02/89)
- b. Time of travel of loads in the building size category shall be restricted to the same times allowed for mobile homes in the 14-foot wide category but added restrictions may be imposed depending on the dimensions of the load and other circumstances. (10/02/89)
- c. In metropolitan areas and in certain other cases where a serious disruption of traffic would otherwise be unavoidable, the movement of excessively oversize buildings may be permitted, at the discretion of the District Engineer, between 2:00 a.m. and daybreak to avoid traffic congestion. (10/02/89)

9. INSURANCE AND BONDING REQUIREMENTS

- a. The permittee when hauling buildings 14 feet or more in width shall be required to carry evidence of insurance in the permitted vehicle in the same minimum amounts as is required for those permits issued for the movement of overwidth mobile homes. Minimum requirements are \$500,000 combined single limit, and evidence of insurance shall be written by a company licensed to do business in Idaho. (01/01/90)
- b. The permittee shall be responsible for the protection of sign-posts, guideposts, delineators, etc., and may be required to post bond to cover the costs of repairs or replacements of such facilities. (10/02/89)
- c. When an expense to the State can be presumed in providing clearance for an overheight load, or for repair of signposts, etc., a cash bond based on estimated costs to the State may be required before issuance of such permit. Any part of the cash bond in excess of material costs, labor, and equipment rental will be returned to the permittee after the actual costs to the State have been determined and deducted. (10/02/89)

SPECIAL PERMITS FOR RELOCATION OF BUILDINGS OR HOUSES

**10. IDAHO PUBLIC UTILITY COMMISSION (IPUC) AUTHORITY
REQUIRED**

- a. The transportation of any house, building or structure for hire requires IPUC authority. (10/02/89)
- b. Any applicant for a special permit for the movement of a house or building shall provide information as to whether the building is his property or is being transported for hire. (10/02/89)
- c. When a house or building is being transported for hire, the applicant shall provide, as a part of his application, the Idaho PUC permit number which is his authority to move or transport buildings or houses for hire. (10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.19

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

ANNUAL SPECIAL PERMITS

1. **AUTHORITY.** This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by 49-1001, 49-1002 or 49-1010, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule states the regulations for annual special permits. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **GENERAL.** Special permits may be issued for continuous operation to haul or transport nonreducible loads having specified maximum dimensions of oversize or overweight provided such permits for multiple trips can maintain the same measure of protection to highway facilities and to the traveling public as is provided by single trip permits. (10/02/89)
 - a. **Oversize - Permits for continuous operation, oversize only.** (10/02/89)
 - i. Permits for continuous operation shall be issued to one specified power unit. The permittee may tow various units with the specified power unit, either as towaway vehicles or as trailers hauling oversize loads. Except as provided in Rules 39.C.07, 39.C.16, Section 5 and 39.C.22, oversize loads shall be non-reducible in width, length, or height. In the case of specially constructed equipment, mounted on a towed vehicle, the permit may be issued to the towed vehicle. (10/02/89)
 - ii. Maximum size of loads or vehicles transported under authority of an annual oversize permit shall be limited to a width of 14 feet 6 inches (mobile/modular homes limited as per Rule 39.C.17), a height of 15 feet 6 inches, and to a combination length of 110 feet including load overhang except that loads more than 12 feet 6 inches in width shall be restricted to the Interstate System and to the black coded routes of the Pilot Car Requirements Map. An appropriate current Pilot Car Requirements Map shall be attached to such permits for extended operations and shall be considered to be a part of the permit. (04/06/92)

ANNUAL SPECIAL PERMITS

b. Overweight/Oversize - Permits for continuous operation involving overweight loads shall be subject to the following conditions and requirements: (10/02/89)

i. To comply with Section 49-434, Idaho Code, the permittee will make quarterly reports of mileage to the Motor Vehicle Bureau at the permitted weight level separate from the registered weight mileage otherwise required to be reported to that agency. Mileage for single trip overweight permits should be reported with registered weight mileage. Vehicles exempt from registration will not be required to report mileage under these annual permit regulations. (10/02/89)

ii. Annual permits involving overweight loadings will be available at two levels: (10/02/89)

(a) GREEN overweight level - Maximum permitted weight shall be limited to 43,000 pounds per two axle tandem and to the equivalent loading as determined by spacing and number of axles and computed by applying the formula $W = 625((LN/N-1) + 12N + 36)*$. (04/06/92)

(b) PURPLE overweight level - Maximum permitted weight will be limited to 50,000 per two axle tandem, 60,000 pounds per three axle tandem and to the equivalent loading as determined by spacing and number of axles and computed by applying the formula $W = 700((LN/N-1) + 12N + 36)*$. 04/06/92)

iii. The maximum overweight levels shall not exceed 800 pounds per inch width of tire nor the maximum weights authorized by Rule 39.C.13, Section 5.a. (04/06/92)

iv. Vehicles operating under authority of annual overweight permits within the GREEN level of overweight shall be restricted to single-lane operation on all structures posted for less than 40 tons for five or six axle vehicle combinations. Bridges are posted by easily recognized signs when necessary to limit loads in regular operation. (04/06/92)

*NOTE: Where "W" is the maximum weight in pounds (to the nearest 500 pounds) carried on any group of two or more consecutive axles. "L" is the distance in feet between the extremes of any group of two or more consecutive axles and "N" is the number of axles under consideration. (04/06/92)

ANNUAL SPECIAL PERMITS

- v. Vehicles operating under authority of annual permits allowing loadings exceeding the GREEN level of overweight shall be restricted from operation over structures posted and signed for maximum loads of 40 tons or less if the load on such vehicle exceeds the GREEN level of overweight. Such permitted vehicles when loaded in excess of the GREEN level of overweight shall use single-lane operating procedures (See Rule 39.C.13, Section 6) when crossing all structures on GREEN coded routes.
(04/06/92)
- vi. A list of structures requiring single lane operation by loads in either of the above categories shall be attached and made a part of the annual overweight permit.
(04/06/92)
- vii. Annual overweight permits shall become invalid subject to the conditions of Rule 39.C.23.
(04/06/92)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.20

IDAHO TRANSPORTATION DEPARTMENT
Boise, Idaho

APPLICATION FOR SPECIAL PERMIT

1. AUTHORITY. This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by 49-1001, 49-1002 or 49-1010, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. PURPOSE. This rule states the information of how to obtain special permits. (10/02/89)
3. DEFINITIONS. Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. HOW TO APPLY. The Special Permit Form ITD-217 becomes a valid application when signed by the Permittee. A separate application Form ITD-217C may be completed by the applicant from which the necessary information may be transferred to the permit by the permit writer. Such applications on Form ITD-217C will usually be received through Ports of Entry and applications may also be accepted by letter or by telephone provided all pertinent and necessary information is submitted. (10/02/89)
5. INFORMATION TO BE FURNISHED BY APPLICANT. Any application for a special permit shall provide for the submittal of all pertinent information required to establish the necessity of the proposed movement and the requisite to an engineering determination of the feasibility of the proposed movement. The following information shall be furnished: (10/02/89)
 - a. Name of owner, operator, or lessee of vehicle or vehicles concerned. (10/02/89)
 - b. Description of load - manufacturer, model number, etc. (10/02/89)
 - c. Identification of vehicles - license number, if registered, otherwise serial number, unit number. (10/02/89)
 - d. Licensed capacity of vehicles subject to registration, if overweight is involved. (10/02/89)
 - e. Number of axles, spacing between axles, number and size of tires. (10/02/89)

APPLICATION FOR SPECIAL PERMIT

- f. Gross weight, distribution of weight, overall dimensions. (10/02/89)
- g. Point of origin and destination, preferred route by road number. (10/02/89)
- h. Date of movement and days required. (10/02/89)
- i. If house trailer - license number if privately owned, serial number if caravan permit or dealer plate is used. (10/02/89)
- j. Evidence of insurance, if required. (10/02/89)
- k. Necessity for movement. (10/02/89)
- l. Special instructions regarding address to which permit is to be sent and any other pertinent information. (10/02/89)
- m. Evidence of PUC authority, if required by PUC regulations. (10/02/89)
- n. Signature of applicant. (10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.21

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

SPECIAL PERMIT FEES

1. **AUTHORITY.** This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by 49-1001, 49-1002 or 49-1010, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule states the regulations and amounts of special permit fees. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **COSTS TO BE BORNE BY PERMITTEE.** The movement of oversize or overweight vehicles or vehicles with overlegal loads is a privilege not accorded every user of the highway. Administrative cost incurred in the processing, issuance and enforcement of special permits shall be borne by such permittees and not by the general traveling public through expenditure of highway user funds. Tax supported agencies are required to obtain special permits if their loads exceed the sizes or weights stated in Idaho Code, but they are exempt from paying fees for the permits. (01/03/92)
5. **PAYMENT OF SPECIAL PERMIT FEES.**
 - a. The Idaho Constitution prohibits the state from extending credit to any individual, corporation, municipality or association. Permit fees are collectible at the time of issuance except that the permittee may guarantee payment of permit fees in advance by posting a bond in a minimum amount as specified in Section 6, Permit Fee Account Procedures. (01/03/92)
 - b. Permit fees are not refundable once they have been processed into the Department's accounting system, unless the permittee contacts the Special Permit Office within 24 hours of placing the order or the Department issues the special permit in error. (01/03/92)
 - c. Special oversize permit fees listed below are intended to cover cost of administration and are subject to periodic change depending on costs incurred in processing, issuance and enforcement of special permit regulations and limitations. An additive will be made on overweight permits to compensate for roadway use. (10/02/89)

SPECIAL PERMIT FEES

- d. Current schedule of fees: Periodic changes to the fee schedule will be subject to Chapter 52, Title 67, Idaho Code, Administrative Procedure Act. (10/02/89)
- i. Oversize only, single trip \$ 10.00 (10/02/89)
 - ii. Oversize only, two trips \$ 15.00 (10/02/89)
 - iii. Oversize single trip exceeding 16 ft. wide, or 16 ft. high or 110 ft. long \$ 35.00 (10/02/89)
 - iv. Oversize only, two trips within 7 days, exceeding 16 ft. wide, or 16 ft. high or 110 ft. long \$ 53.00 (01/03/92)
 - v. Oversize only, annual, 12 consecutive months \$ 25.00 (01/03/92)
 - (a) Extra-length combinations exceeding the limits imposed in IC 49-1010 on designated routes. (10/02/89)
 - (b) Overlength only. (10/02/89)
 - (c) Multiple width loads of pipe. (10/02/89)
 - (d) Mobile or modular homes. (01/03/92)
 - (e) Recreation vehicles up to 12 feet wide, legal length/height. (01/03/92)
 - (f) Farm tractors exceeding 9 feet width on Interstate and implements of husbandry. (01/03/92)
 - (g) Cylindrical hay bales, two wide. (01/03/92)
 - (h) Emergency removal of disabled vehicles. (01/03/92)
 - (i) Multiple width loads of crane booms. (01/03/92)
 - (j) Multiple width loads of conveyer units. (01/03/92)
 - (k) Reducible loads, up to and including 14 feet 9 inches high. (01/03/92)

SPECIAL PERMIT FEES

- vi. Excess weight annual, 12 consecutive months, authority to exceed 80,000 lbs. on reducible loads up to 105,500 lbs \$ 25.00
(01/03/92)
- vii. Extra Length/Excess Weight combination, annual, 12 consecutive months \$ 35.00
(01/03/92)
- viii. Overweight/Oversize or Overweight only (non-reducible) single trip* \$ 15.00
(01/01/90)
- ix. Overweight/Oversize or Overweight only (non-reducible), two trips* \$ 25.00
(01/01/90)
- x. Overweight/Oversize (non-reducible) single trip, exceeding 16 ft. wide, or 16 ft. high or 110 ft. long* \$ 35.00
(01/01/90)
- xi. Overweight/Oversize (non-reducible) two trips within 7 days, exceeding 16 ft. wide, or 16 ft. high or 110 ft. long* \$ 53.00
(01/03/92)
- xii. Overweight/Oversize (non-reducible) annual permit fee for 12 consecutive months \$ 40.00
(01/03/92)
- xiii. Special permit manual (plus tax for Idaho residents) \$ 5.00
(01/03/92)
- xiv. Fee for reissuance or transfers \$ 10.00
(01/03/92)

*Plus an additive to compensate for roadway use in the amount of the current "use fee schedule" cited in Section 49-434, Idaho Code, assessed on the amount of overweight and rounded to the closest dollar amount.

6. PERMIT FEE ACCOUNT PROCEDURES

- a. To establish a basis for the issuance of special permits on other than a cash basis, the permittee may guarantee permit fees by posting a surety bond. The bond shall have a minimum value of \$1,000 or be equal to the value of permits required by the permittee during any three consecutive months, whichever is greater. (01/01/90)

SPECIAL PERMIT FEES

- b. Surety bonds for this purpose shall be furnished by a bonding or insurance company licensed to do business in Idaho. Applications to establish permit fee accounts shall be obtained from and filed with the Maintenance Section along with the required bond. (10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.22

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

SPECIAL PERMITS FOR EXTRA-LENGTH VEHICLE COMBINATIONS

1. **AUTHORITY.** This rule, governing the movement of vehicles which are in excess of the sizes allowed by 49-1010, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule states the regulations and routes for extra-length vehicle combinations. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **DESIGNATED ROUTES.** The extra-length map listing the designated routes is available at the Idaho Transportation Department offices. (10/02/89)
5. **CONDITIONS AND REQUIREMENTS FOR EXTRA-LENGTH.** Extra-length vehicle combinations shall be subject to the following conditions limitations and requirements: (10/02/89)
 - a. Vehicle combinations operating with an overall length in excess of the limits imposed in Section 49-1010, Idaho Code, shall consist of not more than four units, shall not exceed 105 feet overall and no such vehicle combination shall include more than three cargo units except that a full truck and full trailer may have an overall length in excess of 75 feet but not in excess of 85 feet including load overhang. (12/26/90)
 - b. Routes for extra-length operations shall be designated in four categories: (09/04/91)
 - i. Routes for combinations not exceeding 85 feet in overall length including load overhang. (Blue-coded routes.) An extra-length combination operating on routes designated for 85-foot combinations shall be designed and assembled in a manner whereby its maximum off-tracking will not exceed 5.5 feet on a 165-foot radius when computed by the equation developed by Western Highway Institute (WHI) for computation of maximum vehicular off-track. (12/26/90)
 - ii. Routes for combinations of vehicles not exceeding 105 feet in overall length including load overhang. (Red-coded routes.) An extra-length combination operating on routes designated for 105-foot

SPECIAL PERMITS FOR EXTRA-LENGTH VEHICLE COMBINATIONS

combinations shall be designed and assembled in a manner whereby its maximum off-tracking will not exceed 6.5 feet on a 165-foot radius when computed by the WHI equation referred to above. (12/26/90)

- iii. Interstate system routes and specified interchanges providing access to approved breakdown areas located in close proximity to the Interstate system. (Black-coded routes) An extra-length combination operating on routes in this category shall be designed and assembled in such a manner that its off-tracking may exceed 6.5 feet but shall not exceed 8.75 feet when computed by the WHI equation referred to above. Specified interchanges providing access to approved breakdown areas are required to be used by combinations that exceed 6.5 feet off-tracking. The specified interchanges will be authorized for either combinations in excess of 6.5 feet off-tracking, but not in excess of 7 feet off-tracking, or for combinations in excess of 7 feet off-tracking but not in excess of 8.75 feet off-tracking. (10/02/89)
- iv. Selected state highway routes for operation of an extra-length combination whereby its maximum off-tracking will not exceed 3 feet on a 165-foot radius when computed by the WHI equation referred to previously and its overall length including load overhang does not exceed 85 feet. Route approval shall be subject to analysis of pavement condition, bridge capacity, safety considerations, pavement width, curvature, traffic volumes and traffic operations. (09/04/91)
- c. The power unit of extra-length combinations shall have adequate power and traction to maintain a minimum of 15 miles per hour under normal operating conditions on any up-grade over which the combination is operated. (10/02/89)
- d. Fifth wheel, drawbar, and other coupling devices shall be as specified by Federal Motor Carrier Safety Regulations, Section 393.70, which shall be considered to be a part of these regulations. (10/02/89)
- e. Extreme caution in the operation of a motor vehicle shall be exercised when hazardous conditions such as those caused by snow, ice, sleet, fog, mist, rain, dust, or smoke adversely affect visibility or traction. Speed shall be reduced when such conditions exist. When conditions become sufficiently dangerous, the company or the operator shall discontinue operations and operations shall not be resumed until the vehicle can be safely operated. The state may restrict or prohibit operations

SPECIAL PERMITS FOR EXTRA-LENGTH VEHICLE COMBINATIONS

during periods when in the state's judgement traffic, weather, or other safety conditions make such operations unsafe or inadvisable. (10/02/89)

- f. In any extra-length combination, the respective loading of any trailer shall not be substantially greater than the weight of any trailer located ahead of it in the vehicle combination. (Substantially greater shall be defined as more than 4,000 pounds heavier.)(10/02/89)
 - g. The following operating restrictions shall be met by all vehicle combinations governed by these regulations: (10/02/89)
 - i. A minimum distance of 500 feet shall be maintained between combinations of vehicles except when overtaking and passing. (10/02/89)
 - ii. Except when passing another vehicle traveling in the same direction, the combination shall be driven so as to remain at all times on the righthand side of the centerline of a two-lane, two-way highway, or on the righthand side of a lane stripe or marker of a highway of four or more lanes. (01/01/90)
 - h. Every combination operated under these regulations shall be covered by insurance of not less than \$500,000 combined single limit. The permittee or driver of the permitted vehicle combination shall carry in the vehicle evidence of insurance written by an authorized insurer to certify that insurance in this minimum amount is currently in force. (10/02/89)
 - i. Vehicle combinations governed by these regulations may not operate with single tires on non-multiple axle configurations except on the steering axle. (01/03/92)
6. SPECIAL PERMITS FOR EXTRA-LENGTH OPERATIONS.
- a. All vehicles in extra-length operation shall be under the control of special permits issued to the power unit. This section shall be attached to and shall be a part of all annual extra-length permits. An allowable gross loads table shall be attached to and referred to on the face of the permit. Extra-length operations shall be valid only on routes of the state highway system designated for such purposes as set forth on color coded map of designated routes which shall be attached to the permit, and is available at the special permit office and highway district offices. Combination extra-length and excess weight permits are available. (10/02/89)

SPECIAL PERMITS FOR EXTRA-LENGTH VEHICLE COMBINATIONS

- b. Permits for extra-length shall be subject to the general requirements of Section 5, Conditions and Requirements For Extra-Length, and to the following special regulations. (10/02/89)
 - i. The operator of any extra-length combination which has an internal dimension between points of articulation of 30 feet or more, or of any doubles combination which has an overall length of 90 feet or more, or a combination which is authorized by Rule 39.C.22, Section 5., b., iv., to operate on selected state highways, shall complete the Off-Track Computation Form to provide internal dimensions of the combination and computation of off-track as evidence of compliance with maximum off-track requirements specified for the designated route being traveled. The Off-Track Computation Form, when required, shall be available for inspection of enforcement officers with the permit for the vehicle combination. Any permit for a vehicle not in compliance with this requirement after December 1, 1982 shall be automatically disqualified for extra-length operation until the Off-Track Computation Form has been provided for inspection. (09/04/91)
 - ii. Extra-length permits shall become automatically invalid subject to conditions cited in Rule 39.C.23. (10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.23

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

REVOCATION OF SPECIAL PERMITS

1. **AUTHORITY.** This rule, governing the movement of vehicles or loads which are in excess of the sizes or weights allowed by Sections 49-1001, 49-1002 or 49-1010, Idaho Code, is adopted under the authority of Sections 40-312 and 49-1004, Idaho Code. (10/02/89)
2. **PURPOSE.** This rule identifies the circumstances when a permit can be revoked. (10/02/89)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (10/02/89)
4. **REVOCATION OF PERMIT FOR UNSAFE EQUIPMENT, FOR MOVING VIOLATIONS, OR NON-COMPLIANCE WITH THE LIMITATIONS OR PROVISIONS OF THE PERMIT.**
 - a. The special permit shall become invalid and the cited vehicle may be disqualified for reissuance of special permits if: (10/02/89)
 - i. The vehicle combination does not satisfy the requirements of Federal Motor Carrier Safety Regulation 392.7, Equipment, Inspection and Use. The permit may be restored to the Permittee when repairs or corrections are made to the satisfaction of the inspecting officer. (10/02/89)
 - ii. The permittee is apprehended exceeding size or weight limits or other provisions specified on the permit. (10/02/89)0
 - iii. The permittee is convicted of violation of size or weight limits (Sections 49-1001 and 49-1010, Idaho Code), of posted speed limits, or of any speed limit specified on the permit, or in violation of any of the following traffic regulations: reckless or inattentive driving, illegal passing or illegal turning movements. Forfeiture of bail shall be treated the same as a conviction for the purpose of this section. (10/02/89)
 - iv. The permittee is apprehended during transportation of a mobile housing unit when wind velocity exceeds 20 miles per hour. (10/02/89)

REVOCATION OF SPECIAL PERMITS

- v. The permittee is apprehended while transporting a mobile home not in compliance with registration or property tax requirements of Section 49-422, Idaho Code.
(10/02/89)
- vi. The permittee, in the case of mobile home transporters or extra-length operators, is not able to provide proof of insurance. Reissuance of the permit may be accomplished by providing satisfactory evidence of insurance to the P.O.E. or other enforcement officer.
(10/02/89)
- vii. The permittee, in the case of an annual overweight permit, is apprehended crossing a posted bridge with an overweight load not in compliance with the single lane operation requirements of Rule 39.C.19, Section 4.
(10/02/89)
- viii. The operator of an extra-length vehicle combination demonstrates non-compliance with Rule 39.C.22, Section 5.e. resulting in a spin-out or other loss of traction or control during hazardous road and weather conditions.
(12/26/90)
- ix. The permitted extra-length vehicle combination is apprehended on State highways not designated for extra-length operations.
(10/02/89)
- b. When a special permit has become invalid because of non-compliance with the limits and provisions on the face of the permit, the apprehending officer may confiscate the permit and forward it to the Vehicle Size and Weight Specialist and the movement shall not proceed until a new permit is obtained unless directed by the officer in order to protect the public interest. An exception will allow the officer, in the case of non-compliance with weight distribution as established on the permit, to honor the permit if the permittee can make loading adjustments to satisfy the requirements of the permit.
(10/02/89)
- c. When a permit has become invalid, the vehicle identified on the confiscated permit may be disqualified for reapplication for permit for a period of 30 days after the first violation, for a period of 6 months after the second violation, and for a period of one year after the third violation.
(10/02/89)
- d. In addition to revocation of permits as authorized above, the permittee shall be subject to all applicable penalties provided by law with regard to the provisions violated.
(10/02/89)

REVOCATION OF SPECIAL PERMITS

5. PERMITTEE RESPONSIBLE FOR INJURY TO PERSONS OR PROPERTY. The permittee shall assume all responsibility for injury to persons or damage to public or private property caused directly or indirectly by the transportation of a vehicle or vehicle and load under special permit; and he shall hold harmless the Department and all its officers, agents, employees, and servants from all suits, claims, damages or proceedings, of any kind, as a direct or indirect result of the transportation of the overlegal vehicle or vehicle with overlegal load. (10/02/89)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.24

IDAHO TRANSPORTATION DEPARTMENT Boise, Idaho

SELF-PROPELLED SNOWPLOWS

1. **AUTHORITY.** The rule is adopted under authority of Sections 40-312 and 49-1004, Idaho Code. (12/26/90)
2. **PURPOSE.** Self-propelled snowplows cannot comply with the safety requirements as other oversize loads due to the nature of their operation. Therefore, this rule is promulgated to state the regulations and safety requirements for overwidth self-propelled snowplows operating under special permit authority. The self-propelled snowplows will be permitted at the rates listed in Rule 39.C.21 for oversize loads. (12/26/90)
3. **DEFINITIONS.** Refer to Rule 39.C.01 for definitions of the terms used in this rule. (12/26/90)
4. **CONDITIONS AND REQUIREMENTS FOR OPERATION OF SELF-PROPELLED SNOWPLOWS ON THE STATE HIGHWAY SYSTEM**
(12/26/90)
 - a. The maximum width of the self-propelled snowplows utilized to clear roads, streets and other facilities of snow or debris shall be 8 feet 6 inches and the maximum width of the blade or sander mounted on this vehicle shall be 12 feet as measured normal to the direction of travel. (01/03/92)
 - b. Self-propelled snowplows utilized to clear roads, streets and other facilities of snow or debris may operate with no pilot cars required 24 hours a day, 7 days a week, including holidays. (12/26/90)
 - c. An 18-inch by 18-inch red flag shall be mounted near the extremities of the blade and near the extremities of the sander if it exceeds 8 feet 6 inches in width. (12/26/90)
 - d. When operating during hours of darkness, a clearance light or a clearance reflector which meets the specifications listed in Sections 49-910 and 49-911, Idaho Code, shall be mounted near the extremities of the blade and near the extremities of the sander if it exceeds 8 feet 6 inches in width. (12/26/90)

CHAPTER C - HIGHWAYS

RULE NO. 39.C.25

IDAHO TRANSPORTATION DEPARTMENT BOISE, IDAHO

LIGHTS ON SNOW REMOVAL EQUIPMENT

1. **AUTHORITY.** This rule is adopted under the authority of Sections 40-312 and 49-929, Idaho Code. (09/04/91)
2. **PURPOSE.** This rule specifies and standardizes the lighting systems on snow removal equipment. These specifications and standards supersede Administrative Policy A-05-26 (dated 06-23-82) and Board Policy B-05-26 (dated 06-16-82). (09/04/91)
3. **DEFINITIONS.** Snow Removal Equipment - Any private or publicly-owned vehicle classified as a motorized vehicle as defined in Section 49-123, Idaho Code, that has been equipped with snow removal equipment and is being used for snow removal on any public highway. (09/04/91)
4. **LIGHTING STANDARDS**
 - a. Headlamps, turn signals and flashing lights shall be mounted on snow removal equipment at sufficient height to clear all snow removal apparatus. (09/04/91)
 - b. Flashing identification lights on snow removal equipment must be amber colored, and mounted on the cab or truck bed. They shall be mounted so as to be visible from the front and rear regardless of vehicle configuration, for example, when the truck bed is raised. Flashing lights shall be visible from a distance of not less than 1,000 feet in normal sunlight, and not less than 2,500 feet under average visibility conditions at night. (09/04/91)
 - c. Tail lamps, stop lamps and clearance lamps on snow removal equipment must meet standards specified in appropriate sections of the Idaho Code. (09/04/91)

Appendix C

Example of a City Ordinance Affecting Transportation Activities

(City Ordinance for Roswell, New Mexico)

Sec. 29-4. Special court costs for violations.

Any person convicted of violating any ordinance relating to the operation of a motor vehicle shall pay a ten-dollar corrections fee to the municipal judge who shall collect such fees as court costs. All corrections fees collected pursuant to this section shall be deposited in a special fund in the municipal treasury and shall be used solely for municipal jailer training, the construction planning, construction, operation and maintenance of a municipal jail, for paying the cost of housing municipal prisoners in a county jail or complying with match or contribution requirements for the receipt of federal funds relating to jails.

(Ord. No. 1101, §§ 1, 2, 6-29-83; Ord. No. 1171, § 1, 6-9-87)

State law reference—Ordinance required, NMSA 1978, § 35-14-11.

Sec. 29-5. Regulations on transportation of radioactive materials through city.

Transportation of radioactive materials in quantities exceeding the "Type A quantity," established in 10 CFR 71-4 (1986), is hereby prohibited except as provided for herein:

- (1) Transportation of quantities of radioactive materials exceeding the Type A quantities, but specifically excepted from transportation requirements in 10 CFR 71 (1986), is permitted in accord with such exceptions.
- (2) Transportation of quantities of radioactive materials exceeding the Type A quantities shall be, so far as possible, restricted to either Main Street or Second Street. The use of other streets shall be permitted only if delivery is to be made to an in-city site away from those streets, or material is to be removed from such a site.
- (3) Transportation of quantities of radioactive materials exceeding the Type A quantities shall be restricted to the period between 12:00 midnight and 6:00 a.m. of the following day.
- (4) No transportation of quantities of radioactive materials exceeding the Type A quantities shall occur without first having reported the intent to transport the materials, together with the times and route to the city police chief or his designee. The reporting shall occur not later than two (2) hours in advance of the proposed transportation of radioactive materials.
- (5) As used herein, *transportation* refers to movement upon the public streets of the city and does not encompass movement within a structure or upon private lands.

(Ord. No. 1167, § 1, 4-14-87)

Sec. 29-6. Penalty amounts.

In the 1990 New Mexico Uniform Traffic Ordinance, as adopted by the city in section 29-1 of the city Code and amended by the various provisions of section 29-2 of the city Code, maximum penalty amounts that have heretofore been fixed at three hundred dollars (\$300.00) are hereby amended to provide a maximum penalty amount of five hundred dollars (\$500.00). Maximum penalty amounts fixed at other amounts shall remain unchanged.

(Ord. No. 1203, § 3, 9-12-89; Ord. No. 1212, § 1, 9-11-90)

END

**DATE
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10 / 18 / 93