

**RESTRICTIONS ON TRUCK TRAILERS**

1998 GENERAL SESSION

STATE OF UTAH

**Sponsor: J. Brent Haymond**

AN ACT RELATING TO HIGHWAYS; LIMITING CERTAIN VEHICLE COMBINATIONS AND SIZES PERMITTED ON CERTAIN HIGHWAYS; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**27-12-154**, as last amended by Chapter 38, Laws of Utah 1995

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **27-12-154** is amended to read:

**27-12-154. Oversize permits and oversize and overweight permits for vehicles of excessive size or weight -- Applications -- Restrictions -- Fees -- Rulemaking provisions -- Penalty.**

(1) (a) The department may, upon receipt of an application and good cause shown, issue in writing an oversize permit or an oversize and overweight permit. The oversize permit or oversize and overweight permit may authorize the applicant to operate or move upon a highway:

(i) a vehicle or combination of vehicles, unladen or with a load weighing more than the maximum weight specified in Section 27-12-151 for any wheel, axle, group of axles, or total gross weight; or

(ii) a vehicle or combination of vehicles that exceeds the vehicle width, height, or length provisions under Section 27-12-149.

(b) Except as provided under Subsection (8), an oversize and overweight permit may not be issued under this section to allow the transportation of a load that is reasonably divisible.

(c) The maximum size or weight authorized by a permit under this section shall be within limits that do not impair the state's ability to qualify for federal-aid highway funds.

1 (d) The department may deny or issue a permit under this section to protect the safety of  
2 the traveling public and to protect highway foundation, surfaces, or structures from undue damage  
3 by one or more of the following:

- 4 (i) limiting the number of trips the vehicle may make;
- 5 (ii) establishing seasonal or other time limits within which the vehicle may operate or  
6 move on the highway indicated;
- 7 (iii) requiring security in addition to the permit to compensate for any potential damage  
8 by the vehicle to any highway; and
- 9 (iv) otherwise limiting the conditions of operation or movement of the vehicle.

10 (e) Prior to granting a permit under this section, the department shall approve the route  
11 of any vehicle or combination of vehicles.

12 (2) An application for a permit under this section shall state:

13 (a) the proposed maximum wheel loads, maximum axle loads, all axle spacings of each  
14 vehicle or combination of vehicles;

15 (b) the proposed maximum load size and maximum size of each vehicle or combination  
16 of vehicles;

17 (c) the specific roads requested to be used under authority of the permit; and

18 (d) if the permit is requested for a single trip or if other seasonal limits or time limits  
19 apply.

20 (3) Each oversize permit or oversize and overweight permit shall be carried in the vehicle  
21 or combination of vehicles to which it refers and shall be available for inspection by any peace  
22 officer, special function officer, or other personnel authorized by the department.

23 (4) A permit under this section may not be issued or is not valid unless the vehicle or  
24 combination of vehicles is:

25 (a) properly registered for the weight authorized by the permit; or

26 (b) registered for a gross laden weight of 78,001 pounds or over, if the gross laden weight  
27 authorized by the permit exceeds 80,000 pounds.

28 (5) (a) (i) An oversize permit may be issued under this section for a vehicle or combination  
29 of vehicles that exceeds one or more of the maximum width, height, or length provisions under  
30 Section 27-12-149.

31 (ii) Except for an annual oversize permit for an implement of husbandry under Section

1 27-12-148.5, only a single trip oversize permit may be issued for a vehicle or combination of  
2 vehicles that is more than 14 feet six inches wide, 14 feet high, or 105 feet long.

3 (b) The fee is \$25 for a single trip oversize permit under this subsection. This permit is  
4 valid for not more than 96 continuous hours.

5 (c) The fee is \$60 for a semiannual oversize permit under this subsection. This permit is  
6 valid for not more than 180 continuous days.

7 (d) The fee is \$75 for an annual oversize permit under this subsection. This permit is valid  
8 for not more than 365 continuous days.

9 (6) (a) An oversize and overweight permit may be issued under this section for a vehicle  
10 or combination of vehicles carrying a nondivisible load that exceeds one or more of the maximum  
11 weight provisions of Section 27-12-151 by not more than 25%, except that the gross weight may  
12 not exceed 125,000 pounds.

13 (b) The fee is \$50 for a single trip oversize and overweight permit under this subsection.  
14 This permit is valid for not more than 96 continuous hours.

15 (c) A semiannual oversize and overweight permit under this subsection is valid for not  
16 more than 180 continuous days. The fee for this permit is:

17 (i) \$150 for a vehicle or combination of vehicles with gross vehicle weight of more than  
18 80,000 pounds, but not exceeding 84,000 pounds;

19 (ii) \$260 for a vehicle or combination of vehicles with gross vehicle weight of more than  
20 84,000 pounds, but not exceeding 112,000 pounds; and

21 (iii) \$350 for a vehicle or combination of vehicles with gross vehicle weight of more than  
22 112,000 pounds, but not exceeding 125,000 pounds.

23 (d) An annual oversize and overweight permit under this subsection is valid for not more  
24 than 365 continuous days. The fee for this permit is:

25 (i) \$200 for a vehicle or combination of vehicles with gross vehicle weight of more than  
26 80,000 pounds, but not exceeding 84,000 pounds;

27 (ii) \$400 for a vehicle or combination of vehicles with gross vehicle weight of more than  
28 84,000 pounds, but not exceeding 112,000 pounds; and

29 (iii) \$450 for a vehicle or combination of vehicles with gross vehicle weight of more than  
30 112,000 pounds, but not exceeding 125,000 pounds.

31 (7) (a) A single trip oversize and overweight permit may be issued under this section for

1 a vehicle or combination of vehicles carrying a nondivisible load that exceed one or more of the  
2 maximum weight provisions of Section 27-12-151 by more than 25% or that exceeds a gross  
3 weight of 125,000 pounds.

4 (b) (i) The fee for a single trip oversize and overweight permit under this subsection,  
5 which is valid for not more than 96 continuous hours, is \$.01 per mile for each 1,000 pounds above  
6 80,000 pounds subject to the rounding described in Subsection (7)(c).

7 (ii) The minimum fee that may be charged under this subsection is \$65.

8 (iii) The maximum fee that may be charged under this subsection is \$450.

9 (c) (i) The miles used to calculate the fee under this subsection shall be rounded up to the  
10 nearest 50 mile increment.

11 (ii) The pounds used to calculate the fee under this subsection shall be rounded up to the  
12 nearest 25,000 pound increment.

13 (8) (a) [An] Except as provided in Subsection (8)(b), an oversize and overweight permit  
14 may be issued under this section for a vehicle or combination of vehicles carrying a divisible load  
15 if:

16 (i) the bridge formula under Subsection 27-12-151(3) is not exceeded; and

17 (ii) the length of the vehicle or combination of vehicles is:

18 (A) more than 65 feet but not exceeding 92 feet and the application is for a single trip or  
19 semiannual trip permit; or

20 (B) more than 92 feet but not exceeding 105 feet and the application is for an annual trip  
21 permit.

22 (b) Until January 1, 2002, a permit issued under Subsection (8)(a) may not be used and  
23 is not valid on Interstate 15 within a county with a total population of 700,000 or more, unless the  
24 length of the vehicle or combination of vehicles does not exceed 98 feet.

25 [(b)] (c) The fee is \$50 for a single trip oversize and overweight permit under this  
26 subsection. The permit is valid for not more than 96 continuous hours.

27 [(c)] (d) The fee for a semiannual oversize and overweight permit under this subsection,  
28 which permit is valid for not more than 180 continuous days is:

29 (i) \$150 for a vehicle or combination of vehicles with gross vehicle weight of more than  
30 80,000 pounds, but not exceeding 84,000 pounds;

31 (ii) \$260 for a vehicle or combination of vehicles with gross vehicle weight of more than

1 84,000 pounds, but not exceeding 112,000 pounds; and

2 (iii) \$350 for a vehicle or combination of vehicles with gross vehicle weight of more than  
3 112,000 pounds, but not exceeding 129,000 pounds.

4 [(d)] (e) The fee for an annual oversize and overweight permit under this subsection, which  
5 permit is valid for not more than 365 continuous days is:

6 (i) \$200 for a vehicle or combination of vehicles with gross vehicle weight of more than  
7 80,000 pounds, but not exceeding 84,000 pounds;

8 (ii) \$400 for a vehicle or combination of vehicles with gross vehicle weight of more than  
9 84,000 pounds, but not exceeding 112,000 pounds; and

10 (iii) \$450 for a vehicle or combination of vehicles with gross vehicle weight of more than  
11 112,000 pounds, but not exceeding 129,000 pounds.

12 (9) Permits under Subsections (7) and (8) may be issued only upon authorization of the  
13 commission.

14 (10) Permit fees collected under this section shall be credited monthly to the  
15 Transportation Fund.

16 (11) The department shall prepare maps, drawings, and instructions as guidance when  
17 issuing permits under this section.

18 (12) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the  
19 department shall make rules governing the issuance and revocation of all permits under this section  
20 and Section 27-12-148.5.

21 (13) Any person who violates any of the terms or conditions of a permit issued under this  
22 section:

23 (a) may have his permit revoked; and

24 (b) is guilty of a class B misdemeanor.

25 **Section 2. Effective date.**

26 If approved by two-thirds of all the members elected to each house, this act takes effect  
27 upon approval by the governor, or the day following the constitutional time limit of Utah  
28 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the  
29 date of veto override.

**Legislative Review Note**  
**as of 1-26-98 10:41 AM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**