

**Tennessee Department of Transportation
Central Services Division**

**Chapter 1680-07-01
Overweight and Overdimensional
Movements on Tennessee Highways**

**Summary of Proposed Rulemaking Hearing Rules
Public Hearing Date: August 22, 2017**

The following is a summary of proposed revisions to TDOT's regulations for granting special permits for overweight and overdimensional movements on Tennessee highways, as authorized in T.C.A. §55-7-205. A "redline" version of Chapter 1680-07-01 as it would be amended by these proposed revisions is attached to this summary.

Rule 1680-07-01-.01: Purpose and Application of This Chapter.

The format is revised to conform to the standard rule numbering system. Two subparagraphs are added to acknowledge statutory exceptions to the general size and weight limitations established in State and Federal law.

Rule 1680-07-01-.02: Application Process for Special Permits [formerly 1680-07-01-.03].

The revised rule:

- Requires the applicant for a special permit to provide the motor vehicle registration information for the vehicle to be permitted.
- Establishes deadlines for submitting permit applications based on the type or weight of the movement.

Rule 1680-07-01-.03: General Conditions for Issuing Special Permits [formerly 1680-07-01-.02].

The revised rule:

- Defines the term "non-divisible load or vehicle" consistently with Federal regulations.
- Provides that a vehicle carrying fluid milk products shall be considered a non-divisible load as provided in State and Federal law [per 2017 Public Chapter 156 and 23 U.S.C. §127].
- Clarifies the circumstances under which special permits may be issued to vehicles carrying emergency supplies during Federal or State declared emergencies.
- Clarifies that a permit is for a specific vehicle and that a separate permit is required for each category of size or weight in which the load exceeds the statutory limits.
- Allows the transfer of a permit from one vehicle to another for good cause.
- Allows for the one-time amendment of a permit prior to the beginning date.

Rule 1680-07-01-.04: Time and Date Restrictions [formerly 1680-07-01-.12].

The revised rule incorporates recent statutory changes [2016 Public Chapter 923; 2017 Public Chapter 477] that generally allow permitted overweight or overdimensional movements 24 hours per day and 7 days per week, except as follows:

- Oversize movements that require an escort vehicle (12'6" wide, 15' high, or 90' long) are prohibited on interstate highways during morning and afternoon rush hours in counties having a population of 250,000 or more.
- In addition, TDOT may set time restrictions on movements:
 - During periods of heavy traffic associated with holiday travel; or
 - Based on road conditions or during inclement weather.
- TDOT may restrict movement of super heavy or extra-overdimensional loads based on road conditions, traffic volumes, or any other conditions affecting public safety and convenience.

The rule acknowledges that emergency towing movements are not subject to these time restrictions and that separate rules govern time restrictions on the movement of mobile homes, site-built houses, and houseboats.

Rule 1680-07-01-.05: Duration of Special Permits.

The revised rule provides that single trip permits shall be valid for ten (10) days, instead of six (6) days [per 2016 Public Chapter 923].

Rule 1680-07-01-.06: Conditions for Permitting Overwidth Movements.

The revised rule:

- Provides that both front and rear escorts will be required for any load exceeding 13'6" in width.
- Clarifies the conditions under which loads exceeding 16' wide may be permitted.

Rule 1680-07-01-.07: Additional Requirement for Equipment with Blades.

The revision clarifies that movements of equipment with blades are subject to all other regulations applicable to overwidth movements.

Rule 1680-07-01-.08: Vehicles Used Exclusively to Transport Seed Cotton Modules.

This is a new rule that implements existing statutory provisions in T.C.A. §55-7-115.

- It restates existing statutory limits on the size and weight of vehicles used exclusively to transport seed cotton modules; and
- Establishes the conditions under which these vehicles may be permitted up to 9' wide on the National Network of highways, including the interstate highway system.

Rule 1680-07-01-.09: Conditions for Permitting Overweight Movements.

The revised rule:

- Incorporates the conditions for permitting higher axle weight limits [per 2016 Public Chapter 1012], as follows:
 - Allows a maximum axle weight of 23,000 lbs. per single axle, 46,000 lbs. per tandem axle, and 60,000 lbs. per tridem axle; and
 - Specifies that the vehicle shall not be more than 10' wide, but allows the load to exceed 10' in width if properly permitted.
- Clarifies the conditions for permitting the movement of loads exceeding 165,000 lbs.

Rule 1680-07-01-.10: Conditions for Permitting Overheight Movements.

The revised rule:

- Requires a route survey for proposed movements that equal or exceed 15' in height.
- Incorporates existing escort vehicle requirements for loads over 15' high.
- Clarifies the conditions for permitting loads over 15'6" high.

Rule 1680-07-01-.11: Conditions for Permitting Overlength Movements.

The revised rule increases the maximum length of movement not requiring an escort vehicle from 85' to 90' so as to harmonize with other Southeastern states.

Rule 1680-07-01-.12: Additional Requirements for Obtaining Special Permits to Move Super Heavy and Extra-Overdimensional Movements [formerly 1680-07-01-.04].

The revised rule:

- Defines "super heavy" as over 165,000 lbs. and "extra-overdimensional" as over 16' wide or 15'6" high.
- Establishes that TDOT may require such movements to be accompanied by a police escort at the permittee's expense.

Rule 1680-07-01-.13: Conditions for Movement of Fixed Load Vehicles.

The revised rule:

- Standardizes the conditions for permitting the movement of fixed load vehicles on all state highways, including the interstate highway system, as follows:
 - Sets a maximum axle limit of 24,000 lbs., or up to 30,000 lbs. if approved by the TDOT Structures Division after a bridge analysis;
 - Sets a maximum gross weight of 150,000 lbs.; and
 - Prohibits movement over bridges if the vehicle's gross weight or axle weights exceed any posted limits on the bridge.
- Incorporates provisions from the former Rule 1680-07-01-.19, Conditions for Permitting Movements of Off-the-Road Vehicles or Equipment Over State Highways.

Rule 1680-07-01-.14: Conditions for Permitting Movement of Site-Built Houses.

The revised rule:

- Establishes an application deadline and additional information requirements, including a route survey.
- Identifies typical route restrictions.
- Establishes operational requirements for the movement of utility lines, tree trimming, detours, etc.

Rule 1680-07-01-.15: Conditions for Permitting Movement of Mobile Homes, Manufactured Homes, Portable Modular Units or House Trailers.

The revision updates the TDOT web site address in subparagraph (7)(f).

Rule 1680-07-01-.16: Conditions for Permitting Movement of Houseboats.

The revised rule:

- Requires a special permit for the movement of any houseboat over 8' wide (instead of 8'6"), as required under T.C.A. §55-7-205(a)(4).
- Provides that additional requirements for escort vehicles and the prohibition on annual permits will apply to loads exceeding 13'6" instead of 14'.

Rule 1680-07-01-.17: Conditions for Permitting Movement of Sealed Containerized (Ocean Going) Cargo Units.

The revised rule:

- Increases the total gross vehicle weight allowed from 90,000 lbs. to 100,000 lbs.
- Deletes the route restriction requirement under annual permits.

Rule 1680-07-01-.18: Conditions for Permitting Movement of Roof Trusses.

There are only minor, non-substantive revisions to this rule.

Rule 1680-07-01-.19: Conditions for Permitting Movement of Towing Vehicles.

This is a new rule (in place of the former rule dealing with off-the-road vehicles) [per 2017 Public Chapter 477]. The new rule:

- Identifies the normal statutory size and weight limits applicable to towing trucks, or tow trucks and disabled vehicles in combination, that may not be exceeded without a special permit.
- Distinguishes "emergency towing movements" (removing a wrecked or disabled vehicle from the highway to a repair facility or terminal within 100 miles) from "secondary towing movements" (non-emergency towing).

- Stipulates that a towing vehicle transporting a disabled vehicle shall be considered a “non-divisible” load for permitting purposes.
- Authorizes annual and single trip permits for oversize or overweight tow trucks up to a maximum of:
 - 45’ long;
 - 13’6” high;
 - 9’ wide;
 - 85,000 lbs. total vehicle weight;
 - 23,000 lbs. per single axle;
 - 46,000 lbs. per tandem axle group; and
 - 60,000 lbs. per tridem axle group.
- Authorizes annual permits for tow trucks and towed vehicles in combination up to a maximum of:
 - 90’ long for secondary towing movements (no length restrictions on emergency towing movements);
 - 13’10” high;
 - 12’6” wide;
 - 165,000 lbs. total combined vehicle weight;
 - 25,000 lbs. per single axle;
 - 50,000 lbs. per tandem axle group; and
 - 75,000 lbs. per tridem axle group.
- Authorizes single trip permits for tow trucks and towed vehicles in combination up to the maximum of:
 - 15’ high;
 - 16’ wide (escort required for movements exceeding 12’6” wide);
 - 25,000 lbs. per single axle;
 - 50,000 lbs. per tandem axle group;
 - 75,000 lbs. per tridem axle group;
 - No maximum length, but an escort will be required for movements more than 90’ long; and
 - No maximum weight, but combined weights exceeding 165,000 lbs. will require a bridge analysis.
- Provides that a tow truck with a current, valid permit under these rules may make emergency towing movements exceeding the normal permit limits when called out by TDOT, the Tennessee Highway Patrol, or local law enforcement to clear wrecked or disabled vehicles from the highway and remove them to the nearest safe location.
- Identifies the cost of annual and single trip permit fees as set by statute:
 - \$500 for an annual permit;
 - \$20 for a single trip permit for each oversize category (except \$30 for widths over 14’); and
 - \$20 and \$.06 per ton mile for excess weight plus \$.12 per ton mile for any excess weight over 165,000 lbs.

Rule 1680-07-01-.20: Signs and Markings on Movements.

The revised rule:

- Allows fluorescent orange or red flags on overwidth loads and reduce the letter stroke size on “oversize load” signs to 1½” so as to harmonize with the rules of other Southeastern states.
- Incorporates an existing requirement for markings on loads exceeding the width or length of the vehicle.
- Inserts additional requirements for markings on loads moving at night [per 2016 Public Chapter 923].

Rule 1680-07-01-.21: Escort Vehicle Signs, Markings and Equipment Requirements.

The revision increases the gross vehicle weight rating on escort vehicles from 10,000 lbs. to 18,000 lbs. so as to harmonize with other Southeastern states.

Rule 1680-07-01-.22: Financial Responsibility.

There are only minor, non-substantive revisions.

Rule 1680-07-01-.23: Bond or Proof of Solvency Requirements.

There are only minor, non-substantive revisions.

Rule 1680-07-01-.24: Fees.

The revised rule:

- Reflects new permit fees for single trip movements as established by statute:
 - Standardizes fees for excessive height, length, and width up to 14’ from at \$20 (width over 14’ stays at \$30) [per 2016 Public Chapter 923];
 - Increases the fee for excess weight from \$15 plus \$.05 per ton mile to \$20 plus \$.06 per ton mile [per 2015 Public Chapter 393]; and
 - Sets fees for towing movements at \$20 plus \$.06 per ton mile for excess weight up to 165,000 lbs. and \$.12 per ton mile for weight in excess of 165,000 lbs. [per 2017 Public Chapter 477].
- Reflects adjustments in the fees for evaluation of bridges and other structures [per 2016 Public Chapter 1012];
- Reflects new fees for annual permits [per 2016 Public Chapter 1012 (effective January 1, 2017)]:
 - For each category of oversize loads (available only for movements not exceeding 13’10” high, 13’6” wide, or 90’ long) -- \$100; and

- For overweight loads (available only for loads not exceeding 165,000 lbs.):
 - Up to 100,000 lbs. -- \$750;
 - 100,000 to 120,000 lbs. -- \$1,500;
 - 120,000 to 140,000 lbs. -- \$2,250;
 - 140,000 to 155,000 lbs. -- \$3,000; and
 - 155,000 to 165,000 lbs. -- \$3,500.
- Sets annual permit fee for vehicles use exclusively to transport seed cotton modules at \$100 [per T.C.A. §55-7-205(b)(3)].
- Sets annual fee for overweight/overdimensional towing movements at \$500 [per 2017 Public Chapter 477].
- Provides that the holder of an annual permit for excess weight may supplement the permit by obtaining a single trip permit for any excess width, height, or length not otherwise covered by an annual overdimensional permit.
- Provides that vehicles with annual permits must comply with any posted weight limits.
- Establishes procedures for the payment and, in limited circumstances, the refunding of fees.

Rule 1680-07-01-.25: Revocation, Suspension and Withholding of Permits.

This is a new rule. T.C.A. §55-7-205(i) authorizes TDOT to revoke permits at any time if the holder of a permit abuses the privileges granted or otherwise makes wrongful use of the permit. Former TDOT Rule 1680-07-01-.02(10) provided that any person who undertakes the movement of overweight or overdimensional loads in violation of T.C.A. §55-7-205 or TDOT's regulations may be denied additional permits for up to one year. The new rule focuses on compliance rather than punishment.

The new rule details the conditions and procedures for revoking, suspending or withholding permits, as follows:

- A permit may be revoked if the permittee has submitted a fraudulent application or made fraudulent use of a permit to move a vehicle and load not covered by the permit, or if the permittee has repeatedly violated permit conditions.
- The permittee must be given written notice and an opportunity to be heard before a permit may be revoked.
- The use of a permit may be suspended, or new permits may be withheld from a permittee, if the permittee has failed to comply with permit terms and conditions or has failed to pay permit fees or penalties.
- The permittee must be given written notice and a prompt opportunity to be heard on a decision to suspend or withhold permits.
- The suspension or withholding of permits will be lifted when the permittee remedies the violation.
- The person or entity affected by a decision to revoke or suspend a permit, or to withhold new permits, may appeal the decision under the Uniform Administrative Procedures Act.