

1 AN ACT relating to the transportation of overdimensional loads.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 189.270 is amended to read as follows:

4 (1) The department may issue permits for the operation of motor vehicles,
5 manufactured homes, recreational vehicles, boats, or any other vehicle transporting
6 a nondivisible load, whose gross weight including load, height, width, or length
7 exceeds the limits prescribed by this chapter or which in other respects fail to
8 comply with the requirements of this chapter. Permits may be issued by the
9 department for stated periods, special purposes, and unusual conditions, and upon
10 terms in the interest of public safety and the preservation of the highways as the
11 department may require.

12 (2) Except as provided in subsection ~~(8)~~(7) of this section, the department may, at the
13 request of an applicant, issue a single-trip permit regardless of the type of vehicle or
14 equipment being transported that exceeds the weight or dimension limits
15 established by this chapter if the load being transported is a nondivisible load. A
16 single-trip permit shall cost sixty dollars (\$60) for each overweight or
17 overdimensional permit requested.

18 (3) (a) Except as provided in subsection ~~(8)~~(7) of this section, the department may,
19 at the request of an applicant, issue an annual permit regardless of the type of
20 vehicle or equipment being transported that exceeds the weight or dimension
21 limits established by this chapter if the load being transported is a nondivisible
22 load.

23 (b) The vehicle ***operating under a permit issued under this subsection*** shall not
24 exceed sixteen (16) feet in width exclusive of usual and ordinary overhang,
25 one hundred twenty (120) feet in length including a towing vehicle and trailer
26 combination, thirteen (13) feet six (6) inches in height, or one hundred sixty
27 thousand (160,000) pounds.

1 (c) Except as provided in subsections (4), ~~and (7)~~, and (8) of this section, an
2 annual permit for loads less than or equal to fourteen (14) feet in width shall
3 cost two hundred fifty dollars (\$250). An annual permit for loads exceeding
4 fourteen (14) feet in width shall cost five hundred dollars (\$500).

5 (4) An annual permit to transport farm equipment less than fourteen (14) feet in width
6 shall cost eighty dollars (\$80). An annual permit to transport farm equipment that
7 exceeds fourteen (14) feet in width from a dealership to a farm, from a farm to a
8 dealership, or from a dealership to a dealership shall cost one hundred fifty dollars
9 (\$150).

10 (5) Permits issued under this section shall be for nondivisible loads and shall be valid
11 statewide; however, the department may, as a condition of issuing an annual or
12 single-trip permit, limit the overweight or overdimensional vehicle to specified
13 routes, exclude certain highways, or even cancel an applicant's permit if an
14 unreasonable risk of accident or an unreasonable impedance of the flow of traffic
15 would result from the presence of the overweight or overdimensional vehicle. A
16 person who applies for, and accepts, a permit issued under this section is
17 acknowledging that the Kentucky Transportation Cabinet is not guaranteeing safe
18 passage of vehicles by issuing the permit. A person who applies for, and accepts, a
19 permit issued under this section agrees to measure all clearances of highway
20 structures, both laterally and vertically, prior to passage of the person's vehicles
21 along the routes specified in the permit. A person who applies for, and accepts, a
22 permit issued under this section is classified as a bare licensee whose duty is to
23 assume sole risk involved in using Kentucky's highways without warranty of
24 accuracy.

25 (6) Subject to the limitations of subsection (12)~~[(11)]~~ of this section, the department
26 shall promulgate administrative regulations under KRS Chapter 13A to establish
27 requirements for escort vehicles, safety markings, and other safety restrictions

1 governing the operation of an overweight or overdimensional vehicle. The
2 department shall provide each applicant for an annual or single-trip permit issued
3 under this section a copy of all restrictions associated with the overweight or
4 overdimensional permit at no charge to the applicant. The department shall be
5 prohibited from raising the permit fee established in subsections (2) and (3) of this
6 section by levying additional fees for an overweight or overdimensional permit
7 through the administrative regulation process.

8 (7) (a) Notwithstanding KRS 189.269, the department may, at the request of an
9 applicant who is a transporter of manufactured housing, issue an annual
10 permit that exceeds the weight or dimension limits established by this
11 chapter if the load being transported is a nondivisible load.

12 (b) The vehicle operated shall not exceed sixteen (16) feet in width exclusive of
13 usual and ordinary overhang, one hundred twenty (120) feet in length
14 including a towing vehicle and trailer combination, fifteen (15) feet in
15 height, or one hundred sixty thousand (160,000) pounds.

16 (c) The cost for an annual permit issued under this subsections shall be:

17 1. One thousand five hundred dollars (\$1,500) for loads greater than
18 fourteen (14) feet in width or greater than thirteen (13) feet six (6)
19 inches in height; and

20 2. Five hundred dollars (\$500) for loads less than or equal to fourteen
21 (14) feet in width and less than or equal to thirteen (13) feet six (6)
22 inches in height.

23 (d) The holder of a permit issued under this subsection shall, when
24 transporting a manufactured home:

25 1. Abide by all escort requirements, safety markings, and other safety
26 restrictions governing overweight and overdimensional vehicles; and

27 2. Equip each truck operating under a permit with global positioning

1 *system technology that keeps a record of locations traveled. The travel*
2 *records of trucks operating under a permit shall be open to inspection*
3 *by the Transportation Cabinet.*

4 *(e) Any person with a permit under this subsection who operates a vehicle*
5 *greater than thirteen (13) feet six (6) inches in height while operating in a*
6 *restricted area designated by the Transportation Cabinet shall be fined one*
7 *thousand dollars (\$1,000).*

8 **(8)** The cabinet shall not issue an annual permit under this section if the person
9 applying for the permit is eligible for an annual permit issued under KRS 189.2716
10 or 189.2717.

11 ~~**(9)**~~ ~~**(8)**~~ The department may require the applicant to give bond, with approved surety,
12 to indemnify the state or counties against damage to highways or bridges resulting
13 from use by the applicant. The operation of vehicles in accordance with the terms of
14 the permit issued under this section shall not constitute a violation of this chapter if
15 the operator has the permit, or an authenticated copy of it, in his possession.

16 ~~**(10)**~~ ~~**(9)**~~ Any person transporting a parade float which exceeds the dimensional limits
17 on a highway over which it is transported shall be required to obtain a permit as
18 required in subsection (2) of this section. If the float is being used in conjunction
19 with a parade to be held within the boundaries of the Commonwealth, a fee shall
20 not be assessed by the department to issue the permit.

21 ~~**(11)**~~ ~~**(10)**~~ A person shall not operate any vehicle in violation of the terms of the permit
22 issued under this section.

23 ~~**(12)**~~ ~~**(11)**~~ (a) The cabinet shall not promulgate administrative regulations pursuant to
24 this section that restrict the time or days of the week when a permit holder
25 may operate on the highway, except that travel may be limited from 6 a.m. to
26 9 a.m. and 3 p.m. to 6 p.m. Monday through Friday. In addition to the
27 restrictions established in this paragraph, any manufactured home being

1 transported by permit issued under this section shall not travel on any highway
2 after daylight hours Monday through Saturday, or at any time on Sunday.

3 (b) The cabinet shall allow a permit holder who has obtained a permit to transport
4 equipment to a work site to return to the permit holder's place of business
5 immediately after work is completed at the job site, subject to the limitations
6 of paragraph (a) of this subsection.

7 (c) The cabinet shall not promulgate administrative regulations pursuant to this
8 section setting forth escort vehicle requirements for overdimensional farm
9 implements or vehicles towing overdimensional farm implements that are
10 more stringent than the following:

- 11 1. For a single vehicle and load in excess of twelve (12) feet in width being
12 operated on a two (2) lane highway, no more than one (1) lead vehicle
13 shall be required;
- 14 2. For a single vehicle and load in excess of twelve (12) feet in width being
15 operated on a four (4) lane highway, no more than one (1) trail vehicle
16 shall be required;
- 17 3. For a single vehicle and load in excess of eighty-five (85) feet in length
18 being operated on a two (2) lane highway, no more than one (1) lead
19 vehicle shall be required;
- 20 4. For more than one (1) vehicle and load in excess of twelve (12) feet in
21 width or eighty-five (85) feet in length being operated as a convoy on a
22 two (2) lane highway, no more than one (1) lead vehicle shall be
23 required;
- 24 5. A lead escort vehicle on a two (2) lane highway under this paragraph
25 may also serve as a tow vehicle;
- 26 6. Any distance for lead or trail escort vehicles shall contain provisions
27 allowing for a variance from that distance due to safety or road

- 1 conditions; and
- 2 7. A vehicle or its escort shall be required to bear a sign declaring that the
- 3 vehicle is oversized or be required to use lights, flashers, or flags, but a
- 4 vehicle or its escort shall not be required to do both.