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Sequence Number: 07-01-16
 Notice ID(s): 2537
 File Date: 7/1/16

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Department of Transportation
Division:	Central Services Division
Contact Person:	John H. Reinbold, General Counsel
Address:	505 Deaderick Street, Suite 300, Nashville, TN 37243
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Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Margaret Z. Mahler, ADA Coordinator
Address:	505 Deaderick Street, Suite 400, Nashville, TN 37243
Phone:	615-741-4984; TTY: 615-253-8311
Email:	Margaret.Z.Mahler@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Tennessee Department of Transportation, Region 3 Auditorium		
Address 2:	6601 Centennial Boulevard		
City:	Nashville, TN		
Zip:	37243		
Hearing Date :	August 25, 2016		
Hearing Time:	1:00 p.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

Location: From Briley Parkway (SR-155), take Exit 26B to Centennial Blvd. westbound. The Region 3 office complex is on the left. Go to the main administrative building (Building A). The Region 3 Auditorium is located on the first floor of Building A just inside the main doors.

Public Comments: Public comments on the proposed rulemaking will be received at the public hearing on Thursday, August 25, 2016. In addition, interested parties may submit written comments on or before August 25, 2016, by mail or email to the following address:

John H. Reinbold, General Counsel
 Tennessee Department of Transportation
 James K. Polk Building, 3rd Floor
 505 Deaderick Street, Nashville, TN 37243
John.Reinbold@tn.gov

A summary of the proposed rule revisions and a copy of Chapter 1680-07-01 as amended are available on the TDOT website at <http://www.tn.gov/tdot/calendar/public-hearings> and at <http://www.tn.gov/tdot/article/central-services-oversize-overweight-news>.

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1680-07-01	Overweight and Overdimensional Movements on Tennessee Highways
Rule Number	Rule Title
1680-07-01-.01	Forward-Purpose
1680-07-01-.02	General Information-Permits
1689-07-01-.03	Application for Special Permit
1680-07-01-.04	Additional Requirements for Obtaining Special Permits To Move Superheavy and/or Extra Overdimensional Movements
1680-07-01-.05	Duration of Special Permits
1680-07-01-.06	Conditions for Permitting Overwidth Movements
1680-07-01-.07	Additional Requirement for Equipment with Blades
1680-07-01-.08	Width in Excess of Sixteen Feet (16')
1680-07-01-.09	Conditions for Permitting Overweight Movements
1680-07-01-.10	Conditions for Permitting Overheight Movements
1680-07-01-.11	Conditions for Permitting Overlength Movements
1680-07-01-.12	Time Restrictions
1680-07-01-.13	Conditions for Movement of Fixed Load Vehicles
1680-07-01-.14	Conditions for Permitting Movement of Site-built Houses
1680-07-01-.16	Conditions for Permitting Movement of Houseboats
1680-07-01-.17	Conditions for Permitting Movement of Sealed Containerized (Ocean Going) Cargo Units
1680-07-01-.18	Conditions for Permitting Movement of Roof Trusses
1680-07-01-.19	Conditions for Permitting Movement of Off-The-Road Vehicles or Equipment Over State Highways
1680-07-01-.20	Signs and Markings on Movements
1680-07-01-.21	Escort Vehicle Signs, Marking, and Equipment Requirements
1680-07-01-.22	Financial Responsibility
1680-07-01-.23	Bond or Proof of Solvency
1680-07-01-.24	Fees

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Rule 1680-07-01-.01 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

1680-07-01-.01 Purpose and Application of this Chapter.

(1) Purpose.

The purpose of this chapter is to prescribe rules in the interest of public safety and preservation of highways, for the issuance and or renewal of special permits for the transportation of such oversize, overweight or overlength articles or commodities as cannot be reasonably dismantled or conveniently transported otherwise, and for the operation of such superheavy or overweight vehicles, motor trucks, semi-trailers and trailers, whose gross weight, including load, height, width, or length, may exceed statutory limits, or which in other respects fail to comply with requirements of T.C.A. §§55-7-201 – 203, as may be reasonably necessary for the transportation of such oversize, overweight or overlength articles or commodities as cannot be reasonably dismantled or conveniently transported otherwise.

(2) Application.

These rules apply, and a special permit issued by the Tennessee Department of Transportation (hereinafter also referred to as "TDOT" or "Department") shall be required for the operation of any motor vehicle on the state highway system, including the interstate highway system, whenever the motor vehicle, including the load, exceeds any of the following size and weight limits established by law:

(a) General Size and Weight Limitations Established in T.C.A. §§55-7-201 – 203:

1. Gross weight: 80,000 pounds, except that freight motor vehicles operating on the interstate highway system shall not exceed the lesser of 80,000 pounds or the weight produced by application of the formula set forth in T.C.A. §55-7-203(b)(3).
2. Single axle: 20,000 pounds, except as provided above.
3. Tandem axle: 34,000 pounds, except as provided above.
4. Width: 8 feet 6 inches.
5. Height: 13 feet 6 inches.
6. Length:
 - (i) Straight Truck: 45 feet.
 - (ii) Straight truck with trailer attached: 65 feet.
 - (iii) Truck tractor and semi-trailer or trailer combination:

The towed vehicle shall not exceed 50 feet in length from the point of attachment to the tractor; provided, however, if the towed vehicle exceeds 48 feet in length from the point of attachment to the tractor, the distance between the kingpin and the rearmost axle or a point midway between the two rear axles, if the two rear axles are a tandem axle, shall not exceed 41 feet; and

- (I) Except, if transporting livestock or automobiles and/or motor vehicles: 52 feet in length from the point of attachment to the tractor; or
 - (II) If transporting poles, logs, or timber in single length pieces: 75 feet total length.
 - (iv) Truck tractor and twin trailer combination: 28 feet 6 inches either towed vehicle.
- (b) Exceptions under State Law: Exceptions to the general size and weight limitations described in subparagraph (a) are authorized in T.C.A. §55-7-115 and T.C.A. §§55-7-201 – 205, including without limitation exceptions for vehicles used exclusively to transport cotton seed modules (see Rule 1680-07-01-.08) and an exception to length limitations for disabled vehicles being towed to a repair facility (see Rule 1680-07-01-.19). Movements made in compliance with these exceptions are not subject to the special permit requirements established in this chapter.
- (c) Exceptions under Federal Law: Additional exceptions to the general size and weight limitations described in subparagraph (a) above are required under federal law, including 23 U.S.C. §127 and 49 U.S.C. §31111. Movements made in compliance with these exceptions are not subject to the special permit requirements established in this chapter.

Authority: T.C.A. §55-7-115, §§55-7-201 – 203, and §55-7-205; 23 U.S.C. §127 and 49 U.S.C. §31111.

Rule 1680-07-01-.2 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

1680-07-01-.02 Application Process for Special Permits

- (1) Applications for special permits may be made in person, or by letter, email, or telephone to the Tennessee Department of Transportation, Overweight and Overdimensional Permits Office (hereinafter "TDOT Permits Office"), Suite 800, James K. Polk State Office Building, 505 Deaderick Street, Nashville, TN 37243; email address: tdot.permitoffice@tn.gov; telephone number: (615) 741-3821; or through the Tennessee Overweight and Overdimensional Permitting System ("TOOPS") at <https://www.toops.tdot.tn.gov/toops/login/LoginMain.action>.
- (2) The applicant must provide the following information:
 - (a) Name of applicant;
 - (b) Address of applicant;
 - (c) Description of article and/or commodity to be moved;
 - (d) Method of moving (truck and trailer, towing by truck, under own power, etc.);
 - (e) Motor vehicle registration number of vehicle to be permitted;
 - (f) Overall dimensions and/or gross weight of load;
 - (g) Number and spacing of axles, including steering (if overweight);
 - (h) Address of the place of origin and/or place of destination of movement within Tennessee;
 - (i) Proposed highway routes over which movement will be made;
 - (j) Proposed effective date of permit; and
 - (k) Address to which permit is to be transmitted and method of transmittal.

- (3) The application for a special permit shall be submitted in advance of the requested starting date of the permit in accordance with the following schedule:
- (a) Applications for overdimensional permits shall be submitted at least three (3) business days before the starting date of the permit.
 - (b) Applications for overweight permits shall be submitted at least the following minimum number of days before the starting date of the permit:
 - 1. For gross vehicle weights of less than 165,000 pounds, at least three (3) business days;
 - 2. For gross vehicle weights equal to or greater than 165,000 pounds but less than 250,000 pounds, at least five (5) business days;
 - 3. For gross vehicle weights equal to or greater than 250,000 pounds but less than 500,000 pounds, at least fifteen (15) business days; and
 - 4. For gross vehicle weights equal to or greater than 500,000 pounds, at least thirty (30) business days.
 - (c) The TDOT Permits Office may waive these application deadlines for good cause; and provided further, the TDOT Permits Office reserves the right, upon giving notice to the applicant, to take additional time as needed to review an application for a special permit.
- (4) Failure to provide the required information may result in denial of the special permit request or a delay in issuance of the special permit.

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.3 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

1680-07-01-.03 General Conditions for Issuing Special Permits.

- (1) Subject to the rules established in this chapter, the Tennessee Department of Transportation may issue special permits authorizing the movement of motor vehicles and loads that exceed the size or weight limits generally allowed by law, as set forth in Rule 1680-07-01-.01(2) above. In general, special permits may be issued only for non-divisible loads or vehicles.
- (2) As used in this chapter, a "non-divisible load or vehicle" means any load or vehicle which, if separated into smaller loads or vehicles, would:
 - (a) Compromise the intended use of the vehicle, i.e., make it unable to perform the function for which it was intended;
 - (b) Destroy the value of the load or vehicle, i.e., make it unusable for its intended purpose; or
 - (c) Require more than eight (8) workhours to dismantle using appropriate equipment, which the applicant for the special permit has the burden of proving; and
 - (d) Apart from the criteria set forth in subparagraphs (a) through (c), the term "non-divisible load or vehicle" includes military vehicles transporting marked military equipment or materiel, and emergency response vehicles, including those loaded with salt, sand, chemicals or a combination thereof, with or without a plow or blade attached in front, and being used for the purpose of spreading the material on the highways that are or may become slick or icy.
 - (e) In accordance with 23 U.S.C. §127, a vehicle carrying fluid milk products shall be considered a non-divisible load when operating on the interstate highway system, or when exercising reasonable access to and from the interstate highway system to terminals and facilities for food, fuel, repairs, and rest.

- (3) In accordance with 23 U.S.C. §127, special permits may be issued to overweight vehicles with loads that can be easily dismantled or divided if the vehicles are delivering relief supplies during an emergency or major disaster declared by the President of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act ("Stafford Act") (42 U.S.C. §5121 et seq.), and the movement is authorized by the Governor of Tennessee as provided in paragraph (4) below.
- (4) In accordance with T.C.A. §58-2-107, but subject to any limitations established in Federal law, special permits may be issued in accordance with an Executive Order or Proclamation issued by the Governor of Tennessee during a state of emergency declared by the Governor under the authority granted in T.C.A. § 58-2-101, et seq.
- (5) Special permits for a single trip are issued to allow one movement between two specific points.
- (6) Single trip permits and annual permits are specific to a particular vehicle and may not be transferred between vehicles.
- (7) Each category of size (height, width, or length) or weight in which the vehicle and load exceeds the size and weight limits established by law and set forth in Rule 1680-07-01-.01 shall be included in the permit and shall be subject to the applicable fee for each category.
- (8) The permit shall be issued in the name of the motor carrier used to transport the load.
- (9) The permittee is responsible for the accuracy of all information contained within the permit.
- (10) The permit may be rendered invalid, and the permit holder may be subject to citation for violation of the law, if the permit is found to contain false information.
- (11) Requests to change permit information after the permit has been issued will be denied, and any change in permit information will require application for a new permit.
- (12) An original permit shall be in the possession of the driver of the permitted vehicle at all times during the authorized move; provided, however, that an electronic permit is acceptable so long as the bar code is scannable. The permit shall be presented to TDOT, the Tennessee Department of Safety and Homeland Security, or other law enforcement whenever requested.
- (13) Permits may be subject to route restrictions based on conditions of the roadway or bridges and the weight or dimensions of the load. Restricted routes of travel shall be strictly followed.
- (14) Permits may be subject to restrictions on time of movement during inclement weather or weather-related emergencies when conditions prevail that could make movement unsafe.
- (15) Any person, firm, company or corporation that undertakes the movement of any overweight and/or overdimensional piece(s) of equipment and/or commodity contrary to the provisions of T.C.A. §55-7-205 and to the provisions of these regulations shall, at the discretion of the Commissioner of Transportation, be denied further permit(s) for such overweight and/or overdimensional movement for such period of time, not to exceed one (1) year, as the Commissioner of Transportation, in exercising such discretion, shall deem appropriate.
- (16) No permit fees will be refunded after issuance of the permit, and no refunds or credits will be granted for unused or expired permits.
- (17) Every special permit will be issued on the condition that the permittee accepts and uses it at the permittee's own risk, even though all instructions, directions, and requirements of the Department have been followed.
- (18) All permit holders requiring travel off of the state highway system are responsible for coordination with the local government having jurisdiction of such other roads.

Authority: T.C.A. §55-7-205, 23 U.S.C. §127, and 23 C.F.R. Part 658.

Rule 1680-07-01-.4 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

1680-07-01-.04 Time and Date Restrictions.

Unless otherwise specifically provided in these rules, a special permit issued for the movement of an overweight or overdimensional motor vehicle and load shall allow for continuous movement twenty-four (24) hours per day, and seven (7) days per week, except as follows:

- (1) The permit shall not allow movement on the interstate highway system between the hours of 6:00 a.m. to 9:00 a.m. and between the hours of 3:00 p.m. and 6:00 p.m. from Monday through Friday in counties having a population exceeding 250,000 according to the 2010 federal census or any subsequent federal census.
- (2) The permit may be subject to restrictions on movements during periods of heavy traffic volume associated with certain holidays, as follows:
 - (a) Easter: After 6:00 p.m. on the Thursday preceding Good Friday through and including Easter Sunday;
 - (b) Memorial Day: After 12:00 p.m. (noon) on the preceding Friday through Memorial Day;
 - (c) Independence Day: July 3 and July 4; provided, that if July 4 is a Friday, Saturday, Monday, or Tuesday, the weekend day or days immediately following or preceding July 4, as applicable, may also be restricted;
 - (d) Labor Day: After 12:00 p.m. (noon) on the preceding Friday through Labor Day;
 - (e) Thanksgiving: After 12:00 p.m. (noon) on the Wednesday before Thanksgiving through Sunday following Thanksgiving; and
 - (f) Christmas/New Year's Day: December 24 through January 1; provided, that if December 24 is a Sunday or Monday, the weekend day or days immediately preceding December 24 may also be restricted; provided further, that if January 1 is a Friday or Saturday, the weekend day or days immediately following January 1 may also be restricted.
- (3) The permit may be subject to route restrictions based on conditions of the roadway or bridges and the weight or dimensions of the load.
- (4) The permit may be subject to restrictions on time of movement during inclement weather or weather-related emergencies when conditions prevail that could make movement unsafe.
- (5) For superheavy or extra-overdimensional loads exceeding one hundred sixty-five thousand pounds (165,000 lbs.), sixteen feet (16') in width, or fifteen feet six inches (15'6") in height, the time of movement may be restricted based on conditions of the road, traffic volumes, or other conditions affecting public safety and convenience as the Department may determine.
- (6) Separate time and date restrictions apply when special permits are issued for the following categories of overweight or overdimensional movements:
 - (a) Mobile homes as defined in T.C.A. §55-4-402 (see Rule 1680-07-01-.15);
 - (b) Site-built houses (see Rule 1680-07-01-.14); and
 - (c) Houseboats (see Rule 1680-07-01-.16).

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.5 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) Special permits for single trip movements of overweight or overdimensional loads shall be valid for a period of ten (10) calendar days, except as otherwise specifically provided in these rules.
- (2) Annual special permits may be obtained as set forth in T.C.A. §§55-7-205(b) and (h), and as further provided in Rule 1680-07-01-.24.

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.6 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) Movements over eight feet six inches (8'6") wide but not exceeding ten feet (10') wide: No escorts, special signs, lights and/or markings will be required.
- (2) Movements over ten feet (10') wide but not exceeding twelve feet six inches (12'6") wide:
 - (a) No escort will be required to accompany the movement on the interstate highway system, on highways with four or more lanes, or on two-lane highways with a minimum pavement width (excluding paved shoulders) of twenty-four feet (24').
 - (b) One (1) escort vehicle is required to precede the movement where the minimum pavement width (excluding paved shoulders) is less than twenty-four feet (24').
 - (c) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
 - (d) The front and rear of the movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
 - (e) Escort vehicles shall be signed and marked as hereinafter set out in Rule 1680-07-01-.21.
 - (f) The time of movement may be restricted in accordance with Rule 1680-07-01-.04.
- (3) Movements over twelve feet six inches (12'6") wide but not exceeding thirteen feet six inches (13'6") wide:
 - (a) One (1) escort vehicle is required to follow the movement on the interstate highway system or highways with four or more lanes.
 - (b) One (1) escort vehicle is required to precede the movement on two-lane highways.
 - (c) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
 - (d) The front and rear of the movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
 - (e) Escort vehicles shall be signed and marked as hereinafter set out in Rule 1680-07-01-.21.
 - (f) The time of movement may be restricted in accordance with Rule 1680-07-01-.04.

- (4) Movements over thirteen feet six inches (13'6") wide but not exceeding sixteen feet (16') wide:
- (a) Front and rear escort vehicles are required on all highways.
 - (b) The towing vehicle and escort vehicles shall be so equipped as to be in radio communication at all times during the movement.
 - (c) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
 - (d) The front and rear of the movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
 - (e) Escort vehicles shall be marked as hereinafter set out in Rule 1680-07-01-.21.
 - (f) The time of movement may be restricted in accordance with Rule 1680-07-01-.04.
- (5) Movements over sixteen feet (16') wide:

Except as otherwise permitted in these rules, movements in excess of sixteen feet (16') will generally not be permitted. A movement needed in the interest of the public welfare, safety, health or defense may be permitted, as provided in Rule 1680-07-01-.12, upon submission of proof of necessity, provided the movement is not considered to be detrimental or unsafe to the traveling public and the highway can accommodate the movement.

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.7 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) In the interest of safety, equipment such as but not limited to bulldozers with blades or other protruding sharp objects of any kind which create an overwidth exceeding ten feet six inches (10'6") but not exceeding thirteen feet six inches (13'6"), will be loaded in such a manner to place the blade or protruding sharp object to the rear of the hauling equipment. All other regulations for overwidth movements established in Rule 1680-07-01-.06 shall apply.
- (2) No permit will be issued for blades or protruding sharp objects creating width in excess of thirteen feet six inches (13'6").

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.8 is amended by repealing the existing rule and substituting the following new rule in its place:

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

- (1) In accordance with T.C.A. §55-7-115, a single motor vehicle used exclusively to transport seed cotton modules is authorized to operate on the state highway system without obtaining a special permit under this chapter, except as provided in subparagraph (d) below, subject to the following limitations:
 - (a) The width of the vehicle shall not exceed nine feet (9') when operated on any on highway with four or more lanes or on a two-lane highway with a minimum pavement width (excluding paved shoulders) of twenty-four feet (24'), and the width shall not exceed eight feet six inches (8'6") when operated on any two-lane highway where the minimum pavement width (excluding paved shoulders) is less than twenty-four feet (24');
 - (b) The length of the vehicle shall not exceed a length of fifty-three feet (53');

- (c) The overall gross weight of the vehicle shall not exceed 59,400 pounds, and the axle weights shall be limited as follows:
 - 1. The load on any one (1) axle shall not exceed 20,000 pounds; and
 - 2. The tandem axle load shall not exceed 38,000 pounds without van-type cover, or 39,400 pounds with van-type cover.
- (d) Except by special permit as authorized in paragraph (2) below:
 - 1. No such vehicle is authorized to operate on the interstate highway system if it exceeds the weight limitations established in 23 U.S.C. §127, including the axle weight limitations of 20,000 pounds per single axle and 34,000 pounds per tandem axle; and
 - 2. No such vehicle is authorized to operate on the National Network of highways, including all interstate highways and the additional Federal-aid highways set forth in 23 C.F.R. Part 658, Appendix A, if the maximum width of the vehicle exceeds eight feet six inches (8'6").
- (2) The Department may grant a special permit to allow a single motor vehicle used exclusively to transport seed cotton modules to travel on the interstate highway system and other highways designated as part of the National Network, subject to the following:
 - (a) The special permit may authorize the width of the vehicle to exceed eight feet six inches (8'6"), if:
 - 1. The width of the vehicle does not exceed nine feet (9');
 - 2. The length of the vehicle does not exceed fifty-three (53');
 - 3. The weight of the vehicle does not exceed the weight limitations set forth in § 55-7-203(b)(3), including 20,000 pounds per single axle and 34,000 pounds per tandem axle.
 - (b) The duration of the special permit shall be for one (1) year at a cost of one hundred dollars (\$100).
 - (c) Solely during the harvest season for cotton, the movement of any vehicle operating under a special annual permit shall be unrestricted with respect to day of the week, time or holiday observation, but at other times the movement of the vehicle may be subject to the time and date restrictions in accordance with Rule 1680-07-01-.04.

Authority: T.C.A. §§ 55-7-115 and 55-7-205; 23 U.S.C. §127; and 23 C.F.R. Part 658.

Rule 1680-07-01-.9 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) In general, the maximum allowable axle weights by special permit are as follows:
 - (a) Tandem Axle: 40,000 pounds;
 - (b) Single Axle: 20,000 pounds; and
 - (c) In no case shall a single axle in a tandem group exceed 20,000 pounds.
- (2) However, a special permit for the movement of a non-divisible load may be issued for axle weights exceeding the maximum axle weights established in Paragraph (1), subject to the following conditions:
 - (a) The maximum width of the vehicle, including the truck and semi-trailer or trailer combination, shall not exceed ten feet (10'); provided, however, the load may exceed ten feet (10') if properly permitted;

- (b) No single axle shall carry a load in excess of 23,000 pounds;
 - (c) No tandem axle group shall carry a load in excess of 46,000 pounds; and
 - (e) No axle of group of three (3) axles (tridem) shall carry a load in excess of 60,000 pounds.
- (3) Any movements with a gross weight exceeding 165,000 pounds must be approved by the TDOT Structures Division before a special permit may be issued. Some movements with a gross weight of less than 165,000 pounds may also be subject to the prior approval of the TDOT Structures Division based on the axle spacing of the vehicle carrying the load.

Authority: T.C.A. §§ 55-7-203 and 55-7-205.

Rule 1680-07-01-.10 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) Height in excess of thirteen feet six inches (13'6") but not exceeding fifteen feet six inches (15'6"):
 - (a) A special permit shall be required for all movements where the height of the motor vehicle and load exceeds thirteen feet six inches (13'6").
 - (b) Special routing maybe required as a condition of the special permit.
 - (c) If the height of the movement is fifteen feet (15') or more the applicant shall provide a survey of the proposed route, identifying the vertical clearance at each overpass located along the route. The application for the special permit will not be processed without this route survey.
 - (d) When the permitted vehicle and load exceeds fifteen feet (15') in height, the permittee shall determine all vertical clearances by use of a front escort vehicle having protrusions equal to the height of the permitted vehicle and load. The escort vehicle shall be capable of immediately communicating with the permitted vehicle at all times, and shall do so whenever any actual vertical clearance is less than the height of the permitted vehicle and load. The permitted vehicle shall follow the escort vehicle at such a distance and at such a speed as will permit stopping on receipt of advice that any vertical clearance is less than the height of the permitted vehicle and load.
- (2) Height in excess of fifteen feet six inches (15'6"):
 - (a) Generally, permits for movements in excess of fifteen feet six inches (15'6") will not be issued. A permit may be issued upon submission of proof of necessity that the movement is needed in the interest of the public welfare, safety, health or defense and provided the move is not considered to be detrimental or unsafe to the traveling public and the highway can accommodate the move.
 - (b) When such movements are authorized, the following conditions will apply:
 - 1. Special routing shall be required. The applicant shall provide a survey of the proposed route, identifying the vertical clearance at each overpass located along the route. The application for the special permit will not be processed without this route survey.
 - 2. Front and rear of movement shall be signed and marked as set forth in Rule 1680-07-01-.20.
 - 3. The escort shall be marked as set forth in Rule 1680-07-01-.21.
 - 4. The permittee shall determine all vertical clearances by use of a front escort vehicle having protrusions equal to the height of the permitted vehicle and load. The escort

vehicle shall be capable of immediately communicating with the permitted vehicle at all times, and shall do so whenever any actual vertical clearance is less than the height of the permitted vehicle and load. The permitted vehicle shall follow the escort vehicle at such a distance and at such a speed as will permit stopping on receipt of advice that any vertical clearance is less than the height of the permitted vehicle and load.

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.11 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) Length exceeding the limits established by law and set forth in Rule 1680-07-01-.01), but not exceeding ninety feet (90'):
 - (a) No escort vehicle will be required.
 - (b) For lengths over seventy-five feet (75'), the front and rear movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20. The rear sign shall be fitted with either a rotating amber light or a strobe type amber light which is visible from at least 500 feet and has a horizontal placement which shall be visible from all directions, three hundred sixty degrees (360°).
- (2) Length over ninety feet (90'), but not exceeding one hundred twenty feet (120'):
 - (a) One (1) escort vehicle shall immediately follow the movement.
 - (b) Front and rear of movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
 - (c) The escort vehicle shall be marked as hereinafter set out in Rule 1680-07-01-.21.
- (3) Length in excess of one hundred twenty feet (120'):
 - (a) One (1) escort vehicle shall immediately precede and one (1) escort shall immediately follow the movement.
 - (b) Front and rear of movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
 - (c) Each escort vehicle shall be marked as hereinafter set out in Rule 1680-07-01-.21.

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.12 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

1680-07-01-.12 Additional Requirements for Obtaining Special Permits to Move Superheavy and/or Extra-Dimensional Movements.

- (1) Movement of superheavy and/or extra-overdimensional loads essential to health, welfare, safety or defense may be permitted provided the highway can accommodate the move, and the move is not considered to be detrimental or unsafe for the other traveling public. For the purposes of this rule, "superheavy" means that the total gross weight of the vehicle and load exceeds 165,000 pounds, and "extra-overdimensional" means that the width of the vehicle and load exceeds sixteen feet (16') or the height of the vehicle and load exceeds fifteen feet six inches (15'6").
 - (a) Application must be submitted to the TDOT Permits Office and must contain, in addition to the information stated above in Rule 1680-07-01-.02, the following:
 1. Complete and detailed proposal of movement;
 2. Detailed sketch of vehicle and load;
 3. Tire sizes and contact pressures;
 4. Distance between axles;
 5. Load distribution to axles;
 6. Overall length, width and height of movement;
 7. Detailed traffic control proposal; and
 8. Any other information required.
- (2) Application should be submitted with sufficient advance notice, in accordance with Rule 1680-07-01-.02, paragraph (3), so that the TDOT Structures Division may conduct required engineering examinations.
- (3) Special permits for superheavy and/or extra-overdimensional movements shall be issued or withheld at the sole discretion of the Department based on engineering judgment of the necessity for, importance of, and safety of movement, alternative methods of transportation, and possible damage to roadway and appurtenances.

Authority: T.C.A. §55- 7-205.

Rule 1680-07-01-.13 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) For the purposes of this rule, "fixed load vehicle" means any vehicle not designed or used to carry, convey or move any freight, property, article or thing over the highways, except the weight of any equipment, appliance or apparatus constructed as a part of, or permanently attached to, the body of the vehicle itself. "Fixed load vehicle" includes, e.g., well-drilling apparatus, cranes, and portable feed mills, as well as other vehicles meeting the general definition in this subparagraph, but it does not include vehicles designed to deliver ready mixed concrete or tow trucks (see Rule 1680-07-01-.19).
- (2) Special permits may be issued for the operation of fixed load vehicles on the state highway system, including that portion designated as the interstate system, provided that in addition to all other applicable provisions of these rules, the following conditions are met:
 - (a) The weight of the fixed load vehicle must travel on pneumatic or solid tires, as defined in T.C.A. §55-1-110. No tracked vehicle shall be allowed to operate on the highway.
 - (b) Generally, no single load bearing axle, or single axle in a tandem group, shall exceed 24,000 pounds; provided, however, that an axle weight in excess of 24,000 pounds may be permitted if approved by the TDOT Structures Division after conducting a bridge analysis. Any applicant requesting to load more than 24,000 pounds on any single axle or single axle in a tandem

group shall submit the design schematics of the vehicle to the TDOT Structures Division for review.

- (c) In any event, no single axle, or single axle in a tandem group, shall exceed 30,000 pounds.
- (d) The maximum gross weight of the vehicle shall not exceed 150,000 pounds.
- (e) Routing shall not include any bridge with a posted gross vehicle weight restriction, or axle weight restriction, that is less than the gross vehicle weight, or axle weights, of the permitted vehicle.
- (f) The permit may require that the vehicle shall not exceed crawl speed when crossing any bridge.
- (g) The permit may require that no other traffic shall be permitted on the bridge while it is being crossed by the fixed load vehicle.
- (h) The permit may require that the permittee shall provide necessary flagging.
- (i) Each category of size (height, width, or length) or weight in which the vehicle exceeds the size and weight limits established by law and set forth in Rule 1680-07-01-.01 shall be included in the permit and shall be subject to the applicable fee for each category.
- (j) The permit may require the front and rear of the movement to be signed and marked as set forth in Rule 1680-07-01-.20.

Authority: T.C.A. § 55-1-117, §55-7-201, and §55-7-205.

Rule 1680-07-01-.14 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

Notwithstanding any other provision in this chapter to the contrary, special permits may be issued for the movement of site-built houses or buildings subject to the following specific considerations and restrictions:

- (1) The application for the special permit shall be submitted to the TDOT Permits Office at least fourteen (14) business days before the starting date of the permit; provided, however, the TDOT Permits Office may waive this deadline for good cause; and provided further, the TDOT Permits Office reserves the right, upon giving notice to the applicant, to take such additional time as may be needed to review an application for a special permit.
- (2) The application shall identify the dimensions (width, length, and height) of the building as it is proposed to be moved. In addition, if any bridges are to be crossed during the movement, the application shall identify the weight and schematics of the building to be submitted to the TDOT Structures Office for the completion of a bridge analysis. The TDOT Permits Office may require verification of the weight prior to issuance of the permit.
- (3) Each category of size (height, width, or length) or weight in which the vehicle and load exceeds the size and weight limits established by law and set forth in Rule 1680-07-01-.01 shall be included in the permit and shall be subject to the applicable fee for each category. The movement shall comply with all other rules applicable to the movement of overweight, over-width, over-length, and over-height movements.
- (4) The following considerations apply to the routes upon which a site-built house or building may be permitted to move:
 - (a) Generally, the movement of site-built houses or buildings along or across state highways will be restricted to low traffic volume routes that have sufficient vertical and horizontal clearances.

- (b) Movements along or across high traffic volume routes may be considered on a case-by-case basis. These include major arterial routes.
 - (c) Movements on or across interstate highways or other multi-lane fully access-controlled highways shall not be approved.
- (5) The size of a building that may be permitted to move is contingent upon the physical limitations of the highway upon which the building is to be moved and the effect of the move upon the flow of traffic. Generally, porches or protruding sections must be removed to reduce the dimensions of the building to acceptable proportions. Loose boards, bricks, or the like, must be removed for safety reasons.
 - (6) The applicant shall provide the TDOT Permits Office with a route survey of the proposed route of travel. The route survey shall identify any needed tree trimming and any proposed temporary removal and replacement of signs, signals, or guardrails based on the dimensions of the building. The performance of any such work shall require the prior written permission of the TDOT District Office where the movement is to occur.
 - (7) The permittee shall be responsible for the removal or adjustment of overhead wires and cables, and the permittee shall make all necessary arrangements with the owner of the overhead facilities.
 - (8) If it is anticipated that the movement of the building will be delayed by any utility line adjustments or tree trimming, the permit shall require this work to be performed prior to beginning the move. The permittee must verify with the applicable TDOT District Office that all required work has been completed prior to the movement.
 - (9) Any traffic signals or signs that are authorized to be removed for vertical or lateral clearance shall be removed immediately prior to and replaced immediately after the building passes the signs or signal installation.
 - (10) When a detour for other traffic is necessary, the permittee shall ascertain that an approved detour has been established, that detour signs and barricades are erected and removed, when required, and that all signs and barricades conform to standards contained in the current Tennessee Manual on Uniform Traffic Control Devices for Streets and Highways. In planning a detour route, consideration shall be given to the handling of emergency service vehicles.
 - (11) The permittee shall present a barricade plan for all affected streets. This plan must be approved before the movement starts. The permittee is also responsible for ensuring that movement of emergency vehicles can be accommodated at all times.
 - (12) Movement shall be authorized only when the shoulders are dry and firm, frozen, or have sufficient bearing capacity to support loads imposed by the by the weight of the site-built house or building passing traffic.
 - (13) Movements shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
 - (14) Two (2) escort vehicles (one in front and one in rear) shall be required. Such vehicles shall be signed and marked as hereinafter set out in Rule 1680-07-01-.21.
 - (15) Special Permits shall be valid for ten (10) days.
 - (16) All site-built houses shall be loaded and moved on trailers with steel beams on rubber (or other resilient material) dollies.
 - (17) At the discretion of the TDOT Permits Office, a police escort may be required to accompany the movement.

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.15: There are no proposed amendments to Rule 1680-07-01-.15. However, the Department requests the Secretary of State, Publications Division, to edit the rule to put all citations to a specific rule into the

correct rule numbering format and to substitute "T.C.A." for all references to the Tennessee Code Annotated. Further, the Department requests the Publications Division to delete the citation to T.C.A. §55-11-205 in the Authority section because this code section has been repealed and transferred to Title 55, Chapter 7, Part 2.

Rule 1680-07-01-.16 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

Houseboats not exceeding eighteen feet (18') in width may be transported on the highways, but any such boat in excess of eight feet (8') shall be subject to the fees provided in T.C.A. §55-7-205, and to the following requirements:

- (1) Movements over eight feet (8') wide but not exceeding ten feet (10') wide: No escorts, special signs, lights and/or markings will be required.
- (2) Movements over ten feet (10') wide but not exceeding twelve feet six inches (12'6") wide:
 - (a) No escort will be required to accompany the movement on the interstate highway system, four-lane highways or two-lane highways with a minimum pavement width (excluding paved shoulders) of twenty four feet (24').
 - (b) One (1) escort vehicle is required to precede the movement where the minimum pavement width (excluding paved shoulders) is less than twenty-four feet (24').
 - (c) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
 - (d) The front and rear of the movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
 - (e) Escort vehicles shall be signed and marked as hereinafter set out in Rule 1680-07-01-.21.
 - (f) At the discretion of the issuing authority, time of movement may be restricted due to:
 1. Route to be traveled
 2. Weather conditions
 3. Traffic density
 4. Length of daylight hours
- (3) Movements over twelve feet six inches (12'6") wide but not exceeding thirteen feet six inches (13'6") wide:
 - (a) One (1) escort vehicle is required to follow the movement on the interstate highway system or four-lane highways.
 - (b) One (1) escort vehicle is required to precede the movement on two-lane highways.
 - (c) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
 - (d) The front and rear of the movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
 - (e) Escort vehicles shall be marked as hereinafter set out in Rule 1680-07-01-.21.
 - (f) The towing vehicle and escort vehicles shall be so equipped as to be in radio communication at all times during movement.
 - (g) At the discretion of the issuing authority, time of movement may be restricted due to:

1. Route to be traveled
2. Weather conditions
3. Traffic density
4. Length of daylight hours

(4) Movements over thirteen feet six inches (13'6") wide but not exceeding sixteen feet (16') wide:

- (a) Front and rear escort vehicles are required on all highways.
- (b) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
- (c) The front and rear of the movement shall be signed and marked as hereinafter set forth in Rule 1680-07-01-.20.
- (d) Escort vehicles shall be marked as hereinafter set forth in Rule 1680-07-01-.21.
- (e) The towing vehicle must be at least fourteen feet six inches (14'6") in length.
- (f) The towing vehicles and escort vehicles shall be so equipped as to be in radio communication at all times during movement.
- (g) Movements shall only be made Monday through Friday between the hours of 9:00 a.m. to 4:00 p.m. (local time), or on Saturday or Sunday from sunrise to sunset. No annual permits shall be issued.
- (h) At the discretion of the issuing authority, time of movement may be further restricted due to:
 1. Route to be traveled
 2. Weather conditions
 3. Traffic density
 4. Length of daylight hours

(5) Movements over sixteen feet (16') wide but not exceeding seventeen feet (17') wide:

- (a) Front and rear escort vehicles are required on all highways.
- (b) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
- (c) The front and rear of the movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
- (d) Escort vehicles shall be marked as hereinafter set out in Rule 1680-07-01-.21.
- (e) The towing vehicle must be at least fourteen feet six inches (14'6") in length.
- (f) The towing vehicle and escort vehicles shall be so equipped as to be in radio communication at all times during movement.
- (g) Special permits may be issued for movements Tuesday, Wednesday, and Thursday between the hours of 9:00 a.m. to 4:00 p.m. (local time), and shall only be valid for three (3) of any said week days. No annual permits shall be issued.
- (h) At the discretion of the issuing authority, time of movement may be further restricted due to:
 1. Route to be traveled
 2. Weather conditions
 3. Traffic density
 4. Length of daylight hours

- (6) Movements over seventeen feet (17') wide but not exceeding eighteen feet (18') wide:
- (a) Three (3) escort vehicles are required on all highways. Two (2) escort vehicles are required to precede the movement. One (1) escort vehicle is required to follow the movement.
 - (b) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
 - (c) The front and rear of the movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
 - (d) Escort vehicles shall be marked as hereinafter set out in Rule 1680-07-01-.21.
 - (e) The towing vehicle must be at least fourteen feet six inches (14'6") in length.
 - (f) The towing vehicle and escort vehicles shall be so equipped as to be in radio communication at all times during movement.
 - (g) Special permits may be issued for movements Tuesday, Wednesday, and Thursday between the hours of 9:00 a.m. to 4:00 p.m. (local time), and shall only be valid for three (3) of the said week days. No annual permits shall be issued.
 - (h) At the discretion of the issuing authority, time of movement may be further restricted due to:
 - 1. Route to be traveled
 - 2. Weather conditions
 - 3. Traffic density
 - 4. Length of daylight hours

Authority: T.C.A. §§55-7-202 and 55-7-205.

Rule 1680-07-01-.17 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) Sealed containerized cargo units will be considered as nondivisible loads and overweight trip permits will be issued to operate vehicles hauling such units on the state highway systems, including the interstate highway system, subject to the following restrictions:
 - (a) All vehicles operating under a sealed containerized cargo unit permit shall have a minimum of five (5) full-time load bearing axles and shall not exceed twenty thousand (20,000) lbs. per axle, or total gross vehicle weight of ninety thousand (90,000) lbs.
 - (b) All vehicles operating under a sealed containerized cargo unit permit must be legal width, length, and height.
 - (c) All vehicles permitted for movement of overweight sealed containerized units are authorized twenty-four (24) hours continuous movement Monday through Sunday with normal travel conditions.
 - (d) All permits for a single trip will be issued for a duration of ten (10) days, and will only be valid for one (1) move.
- (2) Annual Permits will be available for the movement of sealed containerized cargo units from the Department subject to the same restrictions and conditions as provided in Paragraphs (1)(a) – (c) upon payment of the annual permit fee required under Rule 1680-07-01-.24(5) Annual permits will not be restricted to a specified route.

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.18 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) For movements not exceeding ten feet (10') wide, no escort vehicle, special signs, lights, and or markings shall be required.
- (2) Movements over ten feet (10') wide, but not exceeding twelve feet (12') wide:
 - (a) No escort vehicle shall be required to accompany the movement on the Interstate highway system, four (4) lane highways, or two (2) lane highways with a minimum pavement (roadway surface) width of twenty-four feet (24').
 - (b) One (1) escort vehicle shall be required to precede the movement where the minimum pavement (roadway surface) width is less than twenty-four feet (24').
 - (c) A flagperson shall be required at all bridge structures where the roadway width is less than twenty feet (20').
 - (d) The front and rear of the movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
 - (e) Escort vehicles shall be marked as hereinafter set out in Rule 1680-07-01-.21.
- (3) Movements over twelve feet (12') wide, but not exceeding fourteen feet (14') wide:
 - (a) Front and rear escort vehicles shall be required on all two (2) lane highways. Front escort vehicles shall not be required on Interstate highways or four (4) lane highways. Front and rear escort vehicles shall be required on Interstate highways where two (2) lanes are traveled.
 - (b) Towing vehicles and escort vehicles shall be so equipped as to be in radio communication at all times during movement.
 - (c) The front and rear of the movement shall be appropriately signed and marked. The front and rear of the movement shall be signed and marked as hereinafter set out in Rule 1680-07-01-.20.
 - (d) Escort vehicles shall be appropriately marked. Escort vehicles shall be marked as hereinafter set out in rule 1680-07-01-.21.
 - (e) Towing vehicles for fourteen feet (14') wide movements shall be at least fourteen feet six inches (14'6") in length.

Authority: T.C.A. §§55-7-205 and 55-7-209.

Rule 1680-07-01-.19 is amended by repealing the existing rule and substituting the following new rule in its place:

1680-07-01-.19 Conditions for Permitting Movement of Tow Trucks and Disabled Vehicles.

Subject to the requirements of this rule, special permits may be issued for the operation of overweight or overdimensional tow trucks, or for the operation of tow trucks and towed vehicles that in combination are overweight or overdimensional, whenever such tow trucks are operating on the state highway system, including the interstate highway system, for the purpose of traveling to a disabled vehicle and towing the disabled vehicle to a repair facility, terminal facility, or the vehicle owner's facility.

- (1) "Tow truck" means a vehicle equipped with cranes, hoists, or dollies that is used to transport a wrecked or disabled motor vehicle.
- (2) A tow truck shall require a special permit to operate on the state highway system, including the interstate highway system, if the tow truck by itself exceeds any of the following size and weight limitations:
 - (a) A total gross vehicle weight that exceeds 80,000 pounds; or, if operating on the interstate highway system, the lesser of 80,000 pounds or the weight produced by application of the formula set forth in T.C.A. §55-7-203;
 - (b) Any single axle weight that exceeds 20,000 pounds, or any tandem axle weight that exceeds 34,000 pounds;
 - (c) A width that exceeds eight feet six inches (8'6");
 - (d) A height that exceeds thirteen feet six inches (13'6"); or
 - (e) A length that exceeds forty-five feet (45').
- (3) When transporting a wrecked or disabled vehicle, a tow truck and the towed vehicle in combination shall be considered a "non-divisible load or vehicle" for the purposes of this rule. Except as provided in Federal law, including 23 U.S.C. §127, a tow truck shall require a special permit to operate on the state highway system, including the interstate highway system, when towing a wrecked or disabled vehicle, if the tow truck and towed vehicle together exceed any of the following size and weight limitations:
 - (a) A total gross vehicle weight that exceeds 80,000 pounds; or, if operating on the interstate highway system, the lesser of 80,000 pounds or the weight produced by application of the formula set forth in T.C.A. §55-7-203;
 - (b) Any single axle weight that exceeds 20,000 pounds, or any tandem axle weight that exceeds 34,000 pounds;
 - (c) A width that exceeds eight feet six inches (8'6"); or
 - (d) A height that exceeds thirteen feet six inches (13'6"); provided, however:
 - (d) If the towed vehicle by itself does not exceed the length limitations set out in T.C.A. §55-7-201, these length limitations shall not apply to the tow truck and towed vehicle in combination if the towed vehicle is being towed to an exit or a repair or terminal facility within one hundred (100) miles of the point where the towed vehicle became disabled, and the movement is authorized by the owner, terminal manager, owner's agent, or law enforcement official.
- (4) The special permits required under this rule shall be available on a single-trip or annual basis as provided in Rule 1680-07-01-.24; provided, however, that a single-trip permit shall be required, as provided in Rule 1680-07-01.12, if the tow truck and towed vehicle in combination exceed 165,000 pounds in gross weight, thirteen feet six inches (13'6") in width, or thirteen feet ten inches (13'10") in height, and provided further, that special routing may be required.
- (5) Movements with a gross weight exceeding 165,000 pounds must be approved by the TDOT Structures Division, subject to the fees for evaluation of bridges and other structures as provided in Rule 1680-07-01-.24, before a special permit may be issued, and special routing may be required.
- (6) The special permits required under this paragraph shall allow for continuous movement twenty-four (24) hours per day, Monday through Sunday, without any holiday travel restrictions, but shall be subject to restrictions on interstate highway travel as required under Rule 1680-07-01-.04(1).
- (7) If the disabled vehicle is one that is required to be specially permitted under these rules, the disabled vehicle shall comply with all required conditions of the special permit, including the requirements for

signs and markings under Rule 1680-07-01-.20, the requirements for escort vehicles under Rule 1680-07-01-.21, and any special routing requirements.

Authority: T.C.A. §55-7-201 and §55-7-205.

Rule 1680-07-01-.20 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) All movement exceeding ten feet (10') in width and/or seventy-five feet (75') in length shall bear information signs.
- (2) Adequate markings shall be provided to outline the extremities of the load.
 - (a) Overwidth and/or overlength movements shall bear a sign reading "OVERSIZE LOAD" mounted on the front and rear of the movement.
 1. Signs shall be at least seven feet (7') long and eighteen inches (18") high. The background shall be yellow and the lettering black. Letters shall be at least ten inches (10") high with a one and one-half inch (1½") stroke. Each letter shall be solid. Gaps within the stroke of letter are not permitted.
 2. Signs shall be durable wood or metal construction. Heavy canvas or cloth signs, otherwise meeting same requirements, will be permitted if they can be securely fastened to the movement against a flat surface backing up the entire area of the sign.
 3. Signs shall be in a good state of repair, clean and readable.
 - (b) Any motor vehicle having a load or vehicle component which extends more than four inches (4") beyond the sides of the vehicle or more than four feet (4') beyond the rear of the vehicle shall have the extremities of the load marked with a red or fluorescent orange flag, not less than eighteen inches (18") square, at each point where a lamp is required by Federal Motor Carrier Safety Regulations under 49 C.F.R. §393.11, Table 1.
 - (c) Additional Requirements for Overwidth Movements.
 1. Red or fluorescent orange flags shall be fastened to the load (front and rear) at the top and bottom of each side which is widest. Flags shall extend from the load in a manner in which they will be visible to traffic approaching both the front and rear. If the widest part of the load is between the top and the bottom, flags shall be placed at this point both front and rear.
 2. All warning flags shall be of solid red color and at least eighteen inches (18") square.
 - (d) Additional Requirements for Overlength Movements.

In addition to required signs described in (2)(a) of this rule, red or fluorescent orange flags shall be conspicuously displayed at the extreme rear end of overlength loads.
 - (e) Additional Requirements for Nighttime Movements.

For any motor vehicle issued a special permit that has a truck-tractor and semitrailer combination carrying a load in excess of width or length limitations set forth in Rule 1680-07-01-.01(2), the load shall be marked as follows for movements between one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise:

 1. On each side of the projecting load, one (1) red side marker lamp, visible from the side, located so as to indicate maximum overhang; and

2. On the rear of the projecting load:
 - (i) Two (2) red lamps, visible from the rear, one (1) at each side; and
 - (ii) Two (2) red reflectors, visible from the rear, one (1) at each side, located so as to indicate maximum width.

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.21 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) Escort vehicles shall comply with the following requirements.
 - (a) The escort vehicle must be a vehicle weighing more than 2,000 pounds with a manufacturer's gross vehicle weight rating less than 18,000 pounds and must be properly licensed. It is to be used to escort one or more other permitted vehicles, when required, due to the size or character of the permitted vehicle(s) or load, in accordance with the conditions set forth in a permit issued by the TDOT Permits Office.
 - (b) Identification signs or placards showing the name of the company or the owner or driver of the escort vehicle must be in a conspicuous place on both the right and left sides. The signs or placards shall be at least 8" x 12" and shall also contain the telephone number of the owner or driver plainly legible and visible to the motoring public.
 - (c) All escort vehicles must be equipped with either a rotating amber light or a strobe type amber light which is visible from at least 500 feet and has a horizontal placement which shall be visible from all directions three hundred sixty degrees (360°).
 - (d) Escort vehicles shall display bumper mounted or roof mounted yellow sign(s) reading "OVERSIZE LOAD" with black letters a minimum of ten inches (10') high and one and one-half inches (1 ½") wide brush stroke, which must be visible from front and rear.
 - (e) Signs shall be of durable wood or metal construction. Heavy canvas or cloth signs, otherwise meeting same requirements will be permitted if they can be securely fastened to the escort vehicle against a flat surface backing up the entire area of the sign.
 - (f) Signs shall be in a good state of repair, clean and readable at all times.
 - (g) Two flags, either red or fluorescent orange in color, which must be at least eighteen inches (18") square in size, shall be mounted at approximately a forty degree (40°) to seventy degree (70°) angle on the escort vehicle's roof rack.
 - (h) During escort operations, all escort vehicles shall have on board the following equipment and such equipment shall be in working order:
 1. Operable two-way electronic communications,
 2. Two 5-pound fire extinguishers,
 3. Stop and go paddle, round or octagonal in shape, and at least eighteen inches (18") in diameter, or eighteen inches (18") square, with six inch (6") letters.
 4. Safety orange vest, shirt, or jacket,
 5. Red hand-held flag (18" square in size),
 6. Two oversized load banners (yellow with black lettering),

7. Hard hat (no color specified), and
8. Reflecting triangles or eighteen inches (18") high traffic cones.
9. Additional equipment recommended, but not mandated, unless otherwise specifically required in these rules:
 - (i) Hand-held two-way electronic communications,
 - (ii) Flares,
 - (iii) Map(s), and
 - (iv) Height indicator.

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.22 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

1680-07-01-.22 Financial Responsibility.

- (1) Any person, firm, company, corporation or other who undertakes the movement of any overweight and/or overdimensional article and/or commodity on the highways of the State of Tennessee shall hold the State of Tennessee, its officers and employees, harmless from any claims for damages resulting from the exercise of any of the privileges granted under the special permit so issued for such overweight and/or overdimensional movement, and to this end, shall carry liability insurance with an insurer, acceptable to the TDOT Permits Office, and shall furnish a certificate of insurance to the TDOT Permits Office, in the amount of not less than three hundred thousand dollars (\$300,000) for each claimant injured and one million dollars (\$1,000,000) per occurrence.
- (2) The certificate of insurance shall provide that the insurer shall give, to the TDOT Permits Office, written notice of intention to terminate said required insurance by certified mail, said termination to become effective thirty (30) days after receipt of said notice from the insurer by the TDOT Permits Office.

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.23 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

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

- (1) The TDOT Permits Office may require, as a condition of the issuance of a permit under these rules, that an applicant shall agree to and give bond with surety (unless an applicant shall by sworn statement furnish satisfactory proof of the applicant's own solvency to the TDOT Permits Office) to indemnify the state and/or counties thereof, against damages to roads, or bridges, resulting from the use thereof by the applicant. The bond, if the TDOT Permits Office so authorizes, may cover more than one permitted vehicle operated by the same applicant.
- (2) The bond required shall be in a form acceptable to the TDOT Permits Office and in an amount, as determined by the TDOT Permits Office, sufficient to indemnify the state and/or counties for the potential damages to roads and bridges resulting from the applicant's use.
- (3) A sworn statement furnishing satisfactory proof of the applicant's solvency shall mean an audited financial statement, certified by a certified public accountant, showing net assets of the applicant in an amount, as determined by the TDOT Permits Office, sufficient to indemnify the state and/or counties for the potential damages to roads and bridges resulting from the applicant's use.

Authority: T.C.A. §55-7-205.

Rule 1680-07-01-.24 is amended by deleting the rule in its entirety and substituting the following language so that as amended the rule shall read:

1680-07-01-.24 Fees.

The TDOT Permits Office shall charge fees for granting special permits in accordance with the following schedules; provided, however, that the fees for permits to move mobile homes, manufactured homes, portable modular units or house trailers are separately identified in Rule 1680-07-01-.15.

(1) Excessive Width:

- (a) Not more than fourteen feet (14'): \$20.00;
- (b) Over fourteen feet (14') but not more than sixteen feet (16'): \$30.00;
- (c) Over sixteen feet (16'): \$30.00 plus \$5.00 for each additional foot or fraction thereof greater than sixteen feet (16'), except as otherwise provided in subparagraph (d);
- (d) For houseboats over seventeen feet (17'): \$2,500 plus \$100 for each additional inch or fraction thereof greater than seventeen feet (17').

(2) Excessive Height or Length: \$20.00.

(3) Excessive Weight: \$20.00 plus six cents (\$.06) per ton mile.

(4) Evaluation of Bridges and Similar Structures:

The TDOT Structures Division shall, as it deems necessary, evaluate the capacity of bridges or similar structures to carry the proposed movement of an overweight or overdimensional load along a particular route. The Department shall charge the requestor for this evaluation each time a different route is proposed, as follows:

- (a) Movements weighing over 165,000 pounds but not more than 250,000 pounds: \$100.
- (b) Movements weighing over 250,000 pounds but not more than 500,000 pounds: \$300.
- (c) Movements weighing over 500,000 pounds: Actual cost.

(5) Annual Permits:

- (a) Except as otherwise provided in these rules, a permit shall be available on an annual basis for each specific vehicle to be used for transporting overdimensional or overweight loads, or both, as follows:

- 1. For vehicles transporting loads up to but not exceeding thirteen feet ten inches (13'10") in height, ninety feet (90') in length, or twelve feet six inches (12'6") in width: \$100;

Provided, however, that vehicles transporting loads up to but not exceeding thirteen feet six inches (13'6") in width may obtain an annual permit upon the condition that such overwidth movements shall be accompanied by an escort vehicle as required in Rule 1680-07-01-.06.

- 2. For vehicles transporting loads with excess weights up to but not exceeding 100,000 pounds: \$750.

3. For vehicles transporting loads with excess weights over 100,000 pounds but not exceeding 120,000 pounds: \$1,500.
4. For vehicles transporting loads with excess weights over 120,000 pounds but not exceeding 140,000 pounds: \$2,250.
5. For vehicles transporting loads with excess weights over 140,000 pounds but not exceeding 155,000 pounds: \$3,000.
6. For vehicles transporting loads with excess weights over 155,000 pounds but not exceeding 165,000 pounds: \$3,500.
7. Vehicles transporting loads that are both overdimensional and overweight shall be charged a separate annual fee for both the overdimensional loads, as provided in Part 1 of this subparagraph, and the overweight loads as provided in Parts 2 – 6 of this subparagraph.
8. Individual owners of overdimensional boats used strictly for non-commercial pleasure may obtain annual permits for double the amount of the regular fee for a single trip permit for the particular movement, as described in Paragraphs (1) and (2) of this rule.
9. Annual permits are available for manufactured roof trusses exceeding twelve feet six inches (12'6") but not to exceed fourteen feet (14') wide for a fee of \$500.
10. Annual Permits are available for sealed containerized cargo units (not to exceed 90,000 pounds) for a fee of five hundred (\$500.00) dollars.
11. Subject to the conditions set forth in Rule 1680-07-01-.08, annual permits are available for \$100 for the movement of a single motor vehicle that is used exclusively to transport seed cotton modules.

- (b) Except as otherwise authorized in these rules, no annual permit shall be available for any vehicle transporting loads with weights exceeding one hundred sixty-five thousand pounds (165,000 lbs.) or dimensions exceeding thirteen feet ten inches (13'10") in height, ninety feet (90') in length, or thirteen feet six inches (13'6") in width, and any such vehicle shall be required to obtain a single trip special permit for the fee or fees for excessive width, height, length, or weight as established in Paragraphs (1) through (3) of this Rule.
- (c) Notwithstanding any vehicle movement authorized under an annual permit as provided in this Paragraph (5), no such vehicle shall be authorized to exceed any vehicle weight limit or limits posted on any bridge or highway by the public official having jurisdiction over such bridge or highway.

(6) Multi-State Permitting

A permit for movement through more than one state may be obtained by application submitted by phone or facsimile through a qualified Multi-State Permit Agent. All requests must be ordered with a twenty-four hour (24-hr.) lead time to coordinate all states effective dates and times, and conform to the guidelines as represented in the Southeastern Association of State Highway and Transportation Officials (SASHTO) Agreement in the Multi State Permitting Manual.

(7) Authorized Vendor Stations

Permits (except annual permits) may be received and paid for through the various authorized vendor stations listed on the TDOT Permits Office's web site at <http://www.tn.gov/tdot/article/central-services-oversize-overweight-permit-agencies>.

(8) Payment and Refunding of Permit Fees

An applicant for a special permit, including single-trip permits and annual permits, may make payment to the TDOT Permits Office by any of the following means, if acceptable to the TDOT Permits Office:

- (a) Personal, business, or cashier's check;
- (b) Credit card (subject to a transaction surcharge); or
- (c) From an escrow account established with TDOT as follows:
 - 1. The holder of the escrow account shall enter into a contract with TDOT in a form acceptable to TDOT;
 - 2. The escrow account may be funded by means of a personal, business, or cashier's check;
 - 3. In accordance with the contract, a minimum balance shall be maintained in the escrow account in an amount sufficient to support ongoing operations for one month; and
 - 4. Any funds needed to cover the cost of a special permit shall be submitted to the TDOT Finance Division at least five (5) business days prior to the issuance of the permit.
- (d) No single trip or annual permit fee will be refunded after issuance of the permit; provided, however, if a single trip permit for excessive weight is cancelled by the permittee prior to expiration and before the permitted movement actually occurs, and another permit is issued in place of the cancelled permit for the same movement, the ton mile portion of the fee for the cancelled permit shall be refunded or credited to the permittee.
- (9) Notwithstanding any other provision of this rule, no fee shall be charged for the issuance or renewal of a special permit to any retail electric service owned by a municipality or electric cooperative corporation, or to any telephone company or any of its contractors when they are moving utility poles doing work for such utilities. Upon compliance with the appropriate rules and regulations, such electric services, telephone companies, and their contractors, when they are moving utility poles, may be issued special permits for stated periods not exceeding one (1) year.
- (10) Notwithstanding any other provision of this rule, no fee shall be charged for the issuance of a special permit for movements conducted by a branch of the United States armed services or by any Federal agency exempt from the payment of fees under Federal law.

Authority: T.C.A. §§55-7-115, 55-7-205 and 55-7-209.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 6/29/16

Signature: [Handwritten Signature]

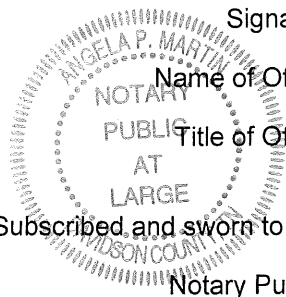
Name of Officer: John C. Schroer

Title of Officer: Commissioner

Subscribed and sworn to before me on: 6/29/16

Notary Public Signature: Angela P. Martin

My commission expires on: 1-6-2020



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Filed with the Department of State on: 7/1/16

[Handwritten Signature]
Tre Hargett
Secretary of State

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