

Provisional Rule
LSA Document #23-730

DIGEST

Temporarily supersedes [105 IAC 10-4-1](#) concerning the issuance, administration, fee structure, and enforcement of overweight divisible load permits, and to clarify when the department has the authority to temporarily raise the maximum allowable number of single trip permits. Effective October 19, 2023. Expires December 31, 2023.

Governor's Approval Letter posted at: [20231025-IR-105230730GAA](#)

SECTION 1. (a) This SECTION supersedes [105 IAC 10-4-1](#).

(b) The purpose of this document is to establish procedures for the issuance, administration, fee structure, and enforcement of overweight divisible load permits.

(c) Permits issued by or on behalf of the department pursuant to this document shall apply to specified interstate, United States, and state routes or highways only. Travel of overweight divisible loads over local routes or highways must be permitted separately by the affected local governments.

(d) By order of the commissioner, the department may temporarily raise the allowable number of single trip permits above the limits specified in [IC 9-20-6-2.2](#) for a calendar year based on a determination that the following apply:

- (1) A lack of transportation options for certain resources.
- (2) Supply chain interruptions.
- (3) Supply dock backlogs.
- (4) Due to natural disaster or military unrest, disruptions to:
 - (A) food, fuel, or medical supply shipments;
 - (B) critical materials or supplies; or
 - (C) other resources that would minimize disruptions.
- (5) Acute transportation labor shortages due to a strike.
- (6) Other emergency or disaster conditions that may cause imminent and substantial peril to health, safety, or welfare of the public.

The department must determine that raising the allowable number of permits will reasonably lead to a resolution of or reduction in the number of disruptions or impacts for which the relief is sought. Except when an emergency has been declared by a state or federal agency or official, the need for the order shall be supported by credible resources or with data from publicly available sources, such as the United States Bureau of Labor Statistics, United States Department of Transportation Bureau of Transportation Statistics, or the United States Department of Transportation Federal Highway Administration Freight Analysis Framework. The creditability of a resource or publicly available sources shall be determined by the department in its sole discretion.

SECTION 2. This document expires December 31, 2023.

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An [html](#) version of this document.