

ARTICLE 10. OVERSIZE AND/OR OVERWEIGHT VEHICULAR PERMITS FOR HIGHWAYS

NOTE: Department of Highways was transferred to Indiana Department of Transportation. Whenever in any promulgated rule text there appears a reference to Department of Highways, substitute Indiana Department of Transportation.

Rule 1. Display of Tag

105 IAC 10-1-1 Purpose of rule

Authority: IC 9-20-14-2

Affected: IC 9-29-6

Sec. 1. Purpose: To assist law enforcement in identifying vehicle movements on Indiana State Highways which exceed legal size and weight limits and to expedite the confirmation that a valid permit exists and that the transporting company is observing all conditions and provisions of the permit. *(Indiana Department of Transportation; 105 IAC 10-1-1; filed Dec 7, 1981, 8:55 a.m.: 5 IR 13; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA)* *NOTE: Transferred from Department of Highways (120 IAC 5-1-1) to Indiana Department of Transportation (105 IAC 10-1-1) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

105 IAC 10-1-2 Definitions

Authority: IC 9-20-14-2

Affected: IC 9-29-6

Sec. 2. Definitions: Expiration Date—The last calendar day that a valid oversize and/or overweight vehicular permit is in effect.

Permit Number—A six digit number which specifically identifies a valid oversize and/or overweight vehicular permit.

Tag—A sign used to display the permit number and expiration date on a vehicle operating with a valid oversize and/or overweight vehicular permit.

Transporting Company—A person, partnership, company, corporation, or association who bears full responsibility for an oversize and/or overweight vehicular movement.

Vehicle—Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks. *(Indiana Department of Transportation; 105 IAC 10-1-2; filed Dec 7, 1981, 8:55 a.m.: 5 IR 13; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA)* *NOTE: Transferred from Department of Highways (120 IAC 5-1-2) to Indiana Department of Transportation (105 IAC 10-1-2) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

105 IAC 10-1-3 Tag description; position

Authority: IC 9-20-14-2

Affected: IC 9-29-6

Sec. 3. Any oversize and/or overweight vehicle or vehicle combination operating on highways under the jurisdiction of the Indiana Department of Highways and, having been issued a valid oversize and/or overweight vehicular permit, shall display at the Department's discretion, and as it may prescribe, a legible permit number and expiration date on a five (5) inches by twelve (12) inches white background or on a tag provided by the Department. The numerals of the permit number shall be black, a minimum two and one-half (2½) inches high with a one-quarter (¼) inch wide stroke. The letters and numerals of the permit expiration date shall be three-quarters (¾) inch high with a one-eighth (⅛) inch wide stroke. The position for displaying the tag shall be on the left rear of the vehicle or vehicle combination. *(Indiana Department of Transportation; 105 IAC 10-1-3; filed Dec 7, 1981, 8:55 a.m.: 5 IR 13; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA)* *NOTE: Transferred from Department of Highways (120 IAC 5-1-3) to Indiana Department of Transportation (105 IAC 10-1-3) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

Rule 2. Special Weight Permit

105 IAC 10-2-1 Permit description

Authority: IC 9-20-5-1

Affected: IC 9-20

Sec. 1. The Indiana department of highways shall issue a special weight permit for the extra heavy duty highways and axle weights as defined in IC 9-8-1-12 [*IC 9-8-1-12 was repealed by P.L.2-1991, SECTION 109, effective July 1, 1991.*]. The special weight permits shall be issued to the tractor. The permitted vehicle shall be issued a single trip special weight permit or an annual permit.

A single trip special weight permit for one trip only shall be issued for a fee of \$42.50. A single trip special weight permit can be obtained from central office, a district office, or a sub district office.

An annual permit can be obtained from the central office permit section for the duration of a calendar year. A trip authorization permit for each and every single trip will be issued by the permit section to accompany the annual permit. The annual permit will not be valid unless accompanied by the trip authorization permit. The fee for the trip authorization permit shall be \$42.50 for each single trip. (*Indiana Department of Transportation; 105 IAC 10-2-1; filed Sep 19, 1986, 3:30 p.m.: 10 IR 218; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA*) NOTE: Transferred from Department of Highways (120 IAC 5-2-1) to Indiana Department of Transportation (105 IAC 10-2-1) by P.L.112-1989, SECTION 5, effective July 1, 1989.

105 IAC 10-2-2 Permit durations

Authority: IC 9-20-5-1

Affected: IC 9-20

Sec. 2. The single trip special weight permit and the trip authorization permit will be valid for one calendar day. No extensions will be issued. The permitted vehicle will not be restricted to any specific hours of travel. Permits may be obtained for travel for any day of the week. (*Indiana Department of Transportation; 105 IAC 10-2-2; filed Sep 19, 1986, 3:30 p.m.: 10 IR 218; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA*) NOTE: Transferred from Department of Highways (120 IAC 5-2-2) to Indiana Department of Transportation (105 IAC 10-2-2) by P.L.112-1989, SECTION 5, effective July 1, 1989.

105 IAC 10-2-3 Fees and method of payment

Authority: IC 9-20-5-1

Affected: IC 9-20

Sec. 3. The transporting company shall pay a fee of \$42.50 for each single trip special weight permit. The transporting company holding an annual special weight permit shall give the department evidence of sufficient bond and shall file within twenty (20) days after each quarter of the year, a report of all special weight trip authorization permits moved and shall pay a fee of \$42.50 for each trip authorization permit. The transporting company shall maintain a log sheet, provided by the department, of all movements when paying by calendar quarter. The log sheet will be submitted at the end of the quarter with total payment due the department. (*Indiana Department of Transportation; 105 IAC 10-2-3; filed Sep 19, 1986, 3:30 p.m.: 10 IR 218; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA*) NOTE: Transferred from Department of Highways (120 IAC 5-2-3) to Indiana Department of Transportation (105 IAC 10-2-3) by P.L.112-1989, SECTION 5, effective July 1, 1989.

105 IAC 10-2-4 Violation procedure

Authority: IC 9-20-5-1

Affected: IC 9-20

Sec. 4. No single trip special weight permit or annual permits will be issued to any transporting company once the department has received notice from any law enforcement agency of the transporting company operating in violation of any conditions, regulations and provisions that were a portion of their permit, until appropriate arrangements have been made with the department to prevent further violations. Multiple violations will result in the suspension of the annual permit and the transporting company will have 10 days to make full payment due the department or forfeit the bond on file. (*Indiana Department of Transportation; 105 IAC 10-2-4; filed Sep 19, 1986, 3:30 p.m.: 10 IR 218; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA*) NOTE: Transferred from Department of Highways (120 IAC 5-2-4) to Indiana Department

of Transportation (105 IAC 10-2-4) by P.L.112-1989, SECTION 5, effective July 1, 1989.

105 IAC 10-2-5 Insurance requirements

Authority: IC 9-20-5-1

Affected: IC 9-20

Sec. 5. A certificate of insurance shall be on file with the department showing insurance in full effect for the duration of any single trip special weight permits or trip authorization permits. *(Indiana Department of Transportation; 105 IAC 10-2-5; filed Sep 19, 1986, 3:30 p.m.: 10 IR 218; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA) NOTE: Transferred from Department of Highways (120 IAC 5-2-5) to Indiana Department of Transportation (105 IAC 10-2-5) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

105 IAC 10-2-6 Responsibility

Authority: IC 9-20-5-1

Affected: IC 9-20

Sec. 6. Every such permit shall be carried in or on the vehicle or other object to which it refers and shall be open to inspection by any peace officer. A person shall not violate any of the terms or conditions of such a special permit. the issuance of a special permit as provided in this section shall not relieve the responsibility for damages to highways imposed by this chapter and the issuance of any such a special permit for the use of a vehicle already registered and licensed, or for the use of a vehicle not subject to registration and licensing, under IC 9-1, or for the moving of objects other than vehicles under such a special permit, shall not require further registration and licensing in order to authorize the issuance of such a special permit. *(Indiana Department of Transportation; 105 IAC 10-2-6; filed Sep 19, 1986, 3:30 p.m.: 10 IR 218; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA) NOTE: Transferred from Department of Highways (120 IAC 5-2-6) to Indiana Department of Transportation (105 IAC 10-2-6) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

105 IAC 10-2-7 Permit tag

Authority: IC 9-20-5-1

Affected: IC 9-20

Sec. 7. Any decal or tag furnished for use with the permit shall be appropriately displayed as may be prescribed by the department. *(Indiana Department of Transportation; 105 IAC 10-2-7; filed Sep 19, 1986, 3:30 p.m.: 10 IR 219; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA) NOTE: Transferred from Department of Highways (120 IAC 5-2-7) to Indiana Department of Transportation (105 IAC 10-2-7) by P.L.112-1989, SECTION 5, effective July 1, 1989.*

105 IAC 10-2-8 Extra heavy duty highways

Authority: IC 8-23-2-6; IC 9-29-6-1

Affected: IC 9-20-5

Sec. 8. In addition to those extra heavy duty highways designated by statute, the Indiana department of transportation designates the following highways as extra heavy duty highways:

(1) Highway 2, from the I/N Tek entrance on Larrison Boulevard to Highway 31.

(2) Highway 31, from Highway 2 to the Michigan state line.

(Indiana Department of Transportation; 105 IAC 10-2-8; filed Dec 9, 1992, 3:00 p.m.: 16 IR 1026; readopted filed Nov 7, 2001, 3:20 p.m.: 25 IR 899; readopted filed Jun 14, 2007, 2:45 p.m.: 20070627-IR-105070237RFA)

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