

IC 9-20-6

Chapter 6. Special and Emergency Permits

IC 9-20-6-1

Application of chapter

Sec. 1. (a) This chapter applies to the issuance of the following permits:

- (1) A permit for the transportation of oversized or overweight vehicles and loads under section 2 of this chapter.
- (2) A toll road gate permit under section 3 of this chapter.
- (3) An emergency permit issued under section 4 of this chapter.
- (4) A permit for oversized semitrailers or trailers used with semitrailers under section 6 of this chapter.
- (5) An overweight permit for transportation of raw milk under section 7 of this chapter.

(b) IC 9-20-2-1 applies to the issuance of a permit to operate machinery or equipment for the construction of highways.

(c) IC 9-20-9 applies to the issuance of a special towing permit for the operation of a combination of vehicles on a highway.

(d) IC 9-20-14 applies to the issuance of the following permits:

- (1) A general permit for the operation of a tractor-mobile home rig.
- (2) A special permit for the operation of a tractor-mobile home rig.

(e) IC 9-20-15 applies to the issuance of the following permits:

- (1) A general permit for the operation of a special tractor-mobile home rig.
- (2) A special permit for the operation of a special tractor-mobile home rig.

As added by P.L.2-1991, SEC.8.

IC 9-20-6-2

Transportation of heavy vehicles or loads not conforming to this article; special permit; conditions; limitations

Sec. 2. (a) The Indiana department of transportation or local authority that:

- (1) has jurisdiction over a highway or street; and
- (2) is responsible for the repair and maintenance of the highway or street;

may, upon proper application in writing and upon good cause shown, grant a permit for transporting heavy vehicles and loads or other objects not conforming to this article, including a vehicle transporting an ocean going container, if the department or authority finds that other traffic will not be seriously affected and the highway or bridge will not be seriously damaged.

(b) The permit granted under subsection (a) must authorize the operation of a tractor-semitrailer and load that:

- (1) exceeds the maximum length limitation under this chapter; and
- (2) is subject to regulation under this chapter;

from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

(c) A permit may be issued under this section for the following:

- (1) A single trip.
- (2) A definite time not exceeding thirty (30) days.
- (3) A ninety (90) day period.
- (4) A one (1) year period.

(d) This subsection applies to the transportation of ocean going containers that:

- (1) have been sealed at the place of origin and have not been opened except by an agent of the federal government that may inspect the contents; and
- (2) are being transported to or from a distribution facility.

The total gross weight, with load of a vehicle or combination of vehicles transporting an ocean going container may not exceed ninety-five thousand (95,000) pounds. A permit issued under this section must be issued on an annual basis. A permit issued under this subsection may not impose a limit on the number of movements generated by the applicant or operator of a vehicle granted a permit under this subsection.

As added by P.L.2-1991, SEC.8. Amended by P.L.119-1995, SEC.3; P.L.36-2006, SEC.1; P.L.134-2007, SEC.3; P.L.3-2008, SEC.77; P.L.182-2009(ss), SEC.290.

IC 9-20-6-3

Annual toll road gate permit; issuance; limitations

Sec. 3. An annual toll road gate permit also may be issued by the Indiana department of transportation to a commercial motor vehicle for the pulling of a combination unit that meets the size and weight standards for Indiana toll roads, prescribed by the Indiana department of transportation. The annual permit may not be issued for a distance greater than fifteen (15) total miles to or from a gate of the toll road and is valid only when used in conjunction with toll road travel.

As added by P.L.2-1991, SEC.8.

IC 9-20-6-4

Emergency permit; issuance; conditions; regulation of movement

Sec. 4. (a) The Indiana department of transportation or an agency or a political subdivision authorized by this article to grant permits to operate tractor-mobile home rigs or permits for transporting heavy or oversize vehicles, loads, or other objects not conforming to this article may issue emergency permits to operate in or through Indiana without regard to IC 9-20-14-2 to a person during the period that the following conditions exist:

- (1) A state of disaster emergency has been declared by the governor under IC 10-14-3-12.
- (2) A state of emergency has been declared by the federal government for an area outside Indiana.
- (3) The granting of emergency permits reasonably can be expected to provide relief of the conditions causing the

declaration of the state of emergency.

(b) The Indiana department of transportation, an agency, or a political subdivision shall regulate movements by emergency permits to avoid undue hazards.

As added by P.L.2-1991, SEC.8. Amended by P.L.2-2003, SEC.39.

IC 9-20-6-5

Public utility facilities; transportation of materials reasonably necessary to restore facility; reporting requirements; fees

Sec. 5. (a) If a breakdown or threatened breakdown of electric, gas, water, or telephone public utility facilities occurs in Indiana, the public utility whose services to the public are or may be affected may in the emergency, without securing a permit, transport over Indiana highways or streets heavy vehicles and loads or other objects not conforming to this article if it is reasonably necessary to do so to restore utility service at the earliest practicable time or to prevent the interruption of utility service. The public utility shall, not later than the second succeeding day that is not a Sunday or holiday, report the fact of the transportation to the public authority from whom a permit would otherwise have been required.

(b) The public utility shall pay to the public authority the fee under IC 9-29 that would have been due for a permit. The making of the report and payment of the fee satisfies all requirements of this chapter concerning the securing of a permit for the trip required by the emergency.

As added by P.L.2-1991, SEC.8.

IC 9-20-6-6

Oversized semitrailers, trailers, and recreational vehicles; transportation from manufacturer to buyer; route designation; issuance; term; limitations

Sec. 6. (a) The Indiana department of transportation or local unit authorized to issue permits under this chapter may issue permits for transporting:

(1) semitrailers or trailers designed to be used with semitrailers that exceed the width and length limitations imposed under this article; and

(2) recreational vehicles that exceed the maximum width limitation set forth in IC 9-20-3-2;

from the manufacturing facility to the person taking title to the vehicle, including any other destination in the marketing cycle.

(b) A permit issued under this section may designate the route to be traversed and may contain any other restrictions or conditions required for the safe movement of the vehicle.

(c) A permit issued to the manufacturer under this section must be applied for and reissued annually after the permit's initial issuance.

(d) A limit is not imposed on the number of movements generated by a manufacturer that is issued an annual permit under this section.

As added by P.L.2-1991, SEC.8. Amended by P.L.79-2000, SEC.4.

IC 9-20-6-7

Repealed

(Repealed by P.L.100-1991, SEC.3.)

IC 9-20-6-8

Permit; route designation; safety restrictions

Sec. 8. A permit issued under this article may designate the route to be traversed and contain any other restrictions or conditions necessary for the proper protection of the traffic, highway, or bridge.
As added by P.L.2-1991, SEC.8.

IC 9-20-6-9

Violation of permit regulations; permit not construed as defense to holder

Sec. 9. A permit issued under this article may not be construed as protection to or as a defense by a holder of a permit if the restrictions and rules to which the permit is subject are violated.
As added by P.L.2-1991, SEC.8.

IC 9-20-6-10

Damages to highway; proof of ability to satisfy; bond or security

Sec. 10. Before a permit is issued under this article, an applicant must satisfy the officer or body issuing the permit of the applicant's responsibility to respond in damages for damage to the highway or bridge or furnish satisfactory bond or other security to the satisfaction of the issuing officer or body.
As added by P.L.2-1991, SEC.8.

IC 9-20-6-11

Inspection of permits; violations of terms and conditions; liability for damages to highway; additional registration and licensing

Sec. 11. (a) A permit issued under this chapter shall:

- (1) be carried in or on the vehicle or other object to which the permit refers; and
- (2) be open to inspection by a police officer.

(b) A person may not violate the terms or conditions of a special permit.

(c) The issuance of a special permit under this chapter:

- (1) does not relieve the responsibility for damages to a highway imposed by this article; and
- (2) does not, for:
 - (A) the use of a vehicle already registered and licensed;
 - (B) the use of a vehicle not subject to registration and licensing under IC 9-18; or
 - (C) the moving of objects other than vehicles under the special permit;require further registration and licensing to authorize the issuance of the special permit.

As added by P.L.2-1991, SEC.8.

IC 9-20-6-12

Conditions under which permits may not be issued

Sec. 12. The Indiana department of transportation may not issue a permit under this chapter for the operation of a vehicle if any of the following conditions apply:

- (1) The owner or operator of the vehicle has not complied with IC 8-2.1-24.
- (2) The owner or operator of the vehicle has not provided the Indiana department of transportation with the owner's or operator's Social Security number or federal identification number.
- (3) The owner or operator of the vehicle has not registered the vehicle with the bureau, if the vehicle is required to be registered under IC 9-18.

As added by P.L.122-1993, SEC.4. Amended by P.L.110-1995, SEC.31.