

1 AN ACT relating to the transportation of overdimensional loads.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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