

## NOTICE OF INTENT

### Department of Transportation and Development

#### Office of Operations

#### Weights and Standards (LAC 73 Part I)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 *et seq.*, and through the authority granted in R.S. 32:380 through 388.1, R.S. 32:390, and R.S. 47:718, that the Department of Transportation and Development, Office of Operations, Weights and Standards Section, proposes to amend the Weights and Standards rule.

23 C.F.R. § 657.5 requires the State to enforce vehicle size and weight laws. Pursuant to 23 C.F.R. § 657.19, if such laws are not enforced, the State risks losing ten percent of its federal transportation funding apportionment. This responsibility for enforcement at stationary scales was transferred to DOTD on July 1, 2022. This proposed rule provides updated procedures for enforcement of vehicle size and weight laws, and provides for compliance with federal laws regarding vehicle size and weight laws. Consequently, there will be no significant adverse impact to the public, businesses, local or state governmental entities.

## TITLE 73

### WEIGHTS, MEASURES AND STANDARDS

#### Part I. Weights and Standards

#### Chapter 1. Policy and Procedures for Weight Enforcement Field Personnel

##### §101. Field Procedures for Enforcing Weight and Size Limitations

###### A. Procedures for Enforcing the Weight Law

1. Shifting the Load. Loads may be required to be shifted by Weights and Standards Stationary Scale Police Officer after weighing and before proceeding. Except as directed by a Weights and Standards Stationary Scale Police Officer, drivers will not be allowed to shift the loads carried by their vehicles after being weighed in order to qualify for a second weighing and a lesser fine amount.

2. Vehicles in violation of weight, size or permit regulations shall be cited for the violation(s). The report will be transmitted on completion for review by the Supervisor for accuracy and fines attached and a notice of violation shall be sent to the violating party.

3. All loads that are not indivisible, perishable, or dangerous will be ticketed as required and may be permitted to proceed without reducing the load as stipulated herein.

4. All indivisible loads and all perishable products will be ticketed in accordance with La. R.S. 32:388, *et seq.*, and permitted to proceed to a suitable place to reduce the load.

a. Perishable Products. Include the following, but may not be limited to these: All agricultural products; hot mix asphalt; concrete; all seafood; products requiring refrigeration or those transported in insulated vehicles; dairy products or poultry and associated products, meat, pork, livestock, live animals; and all other loads that would lose their value or be damaged to such a degree that they would not be suitable for their intended use in commerce if delayed in transit.

b. Indivisible Loads. Indivisible loads are those that cannot, without undue expense or risk of damage, be divided into two (2) or more loads for the purpose of conveyance on a road. Indivisible loads include, but are not limited to, the following: All forest products; flammable, dangerous or toxic liquids, solids and gases such as gasoline, naphtha, kerosene, acids, liquefied petroleum gas, containerized cargo; pipe; prestressed or steel girders or large structural components or fabricated or unfabricated materials of indivisible nature that would require specialized equipment to unload or shift; or any load that would create a traffic hazard or danger to either the motoring public or the surrounding area if unloaded adjacent to the highway.

5. Checking Tandem, Tridem, Quadrum and Quint Axles. The following criteria shall be used to determine uniform distribution.

a. Tandem Axles. Each individual axle of a tandem axle shall be considered compliant if the load on both axles does not exceed 34,000 pounds and neither individual axle carries more than 20,000 pounds on the interstate. On non-interstate highways a tandem axle may not exceed 37,000 pounds, and neither individual axle may carry more than 21,500 pounds. On permit loads neither axle shall carry more than 60 percent nor less than 40 percent of the load shown on the approved permit.

b. Tridum Axles. Each individual axle of a tridum axle shall be considered acceptable if the load on all three axles does not exceed 42,000 pounds and none of the axles carries more than 16,000 pounds on interstate highways. On non-interstate highways a tridum axle may not exceed 45,000 pounds, and neither individual axle may carry more than 17,000 pounds. On permit loads no axle shall carry more than 40 percent nor less than 25 percent of the load shown on the approved permit.

c. Quadrem Axles. Each individual axle of a quadrum axle shall be considered acceptable if the load on all four axles does not exceed 50,000 pounds and none of the axles carries more than 14,500 pounds on interstate highways. On non-interstate highways a quadrum axle may not exceed 53,000 pounds, and neither individual axle may carry more than 30 percent or less than 20 percent of the load shown on the approved permit.

d. Quint Axles. Each individual axle of a Five Axle Group shall be considered acceptable if the load on all five axles does not exceed 58,000 pounds and none of the axles carries more than 13,600 pounds on interstate highways. On non-interstate highways a Five Axle Group may not exceed 61,000 pounds, and neither individual axle may carry more than 25 percent or less than 15 percent of the load shown on the approved permit.

e. When these regulations are violated, a violation ticket shall be issued and a penalty of \$100 assessed, unless there are other violations, in which case the violation resulting in the highest fine will be used. The fines shall not be cumulative.

6. Whenever an officer stops a vehicle that is not entering into or completing a turn and an variable load suspension axles axle equipped with an air bag or hydraulic system is in the raised position and the axle load is within legal limits for the number of axles including the variable load suspension axles axle, the vehicle will be ticketed for improper distribution of the load and assessed a penalty of \$100. In the event the axle load exceeds the legal limitations for the configuration, including the variable load suspension axles axle, the vehicle will be ticketed for the excess weight over and above legal limits.

7. Posted Bridges. Whomever owns or operates any vehicle or combination vehicles in violation of any rule, regulation, directive, or requirement of the secretary adopted under R.S. 32:386 or in violation of R.S. 32:386 shall be assessed a penalty on such weight which exceeds the maximum permissible gross weight as defined by R.S. 32:386. Violation reports shall be issued only after the offense is committed. All overweight vehicles shall be directed to turn back when they are seen approaching a bridge posted with a regulatory weight limit.

8.a. All vehicles are required to stop at a DOTD stationary weight enforcement scales except the following:

- i. private passenger automobiles,

- ii. private passenger pickup trucks,
- iii. private passenger vans,
- iv. recreational vehicles,
- v. buses;
- vi. trucks which belong to law enforcement agencies and are not normally used for load-carrying purposes, fire trucks, and ambulances;
- vii. utility vehicles conveying to or from emergency services restoration due to a natural disaster
- viii. tow trucks, unless the tow truck has a gross vehicle weight rating in excess of twenty-six thousand pounds, or is hauling or carrying a vehicle not exempt from the provisions of this Section.

b. Each vehicle that is required to stop at a DOTD stationary weight enforcement scale location and that fails to stop shall be assessed the following penalty:

i. Vehicles with a gross vehicle weight rating of less than twenty-six thousand pounds shall be fined one hundred dollars for failure to stop at the department stationary weight scales. This fine shall be in addition to any other fine which may be assessed for other violations.

ii. Vehicles with a gross vehicle weight rating of twenty-six thousand pounds or more shall be fined five hundred dollars for failure to stop at the department stationary weight scales. This fine shall be in addition to any other fines which may be assessed for other violations.

c. Any vehicle which inadvertently bypasses the department stationary weight scales and returns to the scales voluntarily without the directive of law enforcement shall not be assessed any penalty for bypassing the scales.

9. National Guard and Department of Defense Convoys. These may proceed without stopping at the stationary scales for weighing purposes, provided overweight and oversize permits are obtained in advance for all vehicles requiring permits and that the lead vehicle stops at the weighing station and advises the supervisor in charge of the permit vehicles in the convoy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 and 32:386.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:28 (February 1979), amended by the Office of Weights, Measures and Standards, LR 24:1517 (August 1998).

### **§103. Registration and Licensing Requirements for Vehicles Operating in Louisiana**

A. Registration Requirements for Intrastate Haulers. A vehicle is operating intrastate when it is hauling any load which both originates and terminates in Louisiana. The vehicle must be either full plated for Louisiana or apportioned for Louisiana, or must have a 48-hour temporary permit. Even if the vehicle is owned and operated in Louisiana, it must be licensed and titled for Louisiana.

B. Reciprocity for Interstate Haulers. These vehicles, if lawfully owned and registered by a resident of one of the states with which Louisiana has a reciprocal agreement, are not required to have Louisiana plates to operate interstate in Louisiana (to pass through or to only originate or only terminate loads in Louisiana). These foreign plated trucks are allowed the Louisiana weight limits, provided the truck is registered for the maximum allowed gross weight for the single truck or combination vehicles. If the home state weight limits are greater than the Louisiana weight limits, then the vehicle will have to abide by the Louisiana weight limits.

C. Temporary 48-Hour Permits. A truck not licensed to operate in Louisiana may purchase a \$50 temporary 48-hour permit rather than a full plate or apportion with Louisiana. A temporary permit allows the vehicle to operate in Louisiana for a period of 48 continuous hours. Permit shall be purchased prior to entering Louisiana. Under no condition will a vehicle be allowed to operate within the state without either having Louisiana plates,

or a temporary 48-hour permit, or being apportioned for Louisiana. Temporary 48-hour permits apply to these types of vehicles:

1. If a vehicle or combination vehicle from an FRP member jurisdiction and the motor vehicle has three (3) or more axles;
2. If any of the vehicles alone or in combination weighs more than 26,000 pounds or the power unit is registered for more than 26,000 pounds; and
3. If a power unit having two axles and a gross weight or registered weight in excess of 26,000 pounds or is registered for more than 26,000 pounds.

D. Full Reciprocity Plan. Any single motor vehicle having three or more axles, regardless of weight, or any vehicle or combination vehicle weighing 26,000 pounds or more may be licensed under the Federal Registration Plan, if the home state is a member. A vehicle from a member state may operate interstate or intrastate in Louisiana if the cab card shows that the vehicle is apportioned for Louisiana. If the vehicle is not apportioned for Louisiana, the driver must obtain a temporary 48-hour permit to operate either interstate or intrastate. At all times this card or a copy must accompany the vehicle for which it was issued. If this card is altered or defaced or used in any other vehicle except the one described thereon, it shall be considered null and void and the Louisiana registration license requirements shall apply. An apportioned license plate must also be displayed on the front of the vehicle, and the cab card must show the weights and the states for which the vehicle is apportioned.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:29 (February 1979).

#### **§105. Procedures for Enforcing Vehicle Registration and Licensing Laws**

A. Louisiana Vehicles Which Are Improperly Licensed or Unlawfully Registered. This includes vehicles operating with the wrong class of license, pursuant to La. R.S. 47:462; a vehicle whose serial number does not match the serial number on the registration certificate; or a vehicle which exceeds its licensed weight, but does not exceed the legal weight for that type of vehicle.

1. Vehicles with registration issued by the state of Louisiana are allowed a 10 percent tolerance on licensed weight. If the vehicle is not more than 10 percent over its licensed weight and does not exceed the legal maximum allowable weight for that type of vehicle, no violation has occurred.

2. For those vehicles which exceed the 10 percent tolerance on licensed weight, the officer shall cite R.S. 47:516, and the penalty assessed will be the greater of the violations stated in R.S. 47:516.

3. When the driver appears at the Vehicle Registration Bureau to purchase the proper plates, he will be charged an additional 25 percent of the cost of the new plates as a penalty.

4. If a vehicle is improperly licensed and/or unlawfully registered, and also exceeds the legal weight limitations, the officer shall issue another violation ticket citing R.S. 32:386 and fine the vehicle for the weight in excess of the legal weight, according to the overweight penalty chart referenced in this document.

B. Louisiana Vehicles with an Expired License and Registration or No License and Registration

1. In these situations the officer shall write a "no fine" violation report citing R.S. 47:516, if the plate expired within the last 30 days. If the plate has been expired for over 30 days, the officer shall cite R.S. 47:516, and a fine of \$100 will be assessed.

2. If a vehicle in this situation also exceeds the legal weight limitations, the officer shall issue another violation ticket citing R.S. 32:386 and fine the vehicle for the weight in excess of the legal weight, according to the overweight penalty chart.

C. Out-of-State Vehicles with an Expired License and Registration or No License and Registration.

1. Out-of-State Vehicles with apportion plates not licensed in Louisiana shall not operate in Louisiana, neither interstate nor intrastate, without purchasing a temporary 48-hour permit prior to entering Louisiana. This does not apply to out-of-state vehicles from states with reciprocity agreements with Louisiana, or that are members of the FRP.

2. If a temporary 48-hour permit is not purchased prior to entering Louisiana, the driver will be required to purchase a temporary 48-hour permit, and a penalty of \$200 will be assessed, in addition to the cost of the permit.

#### D. Out-of-State Vehicles Which Are Improperly Licensed

1. If a vehicle domiciled outside Louisiana has a current license but the actual weight of the vehicle exceeds the weight for which it is licensed, the officer shall issue a violation report citing R.S. 32:388, and a penalty of \$100 will be assessed. This applies even if the actual weight does not exceed the legal weight for that type vehicle

2. If the vehicle exceeds both the licensed weight and the Louisiana legal weight for that type of vehicle, a penalty of \$100 will be assessed, or a penalty in accordance with the overweight penalty chart contained in this document, whichever penalty is greater. If the officer assesses a penalty in accordance with the overweight penalty chart, the officer shall cite R.S. 32:386.

#### E. Vehicles Which Require Temporary 48-Hour Permits

1. If a vehicle is required to have a temporary permit and does not possess one, the officer shall issue a violation report citing R.S. 47:511.1, and may require the operator to purchase a temporary permit. A penalty of \$200 shall be assessed in addition to the cost of purchasing a temporary permit.

2. A temporary 48-hour permit shall be valid for 48 continuous hours.

3. If a vehicle is stopped and found to exceed the time limit of a temporary permit, a penalty of \$200 shall be assessed and the driver shall be required to purchase another permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:30 (February 1979).

### **§107. Procedures for Enforcing Fuel Tax Laws**

#### A. Authority of Weights and Standards Stationary Scale Police Force

1. Weights and Standards Stationary Scales Police Force shall assist the Department of Revenue and Taxation in enforcing fuel tax laws. The Department of Revenue and Taxation is the final authority on fuel tax laws.

2. Fuel Use. Weights and Standards Stationary Scale Police Force officers have the authority to enforce fuel tax laws only when the vehicle is not fully licensed in Louisiana and is domiciled outside Louisiana.

a. The state of domicile shall be determined by the name and address on the cab doors.

b. License plates from another state which are apportioned for Louisiana have not been fully licensed in Louisiana. Vehicles with these plates may be checked if the vehicle is domiciled outside Louisiana.

3. Bulk Transports. Weights and Standards Stationary Police Force officers have the authority to enforce fuel tax laws on all bulk transports of taxable fuels.

B. Motor Vehicles Using Gasoline for Fuel. Vehicles which are not fully licensed in Louisiana and are domiciled outside Louisiana shall be checked as they leave Louisiana to insure that the driver has purchased enough gasoline in Louisiana to cover the miles traveled in Louisiana.

#### C. Motor Vehicles Using Special Fuels

1. Special fuels are all fuels used by motor vehicles except gasoline. Special fuels include distillate fuels (e.g., diesel or kerosene) and liquefied petroleum gases (e.g., butane or propane).

2. Vehicles using special fuels are required to have a working speedometer, odometer, or hub meter. Compare the speedometer, odometer, or hub meter reading with the reading on the special fuels invoice to determine if the mileage indicator is working properly.

3. Vehicles using special fuels are also required to have the name and address of the company on both cab doors in letters at least 2 inches high. The name and address must be legible for 25 feet.

4. Vehicles which are not fully licensed in Louisiana and are domiciled outside Louisiana shall be checked as they leave Louisiana to ensure that the driver has purchased enough fuel in Louisiana to cover the miles traveled in Louisiana.

a. At enforcement units which are not at points of exit from Louisiana, vehicles using special fuels shall not be checked for special fuels invoices or for working speedometers, odometers, or hub meters. Fuel tax assessment forms shall not be filled out. These vehicles shall be checked for the company's name and address on the cab doors.

b. If the company is on the list of "Bonded Special Fuels Users," vehicles shall not be checked for special fuels invoices or for working speedometers, odometers, or hub meters at any enforcement unit. Fuel tax assessment forms shall not be filled out. These vehicles may be checked for the company's name and address on the cab doors.

c. Vehicles which are exempt from licensing (such as farm equipment and off-road equipment) shall not be checked at any enforcement unit for special fuels invoices; working speedometers, odometers, or hub meters; or for the company's name and address on the cab doors. No fuel tax assessment form shall be filled out.

#### D. Bulk Gasoline Transports

1. The drivers of all bulk gasoline transports are required to have a currently dated invoice, bill of lading, or manifest showing the following information:

- a. the seller's and purchaser's names and addresses;
- b. the origin and destination of the gasoline;
- c. the authorized routes to be followed (this applies only to gasoline going to or coming from Texas);
- d. the quantity of gasoline.

2.a. Vehicles transporting bulk gasoline to or from Texas must have an authorization card issued by the Department of Revenue. This card may not be transferred from one company to another.

b. The name on the card shall agree with the name on the vehicle. The vehicle must be on a route specified on the authorization card.

3. Bulk fuel transports shall be checked at all enforcement units by Weights and Standards Stationary Scale Police Force officers.

a. Vehicles operated by common or contract carriers licensed by the Interstate Commerce Commission or the Louisiana Public Service Commission shall not be checked. They may be checked, however, for the fuel they use to operate.

b. Vehicles operated by companies on the list of "Bonded Gasoline Jobbers" or "Bonded Gasoline Dealers" shall be checked for the required information on the invoice, bill of lading, or manifest. If the gasoline is going to or coming from Texas, the vehicle shall be checked for the proper authorization card and proper route. These vehicles shall also be checked for the fuel they use to operate.

E. Bulk Special Fuels Transports. All vehicles transporting bulk special fuels shall be allowed to proceed. These vehicles shall, however, be checked for the fuel they use to operate.

F. Fuel Tax Violations

1. Users of Gasoline and Special Fuels

a. If an unbonded gasoline or special fuels user has a proper fuel invoice, but has not purchased enough fuel to cover all the miles traveled in Louisiana, then the officer shall assess the fuel tax, but no violation ticket shall be written.

b. If an unbonded gasoline or special fuels user has an improper fuel invoice or no fuel invoice, then the officer shall issue a violation ticket and assess a fine of \$25. Fuel tax shall be assessed in addition to the fine.

c. If a user of special fuels does not have a working speedometer, odometer, or hub meter, the officer shall issue a violation ticket and assess a fine of \$25.

d. If a user of special fuels does not have the name and address of the company on both cab doors, the officer shall issue a violation ticket and assess a fine of \$25. If the company's name and address is on only one door, no violation ticket or fine will be assessed. The driver will receive a warning of the violation.

e. No ticket shall be issued on any new transient vehicles or any new vehicle with less than 2,000 miles on the mileage indicator.

f. Fuel tax violations are cumulative.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:31 (February 1979).

**§109. Procedures for Citing Violators**

A. Issuing Notice of Violations

1. When any carrier, transport vehicle, or driver is found to be in violation of any provision of this Chapter, the violating party shall receive a "Notice of Violation, Proposed Finding and Proposed Civil Penalty" (hereinafter referred to as a "notice of violation") within 30 days of the violation.

2. Notices of violation shall provide specific information regarding the violation that is being cited. This information shall include the highway, parish, and the side (North, South, East, West) on which the citation is being issued. This information shall also include the specific nature of the violation and the number of the statute that was violated.

<b>Statute</b>	<b>Violation</b>	<b>Fine</b>
32:380	Overwidth	\$100
32:381	Overheight	\$100
32:382	Overlength, Overhand, Twin Trailer Combination	\$100
32:383	Dropping, Shifting or Leaking Load	\$100
32:384	Trailer and Towed Vehicle Violations	\$100
32:385	Farm Vehicle and Equipment Violations	\$100
32:386	Over Legal Gross Vehicle Weight or Over Legal Axle Weight	(see chart)
32:386	Improper Distribution of Axle Weight	\$100
32:387	Over Permitted Weight	(see chart)
32:387	Violating Terms or Conditions of Permit Issuance—Other than Weight	\$100
32:387	Permit Not in Vehicle	\$ 25
32:388	Over Licensed Weight	\$100
32:388	Failure to Stop at Stationary Scale	\$100
47:511.1	No Temporary 48-Hour Permit	\$200
47:516	Improper, Expired or No License and Registration	(No fine by DOTD)
47:718	Nonpayment of Gasoline Tax	\$ 25
47:812A	Cargo Tank Connected to Carburetor	\$ 25
47:812B	Nonoperating Speedometer, Odometer, or Hub Meter	\$ 25
47:812C	Owner's Name and Address Not on Outside of Cab Doors	\$25
47:812D	Nonpayment of Special Fuels Tax (No Invoice)	\$ 25

3. Notices of violation shall clearly indicate if a monetary penalty is assessed, or if the notice of violation is only a warning. Notice of violation warning shall only apply to over axle weight violations. If a monetary penalty is assessed, the amount of such penalty shall be clearly indicated on the notice of violation. The fines for violations of Title 32 are not cumulative, but a violator may be assessed more than one fine for violations of Title 47 or for violating both Title 32 and Title 47.

4. If the vehicle was found to be overweight, the notice of violation shall clearly indicate the measured weights and the contents of the load/commodity type.

5. For a violation of R.S. 47:516 where a fine is not assessed, the driver shall be instructed to report to the nearest Vehicle Registration Bureau of the Department of Public Safety to secure the proper registration and license.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 32:2 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:33 (February 1979).



## **Chapter 3. Oversize and Overweight Permit Laws and Regulations**

### **§301. General Information**

#### **A. General Regulations**

1. An oversize or overweight permit must be obtained to operate a vehicle which exceeds the legal size or weight on the highway.

2. In general, oversize and overweight permits are issued only for indivisible vehicles and loads. Indivisible vehicles or loads are those that cannot, without undue expense or risk of damage, be divided into two (2) or more loads for the purpose of conveyance on a road.

3. The following vehicles transporting divisible loads are eligible to obtain permits:

a. vehicles transporting pipe loaded across a vehicle, rather than lengthwise, are eligible for overwidth permits as long as the width of the vehicle and load does not exceed 8 feet, 8 inches;

b. vehicles transporting up to three bundles of pre-packaged or strapped oil field pipe are eligible for overwidth permits if the load does not exceed 10 feet in width;

c. vehicles transporting pulpwood or plywood bolts loaded across a vehicle, rather than lengthwise, are eligible for forest product permits;

d. vehicles transporting farm products in their natural state are eligible for harvest season permits;

e. waste vehicle transporting divisible loads are eligible for waste vehicle permits and steering axle permits;

f. when all parts which have been or can be easily divided or dismantled from a shipment weigh, in aggregate, 500 pounds or less, these parts may be moved along with indivisible part of the shipment as one load.

4. Exceptions to Oversize and/or Overweight Permit Requirements

a. When all parts which have been or can be easily divided or dismantled from a shipment with an aggregate weight of 500 pounds or less, these parts may be moved along with the indivisible part of the shipment as one load.

b. Vehicles transporting an oversize/ overweight dozer will be allowed to remove its blade or sideboom and haul it on the same vehicle.

c. Vehicles transporting pipe loaded across a vehicle, rather than lengthwise, will be eligible for overwidth permits as long as the width of the vehicle and load does not exceed 8 feet 8 inches.

d. Vehicles transporting up to three bundles of prepackaged oil field pipe may not exceed 10 feet in width.

e. Vehicles transporting farm products in their natural state will be eligible for harvest season permits.

f. Vehicles transporting forest products in their natural state will be eligible for a natural forest product permit.

g. Vehicles transporting pulpwood or plywood bolts loaded across a vehicle, rather than lengthwise, will be eligible for forest product permits as long as the width does not exceed 9 feet.

h. Waste vehicle transporting divisible loads will be eligible for waste disposal truck permits.

i. Vehicles transporting oversize loads will only be allowed to create an over height dimension as long as there is at least one permitted dimension, and all the dimensions for the load are shown on the permit. Over width and over length dimensions may never be created.

j. Trucks transporting commodities from a port located on the Mississippi River via a bridge over the Mississippi River to a facility located in the same parish as the bridge.

5. Vehicles must be licensed for the statutory maximum allowable license weight in order to obtain an overweight permit.

6. All permits must be obtained before movement of an oversize or overweight vehicle or load begins, if intrastate, or before the vehicle enters Louisiana, if interstate.

7. The permit must be in the vehicle for which it was issued and must be available for inspect by proper authorities at all times.

B. Permit Authority. Permits are issued by the DOTD truck permit office. Officials at this office have final authority on which vehicles or loads will be granted permits. The truck permit office also has the final authority on the disposition of any vehicles or loads which have or require a permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:35 (February 1979).

### **§303. Types of Permits**

A. Oversize Permits. These permits are for vehicles and loads which exceed the legal limitations on width, height, length, or projecting loads. The fee is \$10 for a single trip if the trip lasts less than one day or \$10 per single day if the trip lasts more than one day.

B. Overweight Permits. These permits are for vehicles and loads which exceed the legal limitations on axle weight or gross vehicle weight. They may be valid for vehicles or loads which are both oversize and overweight if the dimensions are noted on the permit. These permits are valid for a single trip, and the fee shall be based on weight and the distance to be traveled. If a vehicle and load are both oversize and overweight, only the overweight fee is charged.

C. Monthly Oversize Permits. These permits are for vehicles and loads that exceed the legal limitations on width, height, length, or projecting loads. These permits are not for vehicles and loads that do not exceed the legal weight limitations. Vehicles and loads may not be more than 12 feet wide; more than 14 feet, 4 inches high; or more than 90 feet long. Monthly oversize permits may be valid for as long as 12 months and may be issued for Monday through Friday only, Monday through Saturday only, or for every day of the week (except holidays when requested). The fee is \$10 for each day that the permit is valid.

D. Forest Product Permits. These permits are for vehicles transporting plywood bolts or pulp-wood which exceeds the legal limitations on width. The permits allow a maximum width of 9 feet when the pulpwood or plywood bolts are transported across the vehicle, rather than lengthwise. They are valid for a year, but may be used only on non-interstate highways. The fee is \$10 a year. On interstate highways oversize permits must be purchased on a daily basis. Vehicles with forest product permits are permitted to travel during moderate weather, or on holidays, but they are prohibited from traveling at night.

E. Forest Management Equipment Permits. These permits are for forest management equipment that exceed the legal limitations on width. These permits will allow a maximum width of 10 feet. General construction equipment (bulldozers, draglines, graders, etc.) is excluded from this permit; included but not limited to are rubber-tired and tracktype skidders, tree shears, feller bunchers, tree planting equipment, log loaders, shredders, yarders, tractors, chippers, portable chippers, drum choppers, pre-haulers, and fire plows. These permits are valid for a year, and only on non-interstate highways. Oversize permits must be obtained for travel on interstate highways. The fee is \$10 a year. Vehicles with forest management equipment permits are permitted to travel during moderate weather. Vehicles with forest management equipment permits are prohibited from traveling at night.

F. Waste Vehicle Permits. These permits are for waste vehicles which have single axles on the rear and which exceed the legal limitations for axle weight on the rear axle. A waste vehicle permit will allow a maximum of 23,000 pounds on the rear axle. The overweight rear axle must be equipped with dual-mounted tires, and tires on the overweight axle must have a width of 10.00 or larger. These trucks must have been in actual use in Louisiana by January 1, 1977; trucks purchased after this date do not qualify and must meet the legal limitations. Waste vehicle permits are valid only on non-interstate highways. These vehicles must be of legal weight on interstate highways. These permits are valid for a year, and the fee is \$10 a year. Vehicles with waste vehicle permits are not prohibited from traveling at night, during moderate weather, or on holidays

G. Steering Axle Permits. These permits are for equipment which is primarily used off-road, which only occasionally uses the state-maintained highway system, and which exceeds the legal axle weight on the steering axle, due to its design. (Rig-up trucks may obtain a steering axle permit if their length does not exceed 45 feet and their width does not exceed 10 feet. No load may be carried by a rig-up truck with a steering axle permit, and another vehicle may not be towed by the truck). A vehicle with a steering axle permit must be equipped with tires of 10.00 width or larger. These permits are valid for a year, and only on non-interstate highways. Overweight permits for travel on interstate highways must be purchased on a single-trip basis. The fee is \$15 a year. If a waste vehicle requires both a waste vehicle permit and a steering axle permit, only the fee for the steering axle permit shall be charged. Vehicles with valid steering axle permits are not prohibited from traveling at night, during moderate weather or on holidays

#### H. Harvest Season Permits

1. These permits are for vehicles which haul farm products in their natural state and which exceed the legal limitations on gross vehicle weight or axle weight. (A 500-pound variance shall be added to the permitted axle weight as long as the permitted gross vehicle weight is not exceeded.)

2. On non-interstate highways the maximum weights are:

- a. gross vehicle weight—86,600 pounds;
- b. single axles—22,000 pounds (500 pounds variance = 21,200 pounds);
- c. tandem axles—37,000 pounds (500 pounds variance = 35,700 pounds).

3. On interstate highways the maximum weights are:

- a. gross vehicle weight—83,400 pounds;
- b. single axles—20,000 pounds (500 pounds variance = 35,200 pounds);
- c. tandem axles—35,200 pounds x 500 pounds variance = 35,700 pounds).

4. These permits are valid for a year, and the fee is \$10 a year. Vehicles with harvest season permits are not prohibited from traveling at night, during moderate rain or on holidays. These permits may be purchased either online, on a C-Form, or on a P-Form.

I. Oil Field Equipment Permits. These permits are for a combination vehicle which are designed to transport oil field equipment and which exceed the legal length and width limitations. These permits allow a combination vehicle to have a maximum length of 70 feet and a maximum width of 10 feet. Oil field equipment permits are valid on interstate highways at 70 feet long and 8 feet 6 inches wide, and on non-interstate highways, only when no load is being carried. Oversize or overweight permits must be obtained when the vehicle is carrying a load or when the vehicle is traveling on interstate highways. The fee is \$15 for a month. Vehicles with oil field equipment permits are permitted to travel on holidays, at night, or during moderate rain.

J. Vehicles Hauling Sugarcane. These permits are issued annually for vehicles hauling sugarcane at a gross weight not to exceed 100,000 pounds. The vehicle and trailer combination must meet all other Louisiana legal requirements and shall have a minimum of 18 wheels.

## K. Special Permits for Transporting Hay

1. If there is a declaration of emergency or disaster in this state or another, for causes such as but not limited to severe and extended drought conditions, special permits may be issued by the secretary of DOTD for those vehicles transporting hay. The permit fee shall be \$10 and shall be valid for only as long as the emergency exists, not to exceed one year. In addition, the following restrictions shall apply.

a. The total length of the vehicle and trailer shall not exceed 65 feet on non-interstate routes and the load and trailer shall not exceed 59 feet 6 inches on Interstate routes. The total weight of the vehicle and trailer shall not exceed 80,000 pounds for a quint axle rig and 83,400 pounds for a 6 axle rig which also must include a tridum. Vehicles transporting hay bales loaded side by side across trailers shall not exceed 12 feet in width and 14 feet in height.

b. Travel is limited to daylight hours beginning at sunrise and ending at sunset and is limited by all no movement requirements on certain holidays.

c. Vehicles must travel with the required signs and flags properly placed and indicating that they carry oversized loads.

d. Vehicles must be equipped with mirrors that allow drivers to have a clear view of the highway to least 200 feet to the rear of the vehicle.

e. Loads must be securely bound to the transporting vehicles.

f. Carriers, owners and drivers of any vehicle being operated are responsible for verifying in advance that the actual dimensions and weights of the vehicles and loads are acceptable for all routes being traveled.

g. It is the responsibility of the carriers, owners and drivers to track the status of the declared emergencies. In the event the emergency expires prior to the one year period, the owner, carrier and driver shall be responsible for terminating use of the permit.

h. No vehicle shall exceed weight limits posted for bridges and similar structures, or relieve any vehicle or carrier, owner or driver of any vehicle from compliance with any restrictions other than those specified, or from any statute, rule, order or other legal requirement.

## L. Containerized Cargo

1. Class I (\$50 per year). These permits are for vehicles transporting ocean containers used in hauling prepackaged products for international trade originating from or destined to an intermodal facility. This permit allows for the transportation of ocean containers with a gross vehicle weight limitation not to exceed 80,000 pounds and axle group weight not to exceed 40,000 pounds per tandem axle.

2. Class II (\$375 Biannual). These permits are for vehicles transporting ocean containers used in hauling prepackaged products for international trade from or destined to an intermodal facility.

3. Liquid Bulk Container (\$200 per year). These permits are for vehicles transporting a liquid bulk container within a 50 mile radius of a statutorily defined port or harbor district. This permit will allow these vehicles a gross vehicle weight not to exceed 95,000 pounds and an axle weight not to exceed 20,000 pounds per axle provided the rear axle set is a tridum. Each vehicle shall be equipped with a standard intermodal drop-frame chassis with twist locks to secure the container to the chassis. Vehicles with valid liquid bulk container permits are allowed movement on interstate and non-interstate highways and are valid for one year, expiring each year on December 31.

4. Vehicles with containerized cargo permits are allowed movement on interstate and non-interstate highways. These vehicles may travel at night, during moderate weather, or on holidays.

## M. Forest Management Equipment (\$10 per Year)

1. These permits are for forest management equipment which exceeds the legal limitations on width. It will allow a maximum width of 10 feet. General construction equipment (bulldozers, draglines, graders, etc.) are excluded from this permit.

a. Included are:

- i. rubber-tired and track-type skidders;
- ii. tree shears;
- iii. feller bunchers;
- iv. tree planting equipment;
- v. log loaders;
- vi. shredders;
- vii. yarders;
- viii. tractors;
- ix. chippers;
- x. portable chippers;
- xi. drum choppers;
- xii. prehaulers; and
- xiii. fire plows.

b. These permits are valid for one year, and only on non-interstate highways.

c. Oversize permits must be obtained for travel on interstate highways.

2. Vehicles with forest management equipment permits may travel on holidays, but are prohibited from traveling at night and during severe weather

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:36 (February 1979), amended by the Department of Transportation and Development, Office of Operations and the Department of Public Safety and Corrections, Office of State Police, LR 39:98 (January 2013), amended by the Department of Transportation and Development, Office of Operations, LR 40:1945 (October 2014).

### **§305. Maximum Permit Weights Allowed**

A. Road and structural design capacities dictate that, generally, the following weights will be the maximum weights for which overweight permits will be issued.

#### 1. Off-Road Equipment

- a. Each Single Axle—30,000 pounds.
- b. Each Tandem Axle—60,000 pounds; however, any vehicle with a tandem axle weighing over 45,000 pounds must have removed all counterweights and other easily removable components.
- c. Each Tridum Axle—66,000 pounds; however, any vehicle with a tridum axle weighing over 60,000 pounds must have removed all counterweights and other easily removable components.

#### 2. All Other Vehicles

- a. Each Single Axle—24,000 pounds if the gross vehicle weight is 120,000 pounds or less, but 20,000 pounds if the gross vehicle weight exceeds 120,000 pounds.

b. Each Tandem Axle—48,000 pounds if the gross vehicle weight is 120,000 pounds or less, but 40,000 pounds if the gross vehicle weight exceeds 120,000 pounds and the spread between axle groups is a minimum of 12 feet and the spread between tires in a group is a minimum of 4 feet.

c. Each Tridum Axle—60,000 pounds.

d. Each Tandem Trunion Axle Group (16 tires)—54,000 pounds.

3. Gross Vehicle Weight—232,000 pounds. Permit requests for gross vehicle weights exceeding 232,000 pounds require detailed information, and inquiries should be directed to the truck permit office well in advance of the movement. Since railroads and navigable waterways are adequate for the movement of loads in excess of 232,000 pounds, these facilities must be used instead of highways, except for the hauling necessary to move a load from its origin to the nearest railway or waterway and/or to move a load from the railway or waterway to its destination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§307. Permit Axle Weight Distribution**

A. If a tandem, tridum, quadrum, or quint axle group is permitted for a weight which is less than or equal to the legal axle weight, then the axle must comply with the legal axle weight distribution. If the axle group is permitted for a weight which exceeds the legal axle weight, then the axle must comply with the following.

1. Tandem axles on vehicles with permits are properly distributed if neither of the individual axles carries more than 60 percent or less than 40 percent of the total tandem weight shown on the permit.

2. Tridum axles on vehicles with permits are properly distributed if none of the individual axles carries more than 40 percent or less than 25 percent of the total tridum weight shown on the permit.

3. Quadrum axles on vehicles with permits are properly distributed if none of the individual axles carries more than 30 percent or less than 20 percent of the total quadrum weight shown on the permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§309. Maximum Permit Weights Allowed**

A. At the present time, road and structural design capacities dictate that, generally, the following weights will be the maximum weights for which overweight permits will be issued.

#### **1. Off-Road Equipment**

a. Each Single Axle—30,000 pounds.

b. Each Tandem Axle—60,000 pounds; however, any vehicle with a tandem axle weighing over 45,000 pounds must have removed all counterweights and other easily removable components.

c. Each Tridum Axle—66,000 pounds; however, any vehicle with a tridum axle weighing over 60,000 pounds must have removed all counterweights and other easily removable components.

#### **2. All Other Vehicles**

a. Each Single Axle—24,000 pounds if the gross vehicle weight is 120,000 pounds or less, but 20,000 pounds if the gross vehicle weight exceeds 120,000 pounds.

b. Each Tandem Axle—48,000 pounds if the gross vehicle weight is 120,000 pounds or less, but 40,000 pounds if the gross vehicle weight exceeds 120,000 pounds and the spread between axle groups is a minimum of 12 feet and the spread between tires in a group is a minimum of 4 feet.

c. Each Tridum Axle—60,000 pounds.

d. Each Tandem Trunion Axle Group (16 tires)—54,000 pounds.

3. Gross Vehicle Weight—232,000 pounds. Permit requests for gross vehicle weights exceeding 232,000 pounds require detailed information, and inquiries should be directed to the truck permit office well in advance of the movement. Since railroads and navigable waterways are adequate for the movement of loads in excess of 232,000 pounds, these facilities must be used instead of highways, except for the hauling necessary to move a load from its origin to the nearest railway or waterway and/or to move a load from the railway or waterway to its destination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§311. Obtaining Permits**

A. There are five ways to obtain permits.

1. Walk-In Service. Permits may be purchased by appearing in person at the truck permit office in Baton Rouge. All information required on a permit form must be furnished at this time.

2. Mail

a. Applications for permits which are mailed must include all the information required on a permit form before the permit can be issued.

b. The application must be accompanied by an accepted form of payment.

c. The permit which is sent by return mail to the permittee must be carried at all times in the vehicle for which it was issued.

3. Wire Service

a. These companies will charge a permittee the Louisiana permit fee established by law and a service charge approved by the department.

b. All information required on a permit form must be provided by a phone call to the truck permit office or online before the permit will be issued.

4. Charge Accounts

a. A surety bond or an irrevocable letter of credit must be posted with the truck permit office to establish a permit charge account. The insurance agency must execute the bond in the minimum amount of \$1,000 or in increments of \$1,000 to an amount equal to or exceeding the customer's monthly billing.

b. It is required that the original of the bond, a power of attorney for the principal, and a power of attorney for the insurance company be furnished to the truck permit office.

c. Customers who fail to pay the full invoice amount on a charge account within 30 days of the billing date may have further charging privileges revoked, and the department may revoke their charge account bond.

d. A control number permit form can be activated by filling it out completely in ink and then by either placing a telephone call to the truck permit office or submitting it online. The form is not valid without the permit number which is supplied by the DOTD permit issuing official at the time of activation.

e. Facsimile copies of valid charge account permits will be acceptable provided the copies are legible. The department reserves the right to refuse and/or discontinue the acceptance of facsimile copies.

#### 5. Prepaid Permits

a. Prepaid permit forms may be purchased for \$10 each at the truck permit office or by mail. These forms are for customers who do not have a charge account, but wish to purchase forms in advance of their use.

b. Prepaid permit forms can only be used for oversize permits and are valid for a single trip, if the trip lasts less than one day, and for a single day, if the trip lasts more than one day.

c. A prepaid permit form is activated by filling it out completely, and then by either placing a telephone call to the truck permit office or submitting it online. The form is not valid without the permit number which is supplied by the DOTD permit issuing official at the time of activation.

d. A blank oversize prepaid permit form shall be validated within 12 months from the date of purchase.

e. Facsimile copies of valid oversize prepaid permits will be acceptable provided the copies are legible. The department reserves the right to refuse and/or discontinue the acceptance of facsimile copies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§313. Permit Restrictions**

#### A. Enforcing Permit Restrictions

1. The truck permit office may place additional restrictions on a permit.

2. The Weight and Standards Stationary Scale Police Force officer shall see that all restrictions shown on the permit have been followed before a vehicle is allowed to proceed.

3. If an officer suspects that a normal restriction has been omitted from the permit (for example, a load 100 feet long without an escort), the truck permit office shall correct the permit. No violation report shall be issued for restrictions which were overlooked by the permit office; however, the vehicle shall be delayed until necessary restrictions have been met.

4. The Assistant District Administrator of Operations must approve all movements over 18 feet high and/or exceed 232,000 pounds. This may be done by a letter which grants permission for the movement or by sending a representative from the district office to escort the movement. Either the letter or the representative must be present before the movement can proceed.

#### B. Interstate Movement

1. Vehicles and loads with forest product permits, forest management equipment permits, oil field equipment permits, and steering axle permits are prohibited from moving on interstate highways.

2. Vehicles and loads over 16 feet wide require approval to move on interstate highways.

#### C. Night, Inclement Weather, and Holiday Movement

1. Most vehicles and loads requiring a permit will be prohibited from moving at night, in severe weather, and on certain designated holidays by the truck permit office.

2. Vehicles requiring oversize permits shall not be allowed to cross the Mississippi River Bridges in Baton Rouge nor New Orleans from 6:30 to 9 a.m. and from 3:30 to 6 p.m. Except in cases of emergencies, these vehicles may not be parked within 75 feet of the highway if they are within 2 miles of the bridges. Vehicles with valid utility vehicle permits are exempt from these restrictions if they are being operated by a public utility.



3. The following vehicles and loads may travel on holidays or at night:

- a. vehicles with valid waste vehicle permits, steering axles permits, harvest season permits, utility vehicle permits, and oil field equipment permits;
- b. vehicles with valid oversize and overweight permits:
  - i. if the load does not project beyond the boundaries of the vehicle;
  - ii. if the width of the vehicle and load does not exceed 8 feet 6 inches;
  - iii. if the height of the vehicle and load does not exceed 14 feet, 4 inches; and
  - iv. if the weight of the vehicle and load does not exceed 120,000 pounds.

4. The following vehicles and loads may travel on holidays, shall not travel at night:

- a. vehicles with valid forest product permits or forest management equipment permits;
- b. vehicles with valid oversize permits which are transporting pipe loaded across the vehicle (rather than lengthwise) and which do not exceed 8 feet, 8 inches in width (including the pipe).

5. Severe Weather. Vehicles and loads requiring a permit are prohibited from traveling during weather which is physically severe, such as extremely heavy rain, heavy fog, icy road conditions, heavy snow, or any continuous condition which creates low visibility for drivers or hazardous driving conditions. However, vehicles with valid utility vehicle permits may travel in severe weather.

6. Moderate Weather. In general, the following vehicles and loads are permitted by the truck permit office from traveling during moderate weather:

- a. vehicles with valid forest product permits, forest management equipment permits, utility vehicle permits, waste disposal permits, steering axle permits, harvest season permits, and oil field equipment permits;
- b. vehicles with valid oversize and overweight permits:
  - i. if the load does not project beyond the boundaries of the vehicle;
  - ii. if the width of the vehicle and load does not exceed 8 feet;
  - iii. if the height of the vehicle and load does not exceed 14 feet, 4 inches; and
  - iv. if the weight of the vehicle and load does not exceed 120,000 pounds;
- c. vehicles with valid oversize permits which are transporting pipe loaded across the vehicle (rather than lengthwise) and which do not exceed 8 feet, 8 inches in width (including pipe).

7. Mild Weather. Wet pavement, light drizzle, and wind are not considered inclement weather for the purposes of permit movement. Vehicles and loads requiring a permit may travel during these milder weather conditions unless the movement would create a traffic hazard; for example, movement of a load 14 feet wide during rain or movement of mobile homes in wind.

8. If a vehicle that has been prohibited from moving in moderate or severe weather is underway when such weather occurs, the vehicle is required to proceed to a safe place off the roadway and park until the weather clears. During inclement weather officers at stationary scales locations shall delay such vehicles until the weather clears. Officers on mobile units shall escort such vehicles to a safe place for parking until the weather clears. If the vehicle is observed traveling after being directed to stop, a violation report shall be issued.

#### D. Red Warning Flags

1. In general, flags are required on vehicles and loads which exceed the legal width. There must be flags at the following points.

a. Four flags, two on the front edges and two on the rear edges, must be attached at the widest points on the part of the vehicle or load which exceeds the legal width.

b. If a load projects only to one side of a vehicle of legal width, one flag on the front edge of the load and one flag on the rear edge of the load will be sufficient.

c. If a projecting load does not exceed 3 feet from front to back, one flag on each side will be sufficient.

d. Flags must be attached on any other portion of the vehicle which is wider than the flagged front or rear edges.

2. Generally, red flags are also required on vehicles and loads which exceed the legal length or which have rear end overhang of more than 4 feet. However, if the overhang clears the pavement by 6 feet or more, red flags are not required. There must be flags at the following points.

a. If the overlength or projecting portion is 2 feet wide or less, one flag must be located at the extreme rear end of the load.

b. If the overlength or projection portion is wider than 2 feet, two flags at the extreme rear end of the load must be located to indicate maximum width.

3. All warning flags must be red and at least 18 inches square. Flags must either be securely fastened by at least one corner or securely mounted on a staff which keeps the flag upright.

#### E. Warning Signs

1. Vehicles and loads exceeding 10 feet in width must display two signs with the wording "OVERSIZE LOAD." One sign must be on the front of the vehicle. The other must be on the rear of the load; however, if the sign cannot be attached or clearly read in this position, then the sign must be on the rear of the vehicle itself.

2. Vehicles and loads exceeding 75 feet in length or the legal rear end overhang must display two signs with the wording "OVERSIZE LOAD." These signs must be on the sides of the overhanging part of the load; however, if the signs cannot be attached or clearly read in this position, then the signs must be on the sides of the vehicle. If the rear end overhang clears the pavement by 6 feet or more, no sign is required on the overhang.

3. Vehicles and loads exceeding the legal front end overhang must display one sign with the wording "OVERSIZE LOAD." This sign must be on the front of the vehicle. If the overhang clears the pavement by 6 feet or more, no sign is required.

4. All warning signs must be at least 7 feet long and 18 inches high. The background must be yellow and the lettering black. Letters must be at least 10 inches high with a 1 5/8 inch brush stroke.

#### F. Warning Lights

1. Lights are required at night and during inclement weather on vehicles and loads which exceed the legal width, in the following places.

a. Two amber lights must be attached at the widest points on the front edges of the overwidth part of the vehicle or load, and these lights must be visible from both the front and the side.

b. Two red lights must be attached at the widest points on the rear edges of the overwidth part of the vehicle or load and these lights must be visible from both the rear and the side.

c. An amber light must be attached on any part of the vehicle or load which is wider than the front or rear edges, and this light must be visible from the front, side and rear.

d. A single light on each side, visible from the front, side, and rear, may be used if the overwidth part of the vehicle or load does not exceed 3 feet from front to back. If the overwidth part is at or near the front of

the vehicle, this light must be amber. If the overwidth part is at or near the rear of the vehicle, this light must be red.

2. Lights are required at night and during inclement weather on vehicles and loads which are overlength or have rear end overhangs of more than 4 feet, in the following places.

a. Two red lights, one on each side, must be visible from the side and indicate the extreme rear of the vehicle or load.

b. Two red lights, one on each side, and two red reflectors, one on each side, must be visible from the rear, must be located on the rear of the vehicle or load, and must indicate maximum width of the overlength or projecting part. However, if the overlength or projecting part is 2 feet wide or less, one red light and one red reflector are sufficient.

3. Two or more lights may be combined if the resulting light still conforms to the requirements and its effectiveness is not reduced by the combinations.

4. All lights must be of types approved by state and federal law.

G. Speed Limits. Permit movements are limited to 55 miles per hour unless otherwise noted on the permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:38 (February 1979), amended LR 18:508 (May 1992), amended by the Office of Weights Measures and Standards, LR 20:463 (April 1994).

### **§315. Statewide—Loads Exceeding 16 Feet 5 Inches in Height**

A. All loads exceeding 16 feet 5 inches in height that are moving on state highways are required to notify the DOTD district office where the move originates. A district authorization number must be obtained from the district office, as well as all other subsequent district(s) that the load will travel through before application for an oversize/overweight permit is made along with notifying truck permits 48 hours in advance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§317. Loads Exceeding 18 Feet in Height**

A. Loads that exceed 18 feet in height must contact the DOTD district office where the move originates for procedures to be followed before a permit will be issued by the truck permit office.

B. The following procedures must be followed before final approval is given and the truck permit office notified that the oversize/overweight permit can be issued.

1. Utility companies and DOTD will not charge trucking companies for any adjustments required to move lines that are below the height approved by the department at the time of their installation. Old utility lines may be set at a lower vertical clearance than currently required, and in these cases the requirement at the time the line was installed will govern. In instances where the load being moved exceeds the required vertical clearance, the vehicle will be required to pay in advance for any adjustments or removal that is required.

2. If an estimate of cost is desired prior to movement, it will be necessary for DOTD and the utility companies to be given four working days notice, unless unusual conditions are involved, in order to have sufficient time to survey the route and prepare the estimate.

3. When proper notice is given, DOTD and the utility companies will not charge the trucker for checking the route and preparing a cost estimate. Only one free estimate will be given for each route approval requested.

4. Each cost estimate and final billing will be itemized. Escort fees will be shown as a separate charge on the itemized bill.

5. When moving loads over 18 feet in height, the trucker is to contact the district maintenance engineer requesting a district authorization number. The district maintenance engineer will maintain a list of contacts with each utility company having lines crossing the proposed route. The mover is to call each company, give them the district authorization number, and request clearance to move. When the utility company has completed its investigation of the route involved, it will call both the company requesting clearance and the district maintenance engineer and give their approval. When all the companies involved have given their approval, the district maintenance engineer will call the truck permit office giving the company name and authorization number signifying that all the proper approvals have been received. The truck permit office will issue the permit to use the state highways only after a call has been received from the district maintenance engineer or his representative.

6. At no time, unless unusual conditions are involved, such as the physical relocation of lines or emergencies, will the movement of any load be delayed more than seven days from the point of their first contact by the mover.

7. Utility companies will provide all District's Utility Specialist with the names of one authorized representative and one alternate who can approve routes for their companies.

8. The present procedure involving loads that exceed 18 feet in width will still apply even though the height is 18 feet or less.

9. If any trucker fails to follow the adopted procedures by falsifying dimensions to circumvent these procedures, the trucker will be fined if caught, and continual disregard of the policies may result in their being denied permits to move.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§319. Loads Exceeding 18 Feet in Width**

A. The permission of parish and municipal authorities, utility companies, and private property owners may be secured before requesting a permit from the state.

B. Proper protection at railroad crossings must be secured by giving notice to the nearest station agent of the railroad, with a reasonable time allowed for preparation before the movement begins.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§321. Checking Permits**

#### **A. General Procedures**

1. A permit must be carried with the vehicle for which it was issued at all times. Any vehicle requiring a permit which does not have a permit with it shall be fined. A permit may be carried in an escort vehicle as long as the escort vehicle is not separated from the vehicle requiring the permit.

a. Oversize permits are issued at \$10 per trip if the trip lasts less than one day and \$10 per day if the trip lasts more than one day. Vehicles observed making more than one trip per day with an oversize permit have an invalid permit for the second trip. Anytime the prepaid permit form is used, the permit is valid for only one day and one trip except mobile homes.

b. Monthly oversize permits are issued for Monday through Friday only, Monday through Saturday only, or for every day of the week. Holidays may be excluded. The monthly oversize permit may be used for more than one trip per day.

c. Overweight permits are issued for one trip. The number of days allowed for the trip will be indicated by the "Date Movement Begins" and "Date Movement Ends."

d. Waste vehicle permits, steering axle permits, forest product permits, and forest management equipment permits, which are issued for a year, must have a valid "Expiration Date."

e. Harvest season permits, which are issued for a year, must have a valid "Expiration Date."

f. Oil field equipment permits are issued for a month and must have a valid "Expiration Date."

2. The number of axles noted on the permit shall be compared to the number and type (tandem, etc.) on the vehicle. The axle weights and the gross vehicle weight on the permit shall be matched against the weights shown on the scales. The scale weights must be equal to or lower than the weights on the permit.

a. Prepaid permit forms may not be used for overweight loads.

b. Permits on regular forms, transmitted forms, and control forms that are for overweight are also valid for oversize if the dimensions are shown on the permit. This does not apply to waste vehicle permits or harvest season permits, which have been limited to vehicles and loads which are only overweight.

c. If the gross vehicle weight is under the weight shown on the permit, vehicles with harvest season permits shall be allowed a 500-pound variance on each single axle or axle group (tandem, tridum, quadrum, quint).

d. No load may be carried by vehicles with oil field equipment permits or by rig-up trucks with steering axle permits.

3. All dimensions on the vehicle or load (width, height, length, front and rear overhang) must be equal to or less than the dimensions listed on the permit.

4. The movement shall also be compared to the "Restrictions" and "Remarks" sections of the permit:

a. night movement;

b. inclement weather movement;

c. holiday movement;

d. warning flags;

e. warning lights;

f. warning signs;

g. speed;

h. escorts; and

i. any other limitations added to the permit by the truck permit office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:40 (February 1979), amended by the Office of Weights Measures and Standards, LR 20:463 (April 1994).

## **§323. Permit Violations**

### **A. General Procedures**

1. If a vehicle or load requires a permit and is operating without a valid permit or violating conditions of a permit, the officer shall issue a violation report for the violation that results in the greatest fine.
2. The axle variance on non-interstate highways shall be allowed for vehicles with oversize permits. Vehicles with overweight permits which have exceeded their permitted axle weight shall not be allowed any additional axle variance. However, vehicles with harvest season permits shall be allowed a 500-pound variance on each single axle or axle group (tandem, tridum, quadrum, or quint) if the gross vehicle weight is under the weight shown on the permit.
3. Drivers will not be given the opportunity to shift the load to reduce or eliminate oversize and overweight penalties.
4. Indivisible vehicles or indivisible loads exceeding the legal limitations without a permit or violating the restrictions of a permit will be issued a Notice of Violation.
5. No axle variance will be allowed for vehicles which exceed their permitted axle weight.
6. Penalties will be due immediately upon receipt of the Notice of Violation.
7. In case of multiple violations of size, weight and permits, the penalty assessed will be for the violation which gives the greatest penalty. However, multiple weight violations are susceptible to additional penalties.

### **B. Handling Permit Violations**

1. **No Permit, Oversize.** If an indivisible vehicle or indivisible load exceeds the legal limitations or department regulations for width, height, length, or projecting loads and is operating without a valid permit when one is required the officer shall issue a violation report and assess a penalty of \$100.
2. **No Permit, Overweight.** If an indivisible vehicle or indivisible load exceeds the legal limitations or department regulations for axle weight or gross vehicle weight and is operating without a valid permit when one is required, a penalty shall be assessed from the overweight penalty chart referenced in this document. The fine must be based on either the number of pounds over legal gross weight or on the number of pounds over legal axle weight or on the number of pounds over legal axle weight on all overweight axles, whichever results in the greater fine.
3. **With Permit, Oversize.** If an indivisible vehicle or indivisible load exceeds the width, height, length, front end overhang, or rear end overhang allowed by a valid permit the officer shall issue a violation report and assess a fine of \$100.
4. **With Permit, Over Axle Weight Only**
  - a. If an indivisible vehicle or indivisible load exceeds the axle weight, but not the gross vehicle weight, allowed by a valid permit, then no ticket shall be issued (except for harvest season permits, waste disposal truck permits, and steering axle permits).
  - b. If a vehicle or combination vehicle has a harvest season permit, waste vehicle permit, or steering axle permit, and exceeds the axle weight but not the gross vehicle weight allowed by a valid permit, then the officer shall issue a violation report and assess a penalty from the overweight penalty schedule contained in this document. The fine shall be based on all pounds in excess of the permit's axle weight.
5. **With Permit, Over Gross and Axle Weights**
  - a. If an indivisible vehicle or indivisible load exceeds both the axle weight and the gross vehicle weight allowed by a valid permit (except for harvest season permits, waste vehicle permits, and steering axle permits), the officer shall issue a violation report and assess a penalty on all pounds in excess of the permit's gross weight

from the chart for assessing penalty for violation of weight limitations stated on an overweight permit. The permit fee charged shall be only for the difference between the fee already paid and the correct permit fee.

b. If a vehicle or combination vehicle has a harvest season permit, waste vehicle permit, or steering axle permit and exceeds both the axle weight and the gross vehicle weight allowed by a valid permit, the officer shall issue a violation report for the greater of the penalties from the chart on all pounds in excess of the permit's gross vehicle weight or a penalty from the overweight penalty schedule on all pounds in excess of the permit's axle weights, both of which charts are contained in this document.

#### 6. Permit Restriction Violations

a. When restrictions have been written on a permit or when the truck permit office confirms that their master copy shows permit restrictions, then the officer shall issue a violation report and assess a fine of \$100. This procedure applies to vehicles operating without an escort; traveling on interstate highways, at night, during inclement weather, or on designated holidays; or violating any other permit restrictions except operating without red flags, warning signs, or warning lights.

b. When the above restrictions are not written on a permit and were overlooked or omitted by the truck permit office, no violation report shall be issued. The vehicle shall, however, be delayed until any restrictions required by the truck permit office have been met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:41 (February 1979), amended by the Office of Weights Measures and Standards, LR 20:463 (April 1994).

#### §325. Payment of Violation Penalties

The following may be accepted as forms of payment of penalties: certified or cashier's checks or money orders made payable to Louisiana Department of Transportation and Development, or accepted credit card. Personal or company checks shall not be accepted, unless the violator has a posted bond. Payment of fines shall be made immediately.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979).

### Chapter 5. Legal Limitations for Size and Weight

#### §501. Definitions

*Axle Group*—a combination of two or more consecutive axles considered together in determining their combined load effect on a highway (as tandem, tridum, or quadrum axle groups).

*Axle with Single-Mounted Tires*—any single or individual axle which is composed of one tire on each side of the vehicle (as opposed to dual-mounting).

*Department*—Louisiana Department of Transportation and Development (DOTD).

*Designated Truck Routes*—highways designated by the secretary of the department in accordance with the Surface Transportation Assistance Act of 1982 that includes provisions for truck-semi trailer-trailer combinations and maximum vehicle width of 8 feet 6 inches.

*Domicile*—the fixed, permanent, and principal residence for legal purposes.

*Dromedary Unit*—a load carrying compartment on a truck-tractor located between the cab and fifth wheel.

*Dummy Axle*—a single axle attached independently to the frame of a vehicle and so designed and placed as to indicate the appearance of and to carry a uniformly distributed load of a normal axle group.

*Envelope Vehicle*—a truck tractor/semitrailer combination or truck tractor manufactured housing combination that does not exceed the size and weight limits specified by the multi-state permit agreement.

*Gross Weight*—the weight of a vehicle and/or combination vehicle plus the weight of any load thereon.

*Individual Axle*—any of the two, three, or four axles which make up the tandem, tridum, or quadrum axle groups.

*Interstate Hauling*—vehicle movement between or through two or more jurisdictions.

*Intrastate Hauling*—movement of a vehicle from one point within a jurisdiction to another point within the same jurisdiction, regardless of routes traversed.

*Length*—the total longitudinal dimension of a single vehicle, a trailer, or a semi-trailer. Length of a trailer or semi-trailer is measured from the front of the cargo-carrying unit to its rear and includes load-holding devices thereon.

*Mobile Home*—

1. a trailer or semi-trailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on highways; or

2. a trailer or semi-trailer whose chassis and exterior shell is designed and constructed for use as a mobile home, as defined in Paragraph 1, but which is used instead permanently or temporarily for the advertising, sales, display, or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

*Multi-State Permit Agreement*—an agreement entered into with other states who have established an envelope vehicle that can be permitted for travel by the use of one common permit form through all member states that are a part of this consortium.

*Quadrum Axle*—any four consecutive axles whose centers are 40 or more inches but not more than 96 inches apart. A quadrum axle must be designed to equalize the load between the axles.

*Quint Axle* -- Any 5 consecutive axles whose centers are 40 or more inches but not more than 96 inches apart. Quint axle must be designed to equalize the load between the axles.

*Semi-Trailer*—any single vehicle without motive power designed for carrying property and passengers and so designed in conjunction and used with a motor vehicle that some part of its own weight and that of its own load rests or is carried by another vehicle and having one or more load-carrying axles.

*Single Axle*—any single axle or any assembly of two or more axles whose centers are less than 40 inches apart.

*Stinger-Steered Combination*—a truck-tractor semi-trailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axles of the power unit.

*Tandem Axle*—any two consecutive axles whose centers are 40 or more inches but not more than 96 inches apart. A tandem axle must be designed to equalize the load between the axles.

*Trailer*—any single vehicle without motive power designed for carrying property or passengers wholly on its own structure, drawn by a motor vehicle which carries no part of the weight and load of the trailer on its own wheels and having two or more load carrying axles.

*Tridum Axle*—any three consecutive axles whose centers are 40 or more inches but not more than 96 inches apart. A tridum axle must be designed to equalize the load between axles.

*Variable Load Suspension Axles*—axles which can be regulated by the driver of the vehicle either through the use of an in-cab valve or switch or by turning a valve on the outside of the truck. These axles are controlled by hydraulic and air suspension systems, mechanically, or by a combination of these methods.



*Vehicle*—any device by which a person or things may be transported upon a public highway or bridge. A trailer or semi-trailer shall be a separate vehicle.

*Width*—the total outside transverse dimension of a vehicle including any load or load holding devices thereon, but, excluding approved safety devices and tire bulge due to load.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 7:410

(August 1981), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§503. Legal Limitations**

#### **A. Weights**

1. The maximum legal axle weights on interstate highways are:

- a. single axles—20,000 pounds;
- b. tandem axles—34,000 pounds;
- c. tridem axles—42,000 pounds;
- d. quadrum axles—50,000 pounds.

2.a. Axle variances of 2,000 pounds for single axles and 3,000 pounds for tandem, tridum, quadrum and Quint Axles are allowed on non-interstate highways. Therefore, the maximum legal weights on non-interstate highways are:

- i. single axles—22,000 pounds;
- ii. tandem axles—37,000 pounds;
- iii. tridum axles—45,000 pounds;
- iv. quadrum axles—53,000 pounds.
- v. Quint Axles—61,000 pounds

b. Exception. Weight limits for vehicles with tandem axles carrying forest products in their natural state shall be 40,000 pounds.

3. The maximum legal weight on a tire is 650 pounds per inch width of tire.

4. The sum of the legal axle weights on a vehicle or combination vehicle is its legal gross weight. But regardless of the number and type of axles, the maximum legal gross weight of any vehicle or combination vehicle (except a combination with a tridum or quadrum axle) is 80,000 pounds.

5. Regardless of the number and type of axles, the maximum legal gross weight of any combination vehicle which has a tridum or quadrum axle is 83,400 pounds interstate highways, 88,000 pounds non-interstate highways.

6. Vehicles may not exceed their licensed gross weight. Maximum licensed gross weight is equal to the maximum legal gross weight.

#### **B. Bridge Formula**

1.a. The vehicle weight limitations set forth in 23 U.S.C. 127 and in R.S. 32:386 applies to all vehicles except:

i. Type 6 (five axle configurations with one single axle and two sets of tandem axles) carrying one of the commodities listed in §503.B.2.b;

ii. Type 8 (six axle configuration with one single axle, and one tridum axle) carrying one of the commodities listed in §503.B.2.b;

iii. Type 10 (double-bottom) carrying one of the commodities listed in §503.B.2.b.

b. The above types of vehicles must be carrying the following commodities in their bulk or natural state:

i. forest products;

ii. sand;

iii. gravel;

iv. agriculture products; or

v. lumber.

#### C. Width

1. The maximum width of any vehicle except a bus is 96 inches.

2. Vehicles between 96-102 inches shall have reasonable access, not to exceed 10 miles, from designated highways or the interstate system, to be allowed to facilities for food, fuel, repairs, and rest, unless otherwise prohibited.

3. The maximum legal width of a bus is 8 feet 6 inches.

4. The load on any vehicle shall not project more than 12 inches beyond the width of its body. The overall width of vehicle and load shall not exceed the legal dimensions as described above.

D. Height. The maximum legal height of a vehicle is 13 feet 6 inches on non-interstate highways and 14 feet on interstate.

#### E. Length

1. The maximum legal length of any single vehicle is 40 feet.

2. The maximum legal length of a combination vehicle on highways other than the designated truck route shall be 65 feet.

3. The maximum legal length of a semi-trailer on the designated truck route shall be 59 feet 6 inches.

4. The maximum legal length of any trailer, semi-trailer portion of a combination vehicle shall not exceed 30 feet.

5. Semi-trailer or trailer components that exceed 30 feet (exclusive of all legal overhang) must obtain an oversize permit, but are restricted to designated truck routes.

6. Exception. The maximum legal combination length of specialized equipment (i.e., auto transporters, boat transporters, dromedary units) is 90 feet.

7. Exception. The maximum legal length of the load carried by a combination vehicle transporting forest products in their natural or treated state is 65 feet plus 1 foot additional tolerance in length. However, these vehicles may operate only during daylight hours and must display a 1 foot square red flag on the rear of the load.

8. Exception. Sportsmen coaches or vehicles used solely for recreational purposes and registered therefore, may tow a combination of no more than two vehicles and shall not exceed 70 feet in total length.

#### F. Projecting Loads

1. Equipment that is permanently attached to and cannot be readily removed from a vehicle is not considered a load if the vehicle meets state safety standards and is licensed for use on state highways, and if any projection beyond the vehicle is at least 6 feet above the surface of the highways.

2. A vehicle or combination vehicle with a projecting load cannot exceed the total length limitations for that vehicle or combination vehicle. In addition:

a. a load cannot project more than 4 feet beyond the front of a single vehicle or 4 feet in front of the foremost vehicle of a combination vehicle;

b. a load cannot project more than 8 feet beyond the rear of the bed or body of a single vehicle or the rear vehicle of a combination vehicle.

3. Exception. The load on the rear vehicle of a combination vehicle transporting forest products in their natural state cannot project more than 20 feet beyond the rear of the bed or the back of the rear tire of the vehicle, whichever is further from the cab, and the load must clear the pavement by at least 2 feet. When the rear projection is more than 15 feet, the vehicle may operate only during daylight hours and must display a red flag at least 1 foot square on the rear of the projection.

4. Exception. Vehicles transporting poles or piling cannot project more than 15 feet and must clear the pavement by at least 2 feet.

#### G. Twin Trailer Combinations

1. A combination vehicle cannot consist of more than two vehicles.

a. Exceptions:

i. combinations of a truck-tractor and two trailers;

ii. truck-tractor and two semi-trailers; or

iii. truck-tractor, semi-trailer, and trailer.

2. These twin trailer combinations are subject to route limitations.

a. They may operate only over the interstate system and the designated truck routes within a reasonable access of 10 miles.

3. Household goods carriers shall have unrestricted access for loading and unloading purposes only, unless otherwise prohibited.

4. No combination vehicle operated on any parish road shall consist of more than two vehicles.

a. Exceptions

i. A vehicle having no more than two axles may tow any combination of two vehicles, provided the combination vehicle does not exceed 65 feet.

ii. A vehicle having no more than two axles and owned and/or operated by a manufacturer or dealer of boats may tow two boat trailers.

#### H. Trailers and Towed Vehicles

1. Drawbars and other connections must be strong enough to pull all the towed weight and cannot exceed 15 feet between vehicles.

2. Exception. The connection between any two vehicles transporting poles, pipe, machinery, or other objects of a structural nature which cannot be readily dismembered may exceed 15 feet.

3. If the connection between a vehicle and a towed vehicle is a chain, rope, or cable, then a red flag, at least 1 foot square, must be displayed on the connection between sunrise and sunset, and a red light visible under ordinary atmospheric conditions for at least 500 feet must be displayed on the connection between sunset and sunrise.

4. Exception. Truck-tractors being transported by the triple saddle mount method.

a. The combination vehicle must be equipped with the necessary lights and signals in accordance with state and federal laws and regulations.

b. The rear wheels of the second, third, and fourth truck-tractors must be equipped with adequate splash guards or mud flaps.

#### I. Farm Vehicles and Equipment

1. Farm vehicles and equipment, except draglines and bulldozers, being operated and/or transported for bona fide agricultural purposes or the transportation of farm vehicles and equipment to be used for normal farm purposes by persons transporting such farm equipment or machinery for distances not to exceed 50 miles from the point of origin shall be exempt from the requirements for width, height, length, and for trailers and towed vehicles.

2. Such farm vehicles may use any public highways other than those designated as part of the National System of Interstate and Defense Highways during daylight hours without obtaining a special permit from the secretary, or from any other agency or department of the state or political subdivisions, provided that such machinery or equipment being shipped by persons to be used for normal farm purposes shall be equipped with front and rear reflector lights and with a blinking hazard light clearly visible from the front and rear.

#### J. Care of Vehicle Load

1. The load on a vehicle cannot drop, leak, or otherwise escape from the vehicle. The load must be securely fastened so as to prevent the load or any covering from becoming loose, detached, or in any manner a hazard to other users of the highway.

2. Any load of loose material as defined above being transported by a commercial hauler shall be covered in such a manner as to prevent the load from blowing, spilling, or dropping from the vehicle.

a. Loose Material shall include the following: dirt, sand, gravel, or other material that is capable of blowing or spilling from a vehicle as a result of movement or exposure to air, wind currents, or weather, but shall not include agricultural products in their natural state or wood chips.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 7:410 (August 1981), amended LR 9:254 (April 1983), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§505. Department Regulations**

#### A. Posted Bridges

1. Violation reports will be issued for vehicles crossing bridges posted with regulatory weight limit signs that are in excess of the posted limit.

2. If a vehicle or combination vehicle is observed crossing a bridge which has regulatory weight limits and the vehicle or combination vehicle exceeds the posted weight limit on the bridge, a \$100 penalty will be assessed.

3. Neither the state of Louisiana nor the Department of Transportation and Development shall incur any liability from any injury or property damage caused by the crossing of a posted bridge with a load in excess of posted advisory or regulatory weight limits.

B. Axle Weight Distribution. The law requires reasonable distribution of axle weight on tandem, tridum, quadrum, and quint axle groups. Those vehicles and loads with permits that exceed the legal axle weight must comply with the axle weight distribution as herein in §711. All other vehicles and loads must comply with the following.

1. Tandem Axles

a. On interstate highways a tandem axle group is properly distributed if neither of the individual axles carries more than 20,000 pounds.

b. On non-interstate highways a tandem axle group is properly distributed if neither of the individual axles carries more than 21,500 pounds.

2. Tridum Axles

a. On interstate highways a tridum axle group is properly distributed if none of the individual axles carries more than 16,000 pounds.

b. On non-interstate highways a tridum axle group is properly distributed if none of the individual axles carries more than 17,000 pounds.

3. Quadrum Axles

a. On interstate highways a quadrum axle group is properly distributed if none of the individual axles carries more than 14,500 pounds.

b. On non-interstate highways a quadrum axle group is properly distributed if none of the individual axles carries more than 15,500 pounds.

4. Quint Axles

a. On interstate highways a quint axle group is properly distributed if none of the individual axles carries more than 13,600 pounds.

b. On non-interstate highways a quint axle group is properly distributed if none of the individual axles carries more than 14,200 pounds.

C. Variable Load Suspension Axles. When "Variable Load Suspension" axles are used they must provide for reasonable distribution of axle weight as described in the previous §504.B.1-4. In addition, the regulator that controls the pressure for these axles must be outside the cab. The only control that may be in the cab is that necessary to activate mechanism. The suspension used by these axles may be either hydraulic, air or a combination thereof.

D. Treated Utility Poles. All vehicles or combination vehicles utilizing a balance type utility trailer or a fifth-wheel type utility trailer engaged in the transportation of treated utility poles do not need a special permit for the transportation of utility poles by a utility, its representative, or its contractor for use in the normal operation of its facilities to provide service to the area it serves. No load consisting of such poles shall extend more than 35 feet past the rear of the vehicle and must maintain a minimum clearance of 1 1/2 feet above the ground. All escort requirements will apply for loads exceeding 90 feet in overall length.

E. Tunnels. Hazardous material, flammable material, combustible material, oversize and/or overweight permit loads are specifically prohibited from using any tunnel in the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 22:120 (February 1996).

## **Chapter 7. Laws and Regulations Enforced with Other Agencies**

### **§701. Vehicle Registration and Licensing**

#### **A. General Information**

1. Commercial vehicle owners who need license plates which are full-plated for Louisiana and noncommercial vehicle owners may obtain license plates at any district office of the Vehicle Registration Bureau (of the Office of Motor Vehicles, Department of Public Safety). If additional detailed information is needed, it may be obtained from the Title Support and Information Section, Vehicle Registration Bureau, Department of Public Safety, Box 64886, Baton Rouge, LA 70896; (225) 925-6278.

2. Commercial vehicle owners who need license plates which are apportioned for other states may obtain applications for apportioned plates at any district office of the Vehicle Registration Bureau of the Office of Motor Vehicles, Department of Public Safety. Applications must be mailed to Baton Rouge, and additional information can be obtained from the Prorate Section, Vehicle Registration Bureau, Department of Public Safety, Box 64886, Baton Rouge, LA 70896; (225) 925-6270.

3. Common and contract carriers must purchase CCT plates; however, they must first be licensed with the Louisiana Public Service Commission.

4. The following vehicles are exempt from vehicle registration and licensing:

a. farm tractors, self-propelled farm equipment, and two- and four-wheeled, rubber-tired farm wagons or trailers of up to 2-ton capacity if the vehicles are used only in farming;

b. trackless trolley coaches, buses or passenger coaches or passenger carrying trailers or semi-trailers which are operated only within the corporate limits of a municipality, of two adjoining municipalities or up to 1/2 mile from the corporate limits;

c. oversize or overweight self-propelled motor cranes used only for heavy construction by the building and utility industries;

d. oversize or overweight self-propelled oil well or gas well pulling units used only for servicing oil or gas wells on off-road property;

e. road rollers and road machinery only temporarily moved on highways;

f. log loaders used only for loading logs.

5. A vehicle must have Louisiana plates or Louisiana apportioned plates if the residence or employment of the owner or lessee is in Louisiana.

6. Nonresidents regularly employed or regularly operating a business in Louisiana for 30 days or more must obtain Louisiana plates or plates apportioned for Louisiana on all vehicles used or based in Louisiana unless the vehicles are being operated under reciprocal agreements between Louisiana and the nonresident's home state.

7. All commercial trucks and all trucks licensed for more than 3,500 pounds must have the owner's name and address on the outside of both truck doors.

8. Louisiana license plates must be attached to the front of a vehicle. The plate may not swing and must be clearly readable, and the bottom of the plate must be at least 12 inches from the ground.

9. The registration certificate issued to a vehicle must at all times be carried in the vehicle and be subject to inspection by a state police officer, weights and standards police officer, or Department of Public Safety motor vehicle enforcement officer.

## 10. Mobile Homes

- a. A mobile home being moved from a point of origin in Louisiana or any other point, whether in Louisiana or out-of-state, must have a valid Louisiana registration certificate.
- b. Mobile homes traveling to or through Louisiana are exempt from Louisiana registration if they are properly registered in their home state.
- c. Mobile homes being delivered by manufacturers to dealers are not required to be licensed, but an "IN TRANSIT" sign must be displayed on the mobile homes.

### B. Louisiana Plates

1. Louisiana issues six classes of license plates for trucks, tandem trucks, truck-tractors, semi-trailers, and trailers.

a. Class 1. Those carrying or transporting freight, merchandise, or other property exclusively for their owners or used to transport actual employees of the owner of such vehicle, except those included in Class 5 in §901.B.1.e, shall be Class 1.

b. Class 2. Those carrying or transporting passengers, freight, merchandise, or other property as common or contract carriers, including trackless street or trolley cars and excepting only those vehicles owned or operated by any person engaged in the business of operating upon rails or upon stationary tracks and operated thereon, except those included in Class 5 in §901.B.1.e, shall be in Class 2.

c. Class 3. Those carrying and transporting products of the forest in their natural state, including, but not limited to logs, debarked logs, untreated ties, stave bolts, plywood bolts, pulpwood billets, wood chips, stumps, sawdust, moss, bark and wood shavings, and property used in the production thereof, including bulldozers which do not exceed 8 feet in width, and used to transport actual employees of the owner of such vehicle to and from the place of employment, and those carrying and transporting sugarcane which are not in Class 6, shall be Class 3.

d. Class 4. Those used exclusively in carrying and transporting gravel shall be Class 4.

e. Class 5

i. Those operated exclusively within the corporate limits of the incorporated city, town, or village in which said vehicle was domiciled at the time of its registration, and where said city, town, or village has a population of less than 500,000 within territory contiguous to the domicile thereof and not exceeding 13 miles distance from the corporate limits thereof, and where said city, town, or village has population in excess of 500,000 within territory contiguous to the domicile thereof and not exceeding 13 miles from the corporate limits thereof, those operated exclusively within the limits of an unincorporated urban area having a population in excess of 135,000, as determined by the United States Bureau of the Census, in which said vehicle was domiciled at the time of registration, or within territory contiguous thereto not exceeding 13 miles distance from the limits of such unincorporated area, said limits to be those used by the United State Bureau of the Census in reporting the population thereof; those operated exclusively in transportation between a municipality and its airport, when supplemental to transportation by aircraft, shall be Class 5. At the time vehicles in this class are registered, the domicile of the vehicle so registered shall be shown on the registration certificate.

ii. A motor vehicle bearing a Class 5, city use license shall be entitled to operate within the confines of any city, town, village and territory contiguous thereto as followed herein for Class 5 licenses, and in any unincorporated urban area which has limits determined by the United States Bureau of the Census, without transferring its domicile or obtaining a different class of license; provided that city use truck is not authorized to carry any cargo or goods from one city or such unincorporated urban area to another. A motor vehicle bearing a Class 5 city use license is authorized to travel on the highways of this state outside of a city, town, village or such unincorporated urban area provided that it carries absolutely no cargo or goods.

f. Class 6

i. Those owned by persons engaged in the business of actual farming and by them used primarily but not exclusively in carrying farm produce raised on their farms from such farms to market, or returning therefrom carrying goods and merchandise back to their farms, this individually or cooperatively, but not for hire, shall be Class 6.

ii. Farm produce shall include, but not be limited to, fruits vegetables, livestock, fish, and shellfish.

iii. Those owned by persons engaged exclusively in the business of hauling milk and milk products for dairy cooperatives or any other milk plant also shall be Class 6.

C. Apportioned Plates

1. If a vehicle has plates apportioned for Louisiana, that vehicle will be allowed to operate both interstate and intrastate in Louisiana. If a Louisiana vehicle has Louisiana apportioned plates, that vehicle may travel to other states which are members of the IRP or which have reciprocity agreements with Louisiana and operate both interstate and intrastate in those states for which the vehicle is apportioned.

2. The owner of any motor vehicle having three or more axles or any vehicle which alone or in combination weighs more than 26,000 pounds when loaded may purchase apportioned plates if the owner's home state is a member of the international registration plan or has a bilateral proportional registration reciprocity agreement with Louisiana. Two-axle motor vehicles or vehicles which alone or in combination weigh 26,000 pounds or less when loaded may be proportionally registered at the option of the owner.

3. The original cab card must accompany the vehicle for which it was issued at all times. If the card is defaced or used in any vehicle except the one described on it, it is considered void.

4. Vehicles with plates apportioned for Louisiana cannot exceed the licensed weight for Louisiana shown on the cab card.

D. Temporary 48-Hour Trip Permits (Out-of-State Vehicles Only)

1. Out-of-state vehicles, eligible for apportioned registration but not registered as such, will be required to purchase a 48-hour trip permit for a fee of \$25 before proceeding through Louisiana. The permit allows for interstate and intrastate movement.

2. Temporary 48-hour trip permits apply to two types of vehicles.

a. A vehicle which is properly registered in a state which belongs to the IRP (or has a bilateral proportional registration reciprocity agreement with Louisiana), but the vehicle is not apportioned for Louisiana. A temporary 48-hour trip permit is required before the vehicle may operate either interstate or intrastate in Louisiana.

b. A vehicle which is properly registered in a state which does not belong to the FRP (or has a bilateral proportional registration reciprocity agreement with Louisiana), but which does have a reciprocal agreement with Louisiana. A temporary 48-hour trip permit is required before the vehicle may operate intrastate in Louisiana.

3. A temporary 48-hour trip permit allows a vehicle to operate in Louisiana for 48 continuous hours.

4. Temporary 48-hour trip permits must be purchased prior to entering Louisiana. A driver may only purchase a temporary 48-hour if the vehicle or load is not in violation of any other sections of this Title.

5. A temporary 48-hour trip permit must be in the cab of the vehicle for which it was issued from the time the vehicle enters Louisiana.

6. A temporary 48-hour trip permit will allow haulers to carry the Louisiana weight limits.

E. Interstate and Intrastate Operation



1. If a vehicle or combination vehicle is from an IRP member state (or a state which has a bilateral proportional registration reciprocity agreement with Louisiana) and the motor vehicle has three or more axles or any of the vehicles alone or the combination weighs more than 26,000 pounds, then the motor vehicle must have Louisiana plates, plates which are apportioned for Louisiana, or a temporary 48-hour trip permit in order to operate either interstate or intrastate in Louisiana.

2. If a vehicle or combination vehicle is from a non-IRP member state (or a state which does not have a bilateral proportional registration reciprocity agreement with Louisiana), but the state has a reciprocal agreement with Louisiana, then the motor vehicle must have a temporary 48-hour trip permit in order to operate intrastate in Louisiana. If the vehicle's home state has a reciprocal agreement with Louisiana, the vehicle or vehicle combination may operate interstate in Louisiana without purchasing a temporary 48-hour trip permit.

3. Any state's semi-trailer or trailer license plate is honored by Louisiana if the pulling unit is properly registered and licensed.

4. Farm, forest product, public, or any other restricted plates are honored by Louisiana if the vehicles are properly registered and licensed in their home state and are not hauling for hire.

#### F. Vehicles Using Gasoline

1. Gasoline tax is \$0.20 per gallon.

2. Interstate users domiciled outside Louisiana may pay the fuel tax by either of two methods.

a. If the user opts to purchase enough fuel in Louisiana to cover the miles traveled in Louisiana, then the driver must obtain fuel invoices when purchasing fuel in Louisiana. These invoices must be legitimate service station purchase invoices and must show the gallons of fuel purchased. The invoices must be kept so that they can be shown to enforcement officers. If any additional tax is due, it will be collected by enforcement officers before a vehicle leaves Louisiana.

b. If the user opts to post a surety bond with the Department of Revenue and Taxation, then any additional fuel tax due can be paid on a monthly basis. If fuel has been purchased in Louisiana, drivers must have a fuel invoice in their possession when leaving Louisiana.

#### G. Vehicles Using Special Fuels

1. Special fuels are all fuels used for motor vehicles except gasoline. Special fuels include distillate fuels, such as diesel and kerosene, and also liquefied petroleum gases, such as butane and propane.

2. Special fuels tax is \$0.20 per gallon.

3. All users of taxable special fuels whose vehicles are licensed and domiciled in Louisiana must meet the following requirements.

a. The vehicles must be licensed for special fuels with the Department of Revenue and Taxation.

b. Non-IFTA must have a current special fuels invoice in their possession at all times.

c. Vehicles must have a working odometer, speedometer, or hub meter.

d. Vehicles must have the company's name and address on both cab doors in letters at least 2 inches high or adequate identification. The name and address must be legible at a distance of 25 feet in daylight hours. ICC-regulated carriers are allowed company or trade name only.

4. An interstate user of special fuels may determine an average number of miles per gallon of fuel by dividing the total miles traveled by the number of gallons consumed in the entire operation of all their vehicles. The average number of miles per gallon shall not exceed 5 miles per gallon of fuel unless adequate proof is furnished.

5. If the user has no proof of the average number of miles per gallon, the secretary of the Department of Revenue and Taxation will determine the rate to be applied.

6. All interstate users of taxable special fuels whose vehicles are not domiciled in Louisiana must meet the following requirements.

a. Users must post a surety bond with the Department of Revenue and Taxation. Users may then file quarterly reports paying the special fuels tax based on the miles traveled in Louisiana.

b. Exception. Those interstate users who only occasionally travel through Louisiana may not be required to post a surety bond with the Department of Revenue and Taxation. These users must purchase enough fuel in Louisiana to cover the miles traveled in Louisiana, and the driver must have a currently dated special fuels invoice with appropriate information listed thereon before leaving Louisiana.

c. Vehicles must have a working odometer, speedometer, or hub meter.

d. Vehicles must have the company's name and address on both cab doors in letters at least 2 inches high or adequate identification. The name and address must be readable at a distance of 25 feet. ICC-regulated carriers are allowed company or trade name only.

7. A Louisiana special fuels invoice:

a. must be serially numbered;

b. must be printed or rubber-stamped with the name and address of the seller;

c. must include name and address of the purchaser (user);

d. must indicate date of delivery;

e. must show license plate number of the motor vehicle;

f. must show mileage on the odometer, speedometer, or hub meter;

g. must show number of gallons and kind of special fuel purchased;

h. may type, print or rubber stamp fuels invoice;

i. must indicate price of fuel showing tax paid.

8. January 1, 1994, Louisiana became a member of the International Fuel Tax Agreement (IFTA). IFTA is a base-state agreement designed to simplify the administration of state fuel use tax for interstate motor carriers.

9. Carriers based in Louisiana that operate one or more qualified motor vehicles in at least one other IFTA state must be licensed with the Department of Revenue and Taxation. Exceptions are as follows:

a. option to purchase fuel covering the total miles traveled if travel is seldom in Louisiana; or

b. if engaged in lease operations, one may be exempt from the licensing requirements of IFTA depending on the terms of the lease.

10. A carrier's base state is any state where the carrier meets the following requirements:

a. where the carrier has qualified motor vehicles registered;

b. where operational control and operational records are maintained;

c. where motor vehicles that accrue mileage in their base state and another IFTA member state.

11. In Louisiana, there is a one-time application fee of \$35 and a decal fee of \$1 each. The agreement requires two decals for each qualified vehicle.

12. If applicable or additional information is needed, please contact the Louisiana Department of Revenue and Taxation, Excise Tax Section at (225) 925-7656.

#### H. Vehicles Transporting Gasoline in Bulk

1. To properly identify any gasoline being imported or exported on Louisiana highways, the driver must have a currently dated invoice, bill of lading, or manifest showing the following information:

- a. the seller's and purchaser's names and addresses;
- b. the origin and destination of the gasoline;
- c. the authorized routes to be followed when exporting or importing (border crossing only);
- d. the quantity of each type of gasoline;
- e. who will assume the Louisiana tax liability.

2. Anyone who transports any gasoline from or into Louisiana from or into a state which has a lower tax rate than Louisiana may use only routes authorized by the secretary of the Department of Revenue and Taxation. An authorization card will be issued by the Department of Revenue and Taxation for each vehicle. This card must be kept in the vehicle and is not transferable.

3. Exception. Common or contract carriers licensed by the Interstate Commerce Commission or the Louisiana Public Service Commission.

#### I. Vehicles Transporting Special Fuels in Bulk

1. Any vehicle transporting bulk special fuels into Louisiana must belong to a supplier who is bonded with the Department of Revenue and Taxation.

2. Exception. Common and contract carriers who are licensed to transport bulk special fuels by the Louisiana Public Service Commission.

3. A vehicle transporting bulk special fuels cannot have the cargo tank connected to the carburetor of the motor vehicle or to the fuel supply tank which feeds the carburetor of the motor vehicle.

J. Litter. No person, firm, or corporation shall intentionally dump, leave, or deposit any glass or metallic objects, trash, refuse, or garbage on any property without permission of the owner of said property, or on any highway or roadside park, or on any lands adjacent thereto. Whoever violates the provisions in respect to private property, highways, or roadside parks, or any lands adjacent thereto, shall be punished in accordance with the Revised Statutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Weights, Measures and Standards, LR 20:318 (March 1994), amended LR 22:120 (February 1996).

## **Chapter 9. Enforcement Procedures and Penalties**

### **§901. General Procedures**

A. All vehicles, rated 1 ton or over, are required to stop at DOTD stationary scales, except the following:

1. automobiles, including those towing another vehicle;
2. pickup trucks under one ton, if they are not towing another vehicle;
3. vans, if they have less than one-ton capacity;
4. recreational vehicles, if they are not oversize or overweight;
5. buses;
6. wreckers towing a vehicle which would not be required to stop at the scales.

B. A penalty of \$100 will be assessed to vehicles that fail to stop at stationary scales, or disregard the mobile unit's efforts to stop a vehicle or combination vehicle.

C. Any owner or driver who disagrees with a penalty or the enforcement of these laws must pay the penalty assessed and give the officer notice at the time of payment of his or her intention to file suit for its recovery. Any owner or operator has 90 days to file suit against the Department of Transportation and Development in the State district court located either in the parish in which the violation occurred, in the parish of domicile of the vehicle, or in East Baton Rouge Parish. No court may restrain the collection of any penalty assessed by DOTD.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§903. Legal Limitation Violations**

A. Drivers will not be allowed to shift the loads carried by their vehicles after being weighed in order to qualify for a second weighing and a lesser fine amount. The loads may be required to be shifted by weight enforcement police after weighing and before proceeding.

#### Notice of Violation

1. The secretary of DOTD, or his designee, shall send the responsible party a "Notice of Violation, Proposed Finding and Proposed Civil Penalty" within 30 calendar days of the violation. However, the commissioner or secretary shall be granted an additional 60 calendar days to send the Notice of Violation only in the case of a data system failure due to either an act of God, or an intentional sabotage.

2. Each Notice of Violation shall state whether or not a monetary penalty is assessed, or if the Notice of Violation serves only as a warning.

3. When a monetary penalty is assessed, each Notice of Violation, shall be sent to the responsible party by certified mail. The responsible party shall have 45 calendar days from the date of the Notice of Violation to either pay the fine, or to request in writing an administrative hearing to review the Notice of Violation. If the amount of the fine has been negotiated between the secretary of DOTD, or his designee, and the responsible party, the responsible party shall be notified within 30 calendar days from the final negotiation date.

4. After the administrative hearing, if requested, has occurred and findings have been made by the hearing officer, any appeal of the findings of the hearing officer shall be filed in a state district court with jurisdiction over the matter.

5. The responsible party shall pay all fees and fines by not later than 45 calendar days after the issuance of the Notice of Violation, or not later than 30 calendar days after receiving a notice of final judgment from the administrative law judge following the hearing on the matter.

6. Fines may be paid by certified check, money order, or credit card. Payment made by credit card will be deemed received by the secretary of DOTD when tendered and an approval code is received from the credit card company or processor.

7. If the responsible party fails to timely pay the assessed fine in the prescribed time, the secretary shall transmit the driver's license number to the Office of Motor Vehicles, upon receipt of which the Office of Motor Vehicle shall immediately notify the driver by first class mail that his driver's license shall be suspended for 30 calendar days after the date of the mailing of the notice until such time as all fines assessed by the Notice of Violation, or the final judgment of the administrative law judge, are paid in full, with an additional \$50 fee, payable to the Office of Motor Vehicles, in order to cover its administrative costs.

B. Twin Trailer Combinations, Trailer and Towed Vehicles, Farm Vehicles and Equipment, and Care of Vehicle Loads. If a vehicle, combination vehicle, or load violates Louisiana law or DOTD regulations for twin

trailer combinations, trailers and towed vehicles, farm vehicles and equipment, or care of vehicle loads, a \$100 penalty will be assessed and the driver must correct the violation.

C. Oversize. If a vehicle and divisible load exceeds the legal limitations or DOTD regulations for width, height, length, or projecting loads, a \$100 penalty will be assessed and then the driver shall reduce the load to the legal size.

D. Overweight. The amount assessed for an overweight penalty will be for the violation with the greatest dollar value, whether based on gross vehicle weight, axle weight(s), or bridge formula. A \$10 penalty will be assessed for each lesser violation(s).

1. Gross Vehicle Weight or Axle Weight

a. If a vehicle and divisible load exceeds the legal limitations or DOTD regulations for axle weight or gross vehicle weight, these schedules will be used.

<b>Overweight Pounds</b>	<b>Over Gross Weight</b>	<b>Over Axle Weight(s) Only</b>
0 to 3,000	\$0.02 per pound	\$0.01 per pound
3,001 to 5,000	\$0.03 per pound	\$0.015 per pound
5,001 to 10,000	\$0.04 per pound	\$0.02 per pound
10,001 and over	\$100.00 plus \$0.05 per pound	\$100.00 plus \$0.05 per pound

b. If a vehicle exceeds the legal maximum gross weight but not the legal maximum axle weight, the over gross weight schedule is used to assess the penalty.

c. If a vehicle does not exceed the legal maximum gross weight, but exceeds the legal maximum axle weights for any axle or axle groups, the penalties are then computed separately for each axle or group, the sum amount of which is the penalty assessed.

d. If a vehicle exceeds both the legal maximum gross weight and the legal maximum axle weight, both penalties are computed from the over gross weight schedule, and the greater of the two is assessed as the penalty. When two or more single axle or axle groups are overweight, the sum of the penalties of the overweight axles is compared to the penalty on the gross weight, and the greater of the two will be assessed. A \$10 penalty will be assessed for the lesser violation.

2. Bridge Formula. If the owner or driver of a vehicle or combination vehicle is in violation of the bridge formula axle spacing requirements, a \$50 penalty will be assessed.

3. Stationary Poles. If a combination vehicle transporting forest products in their natural state is not equipped with stationary vertical retaining poles on the driver's side of the trailer portion, a \$100 penalty will be assessed.

4. Variable Load Suspension Axles

a. If vehicles equipped with VLS axles are observed to have the regulator for these axles installed in the cab, a \$100 penalty will be assessed.

b. If vehicles equipped with VLS axles are observed operating with axles in the up position when not entering or leaving a turn, the vehicle will be cited as the type represented by the number of axles on the ground. The penalty will be calculated from the appropriate overweight chart.

E. Oversize. If an indivisible vehicle or indivisible load exceeds the legal limitations or DOTD regulations for width, height, length, or projecting loads and is operating without a permit or exceeding the size allowed by a valid permit; the penalty will be: \$100, plus the cost of an oversize permit, if a permit was not previously purchased. In addition, any restrictions imposed by DOTD must be met.

## F. Overweight

### 1. No Permit for Weight

a. If a vehicle, vehicle combination, or vehicle/ indivisible load combination exceeds the legal limitations or DOTD regulations for axle weight or gross vehicle weight and is operating without a permit, an overweight permit must be purchased and any restrictions imposed by DOTD must be met.

b. If a vehicle exceeds the legal gross weight but not the legal axle weight, a penalty will be assessed from the over gross weight schedule on all pounds in excess of the legal gross vehicle weight.

c. If a vehicle exceeds the legal axle weight but not the legal gross vehicle weight, a penalty will be assessed from the over axle weight only schedule on all pounds in excess of the legal axle weight. When two or more single axles or axle groups are overweight, the penalty will be figured for each overweight single axle or axle group; then all the penalties will be added together.

d. If a vehicle exceeds both the legal gross vehicle weight and the legal axle weight, one penalty will be figured using the pounds in excess of the legal gross vehicle weight and one penalty using the pounds in excess of the legal axle weight. Both penalties will be figured using the over gross weight schedule, and the greater of the penalties will be assessed. When two or more single axles or axle groups are overweight, the sum of the penalties on the overweight axles will be compared to the penalty on the gross weight; then the greater of the two will be assessed plus \$10 penalty for the lesser violation.

### 2. Over Permitted Axle Weight Only

a. If a vehicle, vehicle combination, or vehicle/ indivisible load combination exceeds the axle weight but not the gross vehicle weight allowed by its permit, then no penalty will be assessed (except for harvest season permits, natural forest product permits, waste vehicle permits, and steering axle permits). However, DOTD may require either additional dismantling of the load, modification of the hauling equipment, or return of the movement to the state of origin or to its point of origin in Louisiana.

b. If a vehicle or combination vehicle has a harvest season permit or natural forest product permit and exceeds the axle weight but not the gross vehicle weight allowed by the permit, then a penalty will be assessed on all pounds in excess of the permit's axle weights according to the over axle weight only schedule. When two or more single axles or axle groups are overweight, the penalty will be figured for each over-weight single axle or axle group; then all the penalties will be added together. In addition, these vehicles may be required to proceed to the nearest suitable place to off-load to the permitted axle weights at the owner's expense.

c. If a vehicle has a waste vehicle permit or steering axle permit and exceeds the axle weight but not the gross vehicle weight allowed by the permit, a penalty will be assessed from the over axle weight only schedule. The penalty will be based on all pounds in excess of the permit's axle weight.

i. Vehicles with waste vehicle permits may be required to proceed to the nearest suitable place to off-load to the permitted axle weight at the owner's expense.

ii. Vehicles with steering axle permits must increase the permit's weight to the weight being carried.

### 3. Over Permitted Gross Weight Only

a. If a vehicle, vehicle combination, or vehicle/load combination exceeds the gross vehicle weight but not the axle weight allowed by a valid permit, a penalty will be assessed from the over gross weight schedule. The penalty will be based on all pounds in excess of the permit's gross vehicle weight.

b. Vehicles with overweight permits will be required to increase the permit's weight to the weight being carried, and the driver will be charged for the difference between the fee already paid and the correct permit fee. DOTD may also require additional dismantling of the load, modification of the hauling equipment, or return of the movement to the state of origin or its point of origin in Louisiana.

c. Vehicles with harvest season or natural forest product permits may be required to proceed to the nearest suitable place to off-load to the permitted gross vehicle weight at the owner's expense.

#### 4. Over Permitted Gross and Axle Weights

a. If a vehicle, vehicle combination, or vehicle/load combination exceeds both the gross vehicle weight and the axle weight allowed by a valid permit, one penalty shall be figured using the pounds in excess of the permit's maximum allowable gross vehicle weight.

b. Vehicles with overweight permits will be required to increase the permit's weight to the weight being carried, and the driver will be charged for the difference between the fee already paid and the correct permit fee. DOTD may also require additional dismantling of the load, modification of the hauling equipment, or return of the movement to the state of origin or its point of origin in Louisiana.

c. Vehicles with harvest season or natural forest product permits may be required to proceed to the nearest suitable place to off-load to the permitted weights at the owner's expense.

#### G. International Trade Container Permits

1. Containerized Cargo Permit. If a vehicle combination exceeds the permitted maximum allowable weight on tandem axles the minimum, a \$100 penalty will be assessed for violating the terms of the permit. If the vehicle combination also exceeds its maximum gross weight, the penalty will be figured from the appropriate chart and the greater of the two penalties will be assessed plus \$10 penalty for the lesser violation.

2. Liquid Bulk Container Permit. If a vehicle combination exceeds the permitted maximum allowable weight on tandem axles the minimum, a \$100 penalty will be assessed for violating the terms of the permit. If the vehicle combination also exceeds its maximum gross weight, the penalty will be figured from the appropriate chart and the greater of the two penalties will be assessed plus \$10 penalty for the lesser violation.

#### H. Permit Restrictions

1. If a vehicle is operating without an escort, warning flags, warning signs, or warning lights when they are required by its permit; is traveling at night, during inclement weather, or on a designated holiday when prohibited by its permit; is exceeding the permitted speed limit; or is violating any other permit restrictions, the a \$100 penalty will be assessed and the driver must comply with all permit restrictions.

2. If it is verified that a vehicle has a valid permit, but fails to have the permit in the vehicle for which it was issued, a \$25 penalty will be assessed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 and 32:386.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), LR 24:1517 (August 1998).

### **§905. Vehicle Registration and Licensing Violations**

#### A. Improper License or Registration

1. If a vehicle domiciled in Louisiana is operating with an improper Louisiana license or registration (full or apportioned), the penalty will be 25 percent of the annual cost of the proper license. The driver will be

required to purchase the proper Louisiana license from the Office of Motor Vehicles. The cost of the Louisiana license on the vehicle will be credited toward the cost of the proper license.

2. Vehicles domiciled in Louisiana that have improper Louisiana license plates (full or apportioned) or an unlawful Louisiana registration will be issued a notice of violation in accordance with the provisions of this Title.

3. If a vehicle is domiciled outside Louisiana, but exceeds its licensed gross weight, a \$100 penalty will be assessed.

B. Expired or No License or Registration. If a vehicle domiciled in Louisiana is operating with an expired Louisiana license or registration or no Louisiana license or registration, the penalty will be 25 percent of the annual cost of the proper license.

C. No Temporary 48-Hour Trip Permit. If a vehicle is operating without a temporary 48-hour trip permit when one is required, \$200 penalty shall be assessed, and the driver will also be required to purchase a temporary 48-hour trip permit for \$25.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§907. Fuel Tax Violations**

A. Penalties will be due immediately upon receipt of the ticket.

#### **B. Vehicles Using Gasoline**

1. If the driver of a vehicle which operates on gasoline has a valid fuel invoice, but additional tax is due, no penalty will be assessed. However, the additional tax must be paid.

2. If the driver of a vehicle which operates on gasoline has no fuel invoice or has an improper fuel invoice, a \$50 penalty will be assessed, in addition to the amount of fuel tax assessed.

#### **C. Vehicles Using Special Fuels**

1. If the driver of a vehicle which operates on special fuels has a valid special fuels invoice, but additional tax is due, no penalty will be assessed. However, the additional tax must be paid.

2. If the driver of a vehicle which operates on special fuels has no special fuels invoice or has an improper special fuels invoice, a \$50 penalty will be assessed, plus the amount of fuel tax assessed.

3. If a vehicle which operates on special fuels does not have either a working odometer, speedometer, or hub meter, a \$50 penalty will be assessed.

4. If a vehicle which operates on special fuels does not have the true owner's name and address or adequate identification on both cab doors, a \$50 penalty will be assessed.

5. Vehicles operating with special fuels which have nonworking odometers, speedometers, or hub meters or which do not have the true owner's name and address on both cab doors shall be issued a notice of violation

#### **D. Vehicles Transporting Bulk Gasoline**

1. Vehicles transporting bulk gasoline into or out of Louisiana from or into any state which has a lower tax rate than Louisiana must have an approved route card issued by the Department of Revenue and Taxation.

2. The driver is required to have the card in his possession at all times.

3. The driver must also carry, at all times, one of the following: a bill of lading, a manifest, or a dated invoice indicating:



- a.i. both seller's and purchaser's name and address;
- ii. origin of gasoline being transported;
- iii. destination or destinations of gasoline being transported;
- iv. quantities of each type of gasoline being transported.

b. Exceptions

i. Vehicles belonging to common and contract carriers who are licensed by the Interstate Commerce Commission who are required to file monthly reports under Louisiana law.

ii. Vehicles belonging to farmers who are registered for refunds who move gasoline within the state, in quantities of 500 gallons or less, from one location to another within the scope of their farming activities.

iii. Vehicles transporting gasoline not for resale and the quantity being transported does not exceed 150 gallons.

iv. Delivery trucks commonly known as bobtails or tank wagons with a total capacity of 2,500 gallons or less when such deliveries originate in Louisiana and have a Louisiana destination.

4. If any person transporting bulk gasoline is traveling on other than the approved route or not carrying the above information as required, the fine shall be:

- a. \$300 for the first offense;
- b. \$600 for the second offense;
- c. \$1,200-\$2,000 for the third and succeeding offenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

<b>First Overweight Permit Fee Schedule</b>					
<b>This schedule is for three types of vehicles:</b>					
<ul style="list-style-type: none"> <li>• Vehicles and combinations of vehicles which do not exceed their legal gross weight, but do exceed the legal axle weight on one to three axles or axle groups* (including steering axles).</li> <li>• Vehicles or combinations of vehicles which have two or three axles ** total and which exceed both their legal gross weight and legal axle weight.</li> <li>• All two-to-four axle ** off-road equipment.</li> </ul>					
Excess Weight (in pounds)	Distance (in miles)				
	0-50	51-100	101-150	151-200	over 200
0-10,000	\$ 30.00	\$ 45.00	\$ 52.50	\$ 67.50	\$ 82.50
10,001-20,000	52.50	97.50	135.00	172.50	210.00
20,001-30,000	82.50	150.00	210.00	277.50	345.00
30,001-40,000	105.00	202.50	292.50	382.50	345.00
40,001-50,000	135.00	255.00	367.50	487.50	607.50
50,001-60,000	157.50	307.50	450.00	592.50	607.50
Over 60,000	\$15 plus \$0.10 per ton-mile				
<p>*Axle groups are tandem, tridum, and quadrum axles.  **"Axle" here refers to single or individual axles. Tandem axle groups will be counted as two axles and tridum axle groups as three axles.</p>					

<b>Second Overweight Permit Fee Schedule</b>					
<b>This schedule is for combinations of vehicles with four axles* (including the steering axle).</b>					
<b>Gross Weight (in pounds)</b>	<b>Distance (in miles)</b>				
	<b>0-50</b>	<b>51-100</b>	<b>101-150</b>	<b>151-200</b>	<b>over 200</b>
66,001-80,000	\$30.00	\$52.50	\$ 67.50	\$ 90.00	\$ 105.00
80,001-90,000	67.50	112.50	165.00	217.50	262.50

\*"Axle" here refers to single or individual axles. Tandem axle groups will be counted as two axles and tridum axle groups as three axles.

<b>Third Overweight Permit Fee Schedule</b>					
<b>This schedule is for combinations of vehicles with five or more axles* (including the steering axle) when the gross weight exceeds 80,000 pounds.</b>					
<b>Gross Weight (in pounds)</b>	<b>Distance (in miles)</b>				
	<b>0-50</b>	<b>51-100</b>	<b>101-150</b>	<b>151-200</b>	<b>over 200</b>
80,001-100,000	\$ 45.00	\$ 67.50	\$ 97.50	\$ 120.00	\$ 150.00
100,001-108,000	75.00	142.50	202.50	270.00	330.00
108,001-120,000	105.00	195.00	285.00	375.00	465.00
120,001-132,000	135.00	255.00	375.00	495.00	622.50
132,001-152,000	180.00	337.50	502.50	667.50	832.50
152,001-172,000	232.50	442.50	660.00	877.50	1095.00
172,001-192,000	285.00	547.50	817.50	1087.50	1357.00
192,001-212,000	337.50	652.50	975.00	1297.50	1620.00
212,001-232,000	390.00	757.50	1132.50	1507.50	1875.00
232,001-254,000	442.50	862.50	1290.00	1717.50	2130.00
over 254000	\$ 15.00—plus \$0.75 per ton-mile of weight in excess of 80,000 pounds, plus a fee for structural evaluation based on the following schedule: \$187.50—for evaluation of treated timber, concrete slab, and precast concrete slab bridges \$1,275.00—for evaluation of truss, continuous span, and movable bridges and for all Mississippi River structures \$750—for all other structures				

Price of fuel showing tax paid\* "Axle" here refers to single or individual axles. Tandem axle groups will be counted as two axles and tridum axle groups as three axles.  
 Notwithstanding any other provision of law to the contrary, any combination vehicle with a gross weight greater than 212,000 pounds, but not in excess of 254,000 pounds shall be authorized a maximum tandem axle weight of 45,000 pounds and a maximum steering axle weight of 13,000 pounds, provided the spread between axle groups is a minimum of 12 feet and the spread between tires in a group is a minimum of 4 feet.

## **Chapter 15. Guideline for Submitting Overweight Vehicle Configurations— Exceeding 232,000 Pounds**

### **§1501. Necessary Requirements Accompanying the Permit**

- A. Map. Submit a map showing the proposed route and any alternate proposed routes in order of preference.
- B. In the event there is one or more parallel, alternate modes of transportation that cannot accommodate the load, such as a navigable waterway of a railroad, but substantially reduces the length of haul on the state highway system, evidence of the physical and/or regulatory impasse(s) must be submitted with the permit request. This evidence must be a written response from the facility's authorities or offices stating the nature of the impasse which will not accommodate the load.

C. Statement from the owner of the load certifying its gross weight.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

## **Chapter 17. Requirements for Permitting Off-Road Equipment**

### **§1701. Off-Road Equipment on State-Maintained Highways**

A. It will be the policy of the department to follow the ensuing requirements governing the permitting of off-road equipment on the state-maintained highway system.

B. The department will generally authorize a permit for the use of off-road equipment on the state maintained highway system provided it conforms to the provisions herein. Application for an off-road equipment permit and its authorization will be through the truck permit office of the department.

C. Off-road equipment shall be considered as any self-propelled or combination vehicle adaptable to the highway environment which is not intended for normal operation on the highway due to its weight, size, and/or configuration. This equipment will also be classified as either non-critical or critical. Noncritical off-road equipment is not expected to produce excessive stresses in common highway bridges when operated. Critical off-road equipment, however, can produce stresses in excess of the capacity of common highway bridges if its permit requirements are not carefully met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§1703. Noncritical Off-Road Equipment**

A. *Noncritical off-road equipment* is defined as:

1. vehicles or combinations of vehicles without booster units;
2. vehicles with a single-single, single-tandem, single-triple, or tandem-tandem axle configuration in which no single axle is in excess of 30,000 pounds nor tandem or triple axles in excess of 54,000 pounds;
3. vehicles or combinations of vehicles without booster units which are determined to be acceptable in this classification by the department's evaluation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), amended by the Office of Operations, LR 40:1116 (June 2014).

### **§1705. Critical Off-Road Equipment**

A. *Critical off-road equipment* is defined as:

1. vehicles not covered by the noncritical off-road equipment as defined in §1703 above;
2. vehicles or combinations of vehicles with booster units;
3. vehicles or combination vehicle which are determined to be acceptable in this classification by the department's evaluation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§1707. General Permit Requirements**

A. The traveling configuration of each piece of equipment will be subject to the initial approval of the department and the approved configuration will be required on all subsequent permits.

B. The proposed route for each permit will be subject to the approval of the department relative to operation on the state-maintained highway system.

C. Off-road equipment will not be generally subject to the conditions of the critical off-road equipment permit requirements unless it is so classified.

D. Restrictions will be specified on the permit issued by the truck permit office as required. Failure to comply will result in a penalty being assessed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996).

### **§1709. Critical Off-Road Equipment Permit Requirements**

A. An overweight permit with an approved route is to be obtained for each move.

B. The owner shall provide escort service during the move in accordance with the department's escort procedures and regulations to control traffic with the following exception.

1. Equipment classified as critical off-road equipment in which no single axle is in excess of 30,000 pounds, no tandem axles are in excess of 60,000 pounds and no tridum axles are in excess of 66,000 pounds shall be exempt from the escort requirement.

C. Warning Lights

1. Vehicles which exceed 54,000 pounds on a tandem axle and 60,000 pounds on a tridum axle will be required to have warning lights on the off-road equipment.

2. The vehicle shall display an approved 360 degree emergency warning lamp. The lamp is approved if it appears on a list of certified safety devices furnished to the Department of Transportation and Development by the Department of Public Safety and Corrections. This list includes bar, strobe, revolving and stationary lamps.

D. Bridge Crossing Requirements on Highways Other than Interstate

1. Bridge roadway shall be cleared of traffic on two-lane two-way traffic bridges. The vehicle shall straddle the centerline of the cleared bridge roadway. This requirement is waived for bridges of this type over 300 feet in length.

2. The vehicle shall straddle the outside and adjacent lane of a roadway with two or more traffic lanes in the same direction. Traffic shall be kept out of the adjacent lane within 100 feet of the equipment. This requirement is waived for bridges of this type over 1,000 feet in length.

3. A speed of 5 mph shall be maintained without braking, accelerating, or changing gears with no exceptions.

E. Bridge Crossing Requirements on Interstate Highways

1. Commercial vehicles shall be prevented from traveling adjacent to and within 100 feet of the equipment. This requirement is waived for bridges over 1,000 feet in length.

2. The vehicle shall occupy the outside traffic lane.
  3. A speed not in excess of 45 mph shall be maintained on bridge structures.
- F. Booster axles, when permitted, shall be activated during the entire move on the state-maintained highway system.
- G. A letter of approval must be issued by the DOTD permits manager.
- H. A copy of this letter is to be placed in this equipment to insure that the above conditions are adhered to on each move.
- I. This letter of approval does not grant any authority for this equipment to cross any posted bridge(s) or for the use of any highway or road not on the state maintained highway system.
- J. Counterweights are to be removed for cranes with tandem axles exceeding 48,000 pounds, or for these with tridum axles exceeding 60,000 pounds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32.2, et seq. and R. S. 32:386-389.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), LR 28:1601 (July 2002), LR 30:2079 (September 2004).

## **Chapter 19. Escort Requirements for Oversize and/or Overweight Vehicles or Loads**

### **§1901. Provision Enforcement**

A. The Department of Transportation and Development is authorized to administer this policy and to enforce its provisions, including the issuance of the necessary permits and decals for properly equipped escort vehicles.

B. Escort vehicles may be furnished by the permittee or by private escort service, provided the following regulations are complied with.

1. An oversize and/or overweight permit is required for each escort movement. The driver of the escort vehicle shall make certain that a permit has been issued and shall familiarize himself with and abide by requirements of the issued permit. The Department of Transportation and Development has authority to require and to regulate escorts under the provisions of R.S. 32:327.C and R.S. 32:387.B(3).

2. The escorting vehicle shall be registered in accordance with Louisiana Revised Statutes or reciprocal agreement. Closed vans, buses, campers, motor homes, and motor driven cycles are not acceptable. Louisiana based automobiles used as escort vehicles are no longer considered private passenger vehicles and, therefore, must carry commercial plates. If the escort vehicle is domiciled outside the state of Louisiana, a 48-hour trip permit is required for intrastate movements, otherwise escorting is limited to interstate movement only.

3. At no time may an escort vehicle pull a trailer or tow another vehicle.

4. Each company which operates an escort service in this state and which is domiciled in another state shall register annually with the secretary in accordance with rules and regulations adopted by the secretary. Proof is required that each vehicle operated in this state by the applicant is insured in the same amount as is required for escort companies domiciled in this state. Each driver of an escort vehicle must have a valid operator's license issued by a state or territory of the U.S. The fee for each application for registration is \$10. A 48-hour trip permit is required for intrastate movements, otherwise escorting is limited to interstate movement only.

5. All statutory provisions must be complied with; except those waived by the permit or "Escorting Procedures" stipulated herein.

6. All applicants for escort vehicles shall provide proof to the Department of Transportation and Development Weights and Standards officer of insurance for not less than \$50,000 for bodily injury to or death of one person in any one accident, \$100,000 for bodily injury to or death of two or more persons in any one

accident, and \$50,000 for injury to or destruction of property to others in any one accident. Applicant shall sign an affidavit that said coverage of insurance will remain effective for the duration of the permits.

7. An escort driver, domiciled in Louisiana, must be licensed with an appropriate "D" or "E" license.

8. The driver of the escorting vehicle is responsible for the movement and shall ensure that the escorted vehicle is operated in a manner consistent with these provisions and all provisions on the permit. In the event the driver of the escorted vehicle does not, or refuses to operate in accordance with these stipulations, the driver of the escort vehicle shall terminate the movement and report this action to the proper company officials or local police authority or to the Department of Transportation and Development Weights and Standards Police Headquarters.

9. It shall be the responsibility of the driver of the escort vehicle to operate as a warning vehicle only. The driver shall not run traffic lights, fail to stop at stop signs, improperly pass, etc. His authorization to warn motorists of danger shall not imply that the vehicle is or should be used as a police and/or emergency vehicle.

10. All costs incidental to escorts shall be borne by the escort or permittee.

11. The equipment and permit required on escort vehicles shall be available for inspection on demand of proper authorities.

12. Payment for escort service shall be determined by the escort and the permittee.

13. Self or private escorts shall not escort any movement in excess of 16 feet wide on two-lane highways or multi-lane highways. Escorts must be furnished for all movements in excess of 12 feet in width or in excess of 90 feet in length and for any other movement when so designated by the Department of Transportation and Development or the Office of State Police.

14. No current full-time employee of the Department of Transportation and Development shall be used for or engage in self or private escort service. Under the existing policy of the Department of Public Safety, Office of State Police, an off-duty trooper or DPS police officer working in uniform may serve as escort for movements of oversize and/or overweight loads.

15. In the event a state police escort is required, the permittee shall pay the escort fee, or any portion thereof, in addition to pay of the off-duty trooper or DPS police officer.

16. Escorts of house movements, overweight loads when required by the Department of Transportation and Development, and other loads needing police authority during movement, shall be escorted by the Office of State Police, unless made within a city's limits where the authority may be the city police.

17. The owner and/or operator of the escort vehicle agrees to hold harmless the Department of Transportation and Development and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the authority to escort an oversize load.

18. The Department of Transportation and Development Weights and Standards Police of the Office of State Police, will determine that proper escort procedures are complied with and shall have full authority to enforce all provisions of the permit and escort regulations. The authority to revoke the escort vehicle permit shall rest with the Department of Transportation and Development.

### C. Equipment Required

1. In accordance with the requirements of R.S. 32:327, the escort vehicle shall display an approved 360° "Emergency Warning Lamp." Approval is gained from a list of certified safety devices furnished to the Department of Transportation and Development by the Department of Public Safety. This partial list includes bar, strobe, revolving, and stationary lamps. The warning lamp shall be amber in color and shall meet SAE J845 and SAE J595 "Standard and Specifications for Use and Performance," however a dome type lamp must have a lens (amber portion) of not less than 9 inches in diameter and 4 inches in vertical height to meet escort

vehicle permit equipment requirements for the state of Louisiana. The base of the warning lamp (amber portion) shall be mounted at a point atop the vehicle at a minimum of 60 inches from the roadway.

2. There shall be two solid red/fluorescent orange flags, 18 inches square, mounted other than vertical or horizontal atop the escort vehicle (at approximately a 45 degree angle). These flags are not to extend more than 6 inches on either side of the vehicle and shall in no event exceed 8 feet 0 inches in width. Flags shall be mounted in line with the warning lamp(s).

3. The escort vehicle must have the name and address or telephone number and city of the company/owner of the escort vehicle on each front door of the vehicle, plainly legible and visible to the motoring public. Well known company logos are acceptable.

4. The escorting vehicle shall be equipped with two rear view mirrors, one on each side, so as to provide vision to the rear to ensure movement is progressing safely.

5. Headlights and rear lights on the escort vehicle and the vehicle being escorted shall be lighted during movement.

6. The escort and towing vehicle shall be equipped with radios such that communication between vehicles is possible. The escort vehicle will be responsible for advising the towing vehicle of any conditions arising that may require cautionary action such as reducing speed, pulling off the roadway, etc.

7. The escorting vehicle shall be equipped and have readily accessible a 10-pound BC dry or equivalent chemical type fire extinguisher, four 15-minute burning flares and two red/fluorescent orange hand held flags. In addition, the vehicle must have available four red/fluorescent orange flags that are 18 inches square and two signs with the wording "oversize load." These signs must be 18 inches high and 7 feet in length. The lettering must be black on a yellow background and is to be 10 inches high with 1 5/8 inch brush stroke.

8. For all overheight loads it is strongly recommended that a clearance bar of some design be attached to the escort vehicle to warn of clearance problems of the load being escorted.

#### D. Permit Restrictions for Escorts

1. Private escorts are required for all vehicles and loads:

- a. over 12 feet wide and up to 16 feet wide;
- b. over 90 feet long and up to 125 feet long.

2. State police escorts are may be required for vehicles and loads:

- a. over 16 feet in width;
- b. over 125 feet in length;
- c. on any vehicle or load deemed necessary by the department.

3. An escort vehicle may escort two overlength vehicles or loads, but only one overwidth vehicle or load.

4. An escort vehicle must be behind overlength vehicles and loads. On a multilane highway it must be behind an overwidth vehicle or load and on a two-lane highway it must be in front of an overwidth vehicle or load.

#### E. Registration and Licensing for Escort Vehicles

a. Escort vehicles must be registered in accordance with Louisiana Revised Statutes or reciprocal agreements.

b. Louisiana domiciled automobiles used as escort vehicles must carry a \$10 commercial plate.

c. Registrations for escort vehicles which are properly registered in other states will be accepted by Louisiana through reciprocal agreement.

d. Companies domiciled outside Louisiana must pay \$10 annual fee for escort permit and decal.

#### F. Escorting Procedures

1. Speed limit for the escort load is to be determined by the issuing authority, and in any event shall not exceed 45 mph.

2. Movement shall be made on only those highways designated on the permit. Alternate routes shall not be used unless approved by the issuing authority.

3. Restricted permit movement hours must be adhered to on specifically designated sections of the Interstate System and the Greater New Orleans area bridges.

4. Movement shall be made only on dates and/or during times shown on the permit. No movement shall be made during hours of darkness unless prior approval is obtained from the issuing authority and the Office of State Police.

5. An escorted movement approaching any bridge structure which cannot be traversed safely because of inability to distinguish potential hazards by sight shall be parked (off the roadway where possible) and the escort vehicle shall proceed across said bridge (hill or incline). Adequate time shall be allotted to allow the escort vehicle to stop oncoming traffic before the oversize movement traverses said bridge, hill, or incline.

6. Escorted movements will not impede the normal flow of traffic whenever possible. Whenever vehicular traffic to the rear becomes congested, it is required that the escort driver cause the movement to be halted onto the shoulder or safe location. The movement shall remain off the main-traveled portion of the roadway until traffic has cleared. Movement may then continue until congestion reoccurs.

7. Movement shall not be made during severe inclement weather (heavy rain, fog, etc.). When the movement is in progress and severe inclement weather occurs, it shall be the responsibility of the escort driver to have the oversize load removed from the traveled portion of the highway to a safe location.

8. The operator of the escort vehicle will ensure that the oversize movement is not allowed to park on the main-traveled portion of the highway unless absolutely necessary or in case of extreme emergency. Anytime the combination is parked on the highway right-of-way, it shall be adequately protected by flares, flags, flagmen, etc.

9. The escort vehicle shall travel to the rear of the overwidth movement on multi-lane highways and in front of the escorted load on two-lane highways. The escort must be behind overlength vehicles and loads. All escort vehicles must cross the Department of Transportation and Development's stationary scales along with the escorted load.

10. The oversize load shall travel as near to the right side of the roadway as is safely possible to insure that traffic will be able to pass safely. The escort and escorted load shall not infringe upon the opposite bound lane whenever possible.

11. A single escort may be used to escort one or two over length loads in one movement.

12. An escort will be required for each overwidth load exceeding 12 feet in width.

13. The number of escort vehicles needed for overweight escort loads and "critical off-road" equipment will be stipulated by the Department of Transportation and Development in their authorization to move the load, as well as any additional restrictions.

14. The escort vehicle shall maintain a sufficient distance from the movement to warn oncoming traffic of the potential danger, but not so far as to hinder control over the movement.

15. Violators of these provisions or requirements shall be subject to all penalties provided by law and may have any and all escort permits revoked.



G. Checklist for Equipment Required for "Louisiana Approved Escort Vehicle"

1. Before any escort vehicle permit and decal can be issued, the following requirements must be met.
  - a. License. Truck tag or t-tag; commercial plate on all Louisiana domiciled automobiles; reciprocal agreement on all others.
  - b. Proof of insurance with policy number:
    - i. liability—\$100,000;
    - ii. property damage—\$50,000.
  - c. Class "D" or "E" Operator's License. (Louisiana residents only) (Department of Public Safety required).
  - d. Lights:
    - i. amber in color;
    - ii. dome—360° visibility;
    - iii. lens—9 inches in diameter, 4-inch vertical clearance (8 inch x 5 inch acceptable);
    - iv. bar lights—strobe OK;
    - v. base (lens) of all lights must be 60 inches from roadway;
    - vi. all lights front and rear must be operable.
  - e. Two 18-inch square red/fluorescent orange flags, 40-70 degree angle, atop vehicle on mast—not over 6-inch overhang of vehicle or exceed eight feet in width—must be in line with light(s).
  - f. Door signs:
    - i. name and complete address or name, city, state, and telephone number;
    - ii. well known company logo acceptable, (permanent or semi-permanent)
  - g. Two Rear View Side Mirrors
  - h. Radio Communication with Load
    - i.i. Ten pounds dry chemical fire extinguisher or equivalent;
    - ii. four 15-minute burning flares (no substitutes, i.e., hazard markers);
    - iii. two red/fluorescent orange hand-held flags.
    - j.i. four red/fluorescent orange 18 inch square flags;
    - ii. two "Oversize Load" signs, 18 inches x 7 feet, with black lettering on yellow background—lettering to be 10 inches by 1 5/8 must read "Oversize Load."
  - k. Information signs, in addition to the above requirements, are acceptable.
  - l. Closed vans (step side), buses, campers, motor homes, and motor driven cycles are not acceptable as escort vehicles.
  - m. A vehicle that has all of the above listed equipment (in proper working order) may escort until which time he crosses a stationary scale or is stopped by a mobile unit. At that time the escort will be inspected and issued the permit and decal without being assessed a penalty.
  - n. At no time may the escort vehicle pull a trailer or tow another vehicle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Highways, LR 5:26 (February 1979), amended by the Office of Weights, Measures and Standards, LR 22:120 (February 1996), LR 30:1490 (July 2004), amended by the Department of Public Safety and Corrections, Office of State Police, LR 42:1302 (August 2016).

### **FAMILY IMPACT STATEMENT**

Implementation of this proposed rule should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability, and autonomy. Specifically:

1. The implementation of this proposed rule will have no known or foreseeable effect on the stability of the family.
2. The implementation of this proposed rule will have no known or foreseeable effect on the authority and rights of parents regarding the education and supervision of their children.
3. The implementation of this proposed rule will have no known or foreseeable effect on the functioning of the family.
4. The implementation of this proposed rule will have no known or foreseeable effect on the family earnings and family budget.
5. The implementation of this proposed rule will have no known or foreseeable effect on the behavior and personal responsibility of children.
6. The implementation of this proposed rule will have no known or foreseeable effect on the ability of the family or local government to perform this function.

### **POVERTY IMPACT STATEMENT**

The implementation of this proposed rule should not have any known or foreseeable impact on child, individual, or family poverty in relation to individual or community asset development as defined by R.S. 49:973. Specifically,

1. The implementation of this proposed rule will have no known or foreseeable effect on household income, assets, and financial security.
2. The implementation of this proposed rule will have no known or foreseeable effect on early childhood development and preschool through postsecondary education development.
3. The implementation of this proposed rule will have no known or foreseeable effect on employment and workforce development.
4. The implementation of this proposed rule will have no known or foreseeable effect on taxes and tax credits.
5. The implementation of this proposed rule will have no known or foreseeable effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

## **SMALL BUSINESS ANALYSIS**

The implementation of this proposed rule on small businesses, as defined in the Regulatory Flexibility Act, has been considered. The proposed rule is not expected to have a significant adverse impact on small businesses. The department, consistent with health, safety, environmental, and economic welfare factors, has considered and, where possible, utilized regulatory methods in the drafting of the proposed rule that will accomplish the objectives of the proposed statutes while minimizing the adverse impact of the rule on small businesses.

## **PROVIDER IMPACT STATEMENT**

The implementation of this proposed rule does not have any known or foreseeable impact on a provider as defined by House Concurrent Resolution No. 170 of the 2014 Regular Session of the Louisiana State Legislature. Specifically:

1. The implementation of this proposed rule does not have any known or foreseeable impact on the staffing level requirements or qualifications required to provide the same level of service.
2. The implementation of this proposed rule does not have any known or foreseeable impact on the total direct and indirect effect on the cost to a provider to provide the same levels of service.
3. The implementation of this proposed rule does not have any known or foreseeable impact on the overall effect on the ability of a provider to provide the same level of service.

## **INTERESTED PERSONS STATEMENT**

All interested persons so desiring shall submit oral or written data, views, comments, or arguments no later than 20 days from the date of publication of this notice of intent to Nick Fagerburg, Weights and Standards Engineer Administrator, Department of Transportation and Development, P.O. Box 94245, Baton Rouge, LA 70804-9245. Telephone (225) 379-1795.

Shawn D. Wilson, Ph.D.  
Secretary

## **FISCAL AND ECONOMIC IMPACT STATEMENT**

### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There are no estimated implementation costs or savings to state or local governmental units associated with the proposed rule revision. The proposed rule makes technical changes and updates to Title 73, Weights, Measures and Standards, as well as codifying the existing fee structures, penalties and allowable weight loads on the state's transportation infrastructure.

### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed changes shall have no impact on state or local government units on revenue

collections.

### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed changes are not anticipated to create cost impacts or economic benefits to directly affected persons, small businesses, or non-governmental groups.

### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed changes shall have no effect on competition and/or employment.