

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption of a New Regulation of the Nevada Department of Transportation

The Nevada Department of Transportation (NDOT) is proposing new regulations pertaining to Chapter 484D of the Nevada Administrative Code. A hearing will be held at the NDOT Headquarters third floor conference room #302, 1263 South Stewart Street, Carson City, NV 89712, commencing at 9:30 a.m. on Monday, February 11, 2019. This hearing will also be streamed live on the internet on the NDOT website at: <https://www.nevadadot.com>.

This hearing will be **video-conferenced** to **NDOT, District I Office, Building A conference room, 123 E. Washington Ave., Las Vegas, NV** and to **NDOT, District III Office, main conference room, 1951 Idaho St., Elko, NV**

The following information is provided pursuant to the requirements of NRS 233B.061(2):

The purpose of this hearing is to solicit comments from all interested persons in the topics addressed in the proposed regulations to be adopted. The hearing will discuss the following topic:

(1) NAC 484D Over-Dimensional Vehicle Permitting and Restrictions.

A copy of this notice and the proposed regulations to be adopted will be on file at the State Library, 100 S. Stewart St., Carson City, Nevada, for inspection by members of the public during business hours. A reasonable fee for copying may be charged.

A copy of the notice and proposed regulations to be adopted has also been placed on NDOT's website at www.nevadadot.com/pubinvolvement/meetings/. A copy of all materials relating to the proposal may be obtained at the hearing or by contacting Lynn Hoffman with NDOT Administrative Services at (775) 888-7358 or email lhoffman@dot.nv.gov.

Additional copies of this notice and the proposed regulations to be adopted has been posted at the following locations:

Nevada Department of Transportation
1263 South Stewart Street
Carson City, NV 89712

Nevada Department of Transportation
District III Office
1951 Idaho Street
Elko, NV 89801

Nevada Department of Transportation
District I Office
123 East Washington Avenue
Las Vegas, NV 89125

Nevada Department of Transportation
Winnemucca Maintenance Station
725 West 4th Street
Winnemucca, NV 89446

Nevada Department of Transportation
Tonopah Maintenance Station
805 Erie Main
Tonopah, NV 89049

Nevada Department of Transportation
Ely Maintenance Station
1401 Avenue "F"
Ely, NV 89301

Nevada Department of Transportation
District II Office
310 Galletti Way
Sparks, NV 89431

Clark County Courthouse
200 South Third Street
Las Vegas, NV 89155

Washoe County Courthouse
75 Court Street
Reno, NV 89520

Grant Sawyer State Office Building
555 East Washington Avenue
Las Vegas, Nevada 89101

Persons wishing to comment upon the proposed action of the Nevada Department of Transportation may appear at the scheduled public hearing or may address their comments, data, views or arguments in writing to Lynn Hoffman, NDOT, Administrative Services at 1263 South Stewart Street, Carson City, NV 89712 or email lhoffman@dot.nv.gov.

Written submissions must be received by NDOT on or before 5 p.m., Friday, February 8, 2019.

Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Requests for auxiliary aids or services to assist individuals with disabilities or limited English proficiency should be made with as much advance notice as possible to NDOT Public Hearings Officer, Julie Maxey at (775) 888-7171 or email jmaxey@dot.nv.gov.

This notice has been posted on or before 9 a.m. the third working day before the meeting at the locations listed above.

Public comment may be limited to five minutes per person at the discretion of the NDOT's spokesperson.

The presentation will consist of:

1. Report by NDOT providing a history and overview of the proposed regulations.
2. Report by NDOT providing an overview of the rulemaking process.
3. Public comments and discussion.
4. Report by NDOT on regulation timelines and next steps.

**SECOND REVISED PROPOSED REGULATION
OF THE DEPARTMENT OF TRANSPORTATION**

LCB File No. R157-18

December 7, 2018

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1, 2 and 4-6, NRS 484D.625, 484D.715 and 484D.720; §3, NRS 484D.600, 484D.615, 484D.625, 484D.715, 484D.720 and 484D.725.

A REGULATION relating to vehicles; revising provisions governing the issuance of permits by the Department of Transportation authorizing travel by certain oversized or overweight vehicles; revising provisions governing the days and times of travel authorized by the Department on such permits; revising provisions governing pilot cars which must accompany certain oversized or overweight vehicles; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Department of Transportation to issue permits which allow travel on the roads of this State by vehicles which exceed certain limits for the length, weight or width of such vehicles. (NRS 484D.615, 484D.660, 484D.685) Existing regulations set forth the requirements for applying for such a permit from the Department. (NAC 484D.610, 484D.615) **Sections 1 and 2** of this regulation revise provisions regarding applications for such a permit to allow such applications to be accessed and submitted through the Internet website of the Department under certain circumstances, except that an application for a special permit must be submitted via telephone.

Existing regulations authorize certain applicants for permits to establish credit with the Department. Such an applicant is exempted from the requirement to include with his or her application the appropriate fee, if any, for the permit. (NAC 484D.615) **Section 2** of this regulation replaces the term “credit” with the term “deposit agreement.”

Existing regulations require a permit authorizing travel by an oversized or overweight vehicle to be signed by the permittee and carried in the vehicle to which it refers. (NAC 484D.625) **Section 3** of this regulation makes an exception to the signature requirement for a permit provided in an electronic format and intended to be displayed on a mobile electronic device.

Section 4 of this regulation makes revisions to restrictions on oversized loads from 20 to 26 feet in width or 18 feet or more in height, authorizing the Department to require that a trucking company requesting a permit for such an oversized load survey the route before the

permit is issued to determine: (1) the safety of travel on the route; (2) where obstructions may exist; and (3) a plan for the removal or adjustment of such obstructions, if any. **Section 5** of this regulation revises the width limit of an oversized vehicle with a single-trip permit from 12 feet to 14 feet, with certain exceptions for travel on certain portions of Interstate Highway No. 15 into and out of Las Vegas during specified weekend hours, and authorizes the Department to impose additional safety requirements on a load that exceeds 12 feet in width for travel during holiday hours, hours of darkness and on weekends.

Existing regulations impose certain requirements on a pilot car which must accompany certain oversized vehicles under certain circumstances. (NAC 484D.640, 484D.670) **Section 6** of this regulation revises those requirements based on certain types of highways, certain days and certain hours of the day.

Section 1. NAC 484D.610 is hereby amended to read as follows:

484D.610 1. Annual multiple-trip permits, special permits and single-trip permits are available from the Department of Transportation, 1263 South Stewart Street, Carson City, Nevada 89712, Monday through Friday, excluding holidays, ~~between the~~ *during regular business* hours . ~~of 7:30 a.m. and 4:00 p.m.~~

2. *Annual multiple-trip permits are also available from the Department through the online permitting system on the Internet website of the Department at www.nevadadot.com.*

3. Single-trip permits are also available from the Department ~~by~~ :

(a) Through the online permitting system on the Internet website of the Department at www.nevadadot.com; and

(b) By telephone at (775) 888-7410 or (800) 552-2127, Monday through Friday, excluding holidays, ~~between the~~ *during regular business* hours . ~~of 7:30 a.m. and 4:00 p.m.~~

Sec. 2. NAC 484D.615 is hereby amended to read as follows:

484D.615 1. An application for an annual multiple-trip permit ~~for a special permit~~ must be:

(a) Submitted to the Department, on a form prescribed by the Department ; ~~that is signed by the applicant or his or her authorized agent;~~

(b) Submitted in writing, although a facsimile application *or an application transmitted through the online permitting system on the Internet website of the Department pursuant to NAC 484D.610* will constitute a writing;

(c) Except as otherwise provided in NRS 484D.600, submitted not later than ~~30~~ *10 business* days before the first day of travel for which the permit is required; and

(d) Accompanied by the appropriate fee, if any, unless ~~credit~~ *a deposit agreement* has been ~~established.~~ *executed by the applicant.*

2. An application for a single-trip permit:

(a) May be made to the Department *through the online permitting system on the Internet website of the Department pursuant to NAC 484D.610*, in person or ~~orally~~ by telephone; ~~and~~

(b) Must be submitted not later than 4 p.m. on the last business day before the first day of travel for which the permit is required ~~;~~

~~Payment for the single-trip permit must be made at the time the applicant applies for the permit.~~ ; and

(c) *Must be accompanied by the appropriate fee, if any, unless a deposit agreement has been executed by the applicant.*

3. *An application for a special permit must be:*

(a) *Submitted to the Department via telephone at (775) 888-7410 or (800) 552-2127, during regular business hours;*

(b) *Except as otherwise provided in NRS 484D.600, submitted not later than 10 business days before the first day of travel for which the permit is required; and*

(c) Accompanied by the appropriate fee, if any, at the time of application, unless a deposit agreement has been executed by the applicant.

4. As used in this section, “deposit agreement” means an agreement between an applicant and the Department which authorizes the applicant to be a customer of the Department and make monthly payments for a permit purchased pursuant to NAC 484D.500 to 484D.695, inclusive.

Sec. 3. NAC 484D.625 is hereby amended to read as follows:

484D.625 1. A single-trip permit for the movement of an oversized or overweight vehicle:

(a) Is valid for a period of 5 *consecutive* days as set forth on the permit; and

(b) May authorize the vehicle to make a round trip over a designated route and to travel laden on one leg and unladen on the other leg of the round trip.

2. An annual multiple-trip permit is valid for 12 consecutive months after the date of issue as set forth on the permit. The permit may be issued for:

(a) An oversized or overweight vehicle, including, without limitation, special mobile equipment, if the maximum:

(1) Width is not more than 14 feet;

(2) Length does not exceed 110 feet or, if the vehicle is equipped with one or more mechanically steered rear axles, 120 feet;

(3) Height does not exceed 15 feet;

(4) Total overhang does not exceed 25 feet; and

(5) Gross weight and axle loading will not exceed that established by evaluation of the application based upon axle configuration and overall length.

(b) The movement of manufactured homes, mobile homes or any other similar types of structures if the maximum:

(1) Width, including any appendages and roof eaves, is not more than 14 feet;

(2) Combined length of the vehicle used to transport the manufactured home, mobile home or other similar structure and the manufactured home, mobile home or other similar structure does not exceed 110 feet;

(3) Length of the manufactured home, mobile home or other similar structure does not exceed 80 feet; and

(4) Height does not exceed 15 feet.

3. A special permit for the movement of an oversized or overweight vehicle issued by the Department pursuant to NRS 484D.600, 484D.615, 484D.715 or 484D.720:

(a) Is valid for the period set forth on the permit; and

(b) May authorize the vehicle to make a round trip over a designated route and to travel laden on one leg and unladen on the other leg of the round trip.

4. The original of the annual multiple-trip permit, special permit or single-trip permit must be:

(a) ~~signed~~ *Except as otherwise provided in subsection 8, signed* by the permittee; and

(b) Except as otherwise provided in subsection 5, carried in the vehicle to which it refers.

5. The holder of an annual multiple-trip permit may transfer the original permit to a leased or rented vehicle with the vehicle combinations which are identified on the permit. The leased or rented vehicle must:

(a) Carry the original permit ~~in~~ *in paper form*;

(b) Carry the original notarized lease agreement or the original customer copy of the rental agreement; and

(c) Be marked in accordance with 49 C.F.R. § 390.21.

6. A copy of an annual multiple-trip permit, a special permit or single-trip permit may not be made for use in another vehicle.

7. For the purposes of this section, an annual multiple-trip permit, a special permit or single-trip permit that is issued to a permittee by facsimile or other electronic transmission shall be deemed the original permit.

8. A permit issued in paper form by the Department or a permit that has been printed out from a facsimile or an electronic transmission must be signed to be valid. A permit provided in an electronic format intended to be displayed on a mobile electronic device does not need to be signed.

9. For the purposes of NRS 484D.745, a permit issued pursuant to this section is void if the vehicle to which it refers exceeds any of the limits on the permit.

Sec. 4. NAC 484D.645 is hereby amended to read as follows:

484D.645 The Department may issue permits for the movement of oversized loads over the state highway system. The following conditions apply:

1. The movement of oversized loads up to 26 feet in width will be allowed only if the character of the road and traffic conditions will allow such movement. Reduction in size of load may be necessary to accomplish the move.

2. ~~The movement of loads over 26 feet in width is allowed only for short distances normally not to exceed 10 miles.~~

~~—3.—The~~ *For a load of 20 feet or more in width or 18 feet or more in height, the Department may require that the route ~~{must}~~ be surveyed by the trucking company before ~~{moving}~~ a permit is issued to determine ~~{where}~~ :*

(a) The safety of travel on the route;

(b) Where obstructions may exist ; and ~~{provide}~~

(c) A plan for ~~{their}~~ the removal or adjustment ~~{}~~ of any identified obstructions, if necessary.

Sec. 5. NAC 484D.655 is hereby amended to read as follows:

484D.655 *1.* An oversized vehicle with a single-trip permit must not exceed the following maximum dimensions unless specifically approved by the Department:

~~{1.—For travel during hours of darkness or holiday hours:}~~

(a) Except as otherwise provided in this section:

(1) Width of ~~{12}~~ 14 feet;

~~{(b)}~~ *(2) Height of 15 feet;*

~~{(e)}~~ *(3) Length of 110 feet or, if the vehicle is equipped with one or more mechanically steered rear axles, 120 feet; and*

~~{(d)}~~ *(4) Overhang of 15 feet.*

~~{2.—Except as otherwise provided in subsection 3, for}~~

(b) For Friday travel ~~{during}~~ between the hours of ~~{daylight on a weekend:}~~

~~—(a)}~~ *2 p.m. and 10 p.m. on the portion of northbound Interstate Highway No. 15 between the boundary of California and Las Vegas (Exit 33):*

(1) Width of ~~{14}~~ 12 feet;

~~{(b)}~~ *(2) Height of 15 feet;*

~~[(e)]~~ (3) Length of 110 feet or, if the vehicle is equipped with one or more mechanically steered rear axles, 120 feet; and

~~[(d)]~~ (4) Overhang of 15 feet.

~~[(3)]~~ (c) For *Sunday* travel ~~[during holiday]~~ *between the* hours ~~[or on a weekend]~~ *of 2 p.m. and 10 p.m.* over the portion of *southbound* Interstate Highway No. ~~[80 between Sparks (Exit 21) and the boundary of California or over the portion of Interstate Highway No.]~~ 15 between Las Vegas (Exit 33) and the boundary of California:

~~[(a)]~~ (1) Width of 12 feet;

~~[(b)]~~ (2) Height of 15 feet;

~~[(e)]~~ (3) Length of 110 feet ~~[(3)]~~ *or, if the vehicle is equipped with one or more mechanically steered rear axles, 120 feet;* and

~~[(d)]~~ (4) Overhang of 15 feet.

2. For a load that exceeds 12 feet in width, the Department may impose additional safety requirements on a permit for travel during holiday hours, hours of darkness and on weekends.

Sec. 6. NAC 484D.670 is hereby amended to read as follows:

484D.670 1. Pilot cars must be furnished by the permittee as set forth in the permit and in accordance with this section. A pilot car must be either a passenger car or a truck with not more than two axles, a manufacturer's gross weight rating of not more than 16,000 pounds and a width of at least 60 inches and must not exceed the legal limits of size and weight.

2. The operator of a pilot car shall maintain sufficient distance from the escorted vehicle depending on the speed, traffic, road and weather conditions to allow for timely and safe notification of the driver of the escorted vehicle and other drivers to stop, slow or pass as

necessary. If an escorted vehicle is required, pursuant to NAC 484D.640, to stop off the roadway to allow other traffic to pass, the operator of the pilot car shall:

(a) Assist the driver of the escorted vehicle to stop the vehicle as far off the roadway as practicable; and

(b) Direct traffic in order to maintain safe and efficient traffic movement.

3. In addition to the requirements of subsections 1 and 2:

(a) A pilot car must precede an escorted vehicle if:

(1) The overhang of the load exceeds 25 feet in front of the vehicle;

(2) The height of the load exceeds 15 feet 6 inches;

(3) The width of the load exceeds 12 feet and travel is ~~on a highway with two or three lanes;~~ :

(I) On a highway with two or three lanes;

(II) During holiday hours or hours of darkness; or

(III) On a weekend; or

(4) The width of the load exceeds 16 feet.

↪ If the height of the load exceeds 15 feet 6 inches, the pilot car must also be equipped with a clearance pole.

(b) A pilot car must follow an escorted vehicle if:

(1) The overhang of the load exceeds 25 feet behind the vehicle;

(2) The length of the load exceeds 110 feet or, if the vehicle is equipped with one or more mechanically steered rear axles, 120 feet; ~~or~~

(3) The width of the load exceeds 14 feet ~~+~~; *or*

(4) The width of the load exceeds 12 feet and travel is:

(I) During holiday hours or hours of darkness; or

(II) On a weekend.

4. The permittee shall ensure that pilot cars are properly equipped and that the operators of the pilot cars required pursuant to the provisions of the permit are briefed and trained as to their responsibilities. Failure of the operators to warn and direct traffic properly is a violation of the permit.

5. A pilot car must not be loaded or equipped in any manner that impairs its traffic safety function or public recognition of its traffic safety function. Each pilot car must be equipped with:

(a) For a lead pilot car for a load over 15 feet 6 inches in height, a clearance pole.

(b) Signs, visible in the front and rear, with black letters that are at least 10 inches high of 1 5/8-inch minimum stroke on a yellow background. The signs must read “OVERSIZE LOAD” or “OVERSIZE” and must be mounted above the roofline. The signs must be neat, clean and mounted securely. The signs must be displayed while escorting a vehicle and be removed promptly upon the arrival of the escorted vehicle at its final destination.

(c) Two flashing or rotating amber lights mounted above the roofline to either side of the “OVERSIZE LOAD” or “OVERSIZE” sign or one flashing or rotating amber light mounted above the roofline which is visible from a minimum of 500 feet in all directions. The permittee must obtain the appropriate permit for the amber lights from the Nevada Highway Patrol pursuant to NRS 484D.185.

(d) An identification placard fixed to each side of the pilot car which is visible from 50 feet during the day and which states the name and telephone number of the individual or company providing the pilot car service.

(e) A standard 18-inch, two-sided “STOP” and “SLOW” sign attached to a pole 5 feet in length.

(f) A minimum of three bidirectional emergency reflective triangles and three orange road cones which must be at least 18 inches in height.

(g) At least one 5-pound BC fire extinguisher.

(h) A hardhat and high-visibility safety apparel to be worn by persons whenever operating outside of the vehicle. The hardhat and high-visibility safety apparel must meet the requirements set forth in ANSI/ISEA 107-2004 *American National Standard for High-Visibility Safety Apparel and Headwear*, which are hereby adopted by reference. A copy of ANSI/ISEA 107-2004 *American National Standard for High-Visibility Safety Apparel and Headwear* may be obtained from the International Safety Equipment Association, 1901 North Moore Street, Arlington, Virginia 22209, for the price of \$60.

(i) A two-way radio that is compatible with the radios of the other assigned pilot cars and the escorted vehicle.

6. The operator of a pilot car must:

(a) Be at least 18 years of age;

(b) Possess a valid driver’s license; and

(c) Have been certified by completing a current instructional course specific to flagger requirements and procedures.