

Kansas Administrative Regulations

Kansas Department of Transportation

Article 1.—Special Permits, Loads and Vehicles

36-1-36. Common requirements.

Each applicant moving an oversize or overweight load that is nondivisible may be issued a permit by the secretary to travel on highways under the jurisdiction of the secretary. If the secretary determines that a person has been granted a permit and has not complied with any provision of these regulations, the permit may be canceled, or the issuance of future permits to the applicant may be denied by the secretary, in accordance with the Kansas administrative procedures act.

(a) Application information. The application for any permit shall be filed only by the individual or company that is doing the actual transporting or by an authorized permit service. Individuals and companies shown on the face of a permit shall be the only parties authorized to use that permit. Transferring permits to parties other than those to whom the permits were issued shall not be permitted. Permits shall be required in order for the individual or company to cross any portion of the state highway system.

(b) Bridge restrictions. Oversize loads shall not obstruct or impede traffic on any bridge for longer than five minutes.

(c) Carrier responsibility. Any applicant who accepts a permit issued by the secretary shall be deemed to have agreed to the following conditions:

(1) to be knowledgeable of the laws contained in K.S.A. 1996 Supp. 8-1911, as amended, and these regulations;

(2) to hold the secretary harmless, and to indemnify the secretary as immune from all suits, claims or damages arising from the movement of vehicles; and

(3) to pay the secretary for damages to state property caused by the permitted vehicle.

(d) Convoy information. Vehicles and loads traveling in convoy shall not have more than 1,000 feet between each transporting vehicle. A maximum of two permitted loads may travel in a convoy.

(e) Enforcement. Each holder of a permit shall make the permit or an authorized permit number readily available upon request to any law enforcement official or employee of the department.

(f) Escort information. When escorting loads or convoys more than 14 feet wide, the following conditions shall apply.

(1) On highways of fewer than four lanes, front and rear escorts shall be required. Except for superloads and large structures, the rear escort may be eliminated if a warning light is attached to the top of the towing vehicle and to the rear of each load and is mounted no less than two feet or more than eight feet above the surface of the road.

(2) On highways consisting of four lanes or more, a rear escort shall be required for superloads and large structures. All other types of loads shall not require escorting.

(3) When moving an oversize or overweight load, the driver of each escort vehicle and the person driving the permitted vehicle shall have the ability to communicate verbally with each other, using two-way equipment.

(4) Unless conditions dictate a different following distance, escorting vehicles shall travel at a distance not to exceed 300 feet in front or 300 feet to the rear of the load.

(g) Flagging. Movers of oversize loads shall attach warning flags to each side of the widest part of all overwidth loads and to the rear of all overlength loads.

(h) Implement dealers or manufacturer provisions. Implement dealers and manufacturers transporting farm machinery or farm machinery used in farming operations shall not be required to possess a permit if traveling within 100 miles of the implement dealer's or manufacturer's place of business. The mileage limitation shall apply only to Kansas miles. This exception shall not apply to interstate highways.

(i) Insurance information. The following insurance requirements apply to movers of oversize or overweight loads.

(1) Vehicles and loads traveling under the authority of any permit authorized by the secretary shall have in effect all motor vehicle liability insurance coverage as required by federal, state, and local law for the type of vehicle for which the permit is sought.

(2) All insurance requirements shall be in force as of the date when the permit is requested and shall be maintained for the duration of the permit.

(3) As a minimum prerequisite to obtaining any permit, the applicant shall obtain general liability insurance in the amount of \$500,000 and auto liability insurance in the amount of \$500,000 to cover bodily injury that occurs to any person and property damage liability that occurs to any structure or roadway on which the permitted vehicle and load travel. The insuring company shall be duly authorized to conduct business in Kansas.

(4) Except for vehicles registered by the Kansas corporation commission (KCC), each permittee shall keep proof of insurance in the permitted vehicle at all times and shall present this proof to any employee of the department or law enforcement personnel upon request. At a minimum, proof of insurance shall include the date the insurance was purchased, the amount of the insurance, the expiration date of the insurance, the name of the insuring company, and the signature of the person authorized to issue the insurance.

(j) Loading restrictions. These loading restrictions shall apply to all oversize or overweight loads.

(1) When any permit is granted, it shall be for the maximum dimension and weight of the component being transported. Identical components may be transported, provided that no additional dimension is exceeded.

(2) Multiple-item loads shall not exceed legal axle or gross weights as stated in K.S.A. 8-1908 and K.S.A. 8-1909.

(3) Except as provided in K.A.R. 36-1-28 through 36-1-34, articles transported beside each other shall not be permitted if more than one article makes the load overwidth or overlength.

(4) Every article or unit shall be loaded with the smallest dimension as its width.

(5) Vehicles shall be loaded in a manner that does not exceed the manufacturer's recommended weight-carrying capacity rating of any axle, trailer, or other equipment when transporting oversize or overweight loads under an authorized oversize or overweight permit.

(k) Manufactured homes. Movement of manufactured homes or modular sections of buildings shall be halted when the ground wind exceeds a sustained velocity of 30 miles per hour, as measured and reported by the nearest weather reporting facility.

(l) Size limitations. These general size limitations apply to all oversize or overweight loads.

(1) Overheight permits shall allow a height that is limited only by the constraints existing on the route to be traveled.

(2) Carriers of loads more than 17 feet high shall notify all appropriate utilities before moving the load.

(3) Carriers of overweight loads shall abide by all restrictions on posted bridges and shall not enter the structure if the weight of any group of axles or the gross vehicle weight exceeds the posted limit.

(4) Carriers transporting structural items including poles, pipe, bridge girders, or double derricks used in oil or gas drilling operations not to exceed 140 feet in length may be issued permits.

(m) Time restrictions. The following restrictions shall apply to all types of permits.

(1) Night movements shall be allowed for loads that are only overweight.

(2) Permits for overdimensional loads shall be restricted to daylight movement unless the secretary finds that an emergency exists, in which case a permit for nighttime movement may be issued for the special condition, as the secretary deems advisable. Special conditions shall be noted on the permit.

(3) Carriers transporting oversize or overweight loads may move every day of the year, including holidays.

(n) Transporting requirements. The following transporting requirements shall apply to oversize or overweight loads.

(1) Loads in excess of one-half of the width of the traveled portion of the highway shall be transported in a manner so that no part of the load extends across the centerline of the road, except when necessary to avoid a collision with objects located near the edge of the road.

(2) Farm tractors shall not be used to tow oversize or overweight loads, except in rare circumstances where the secretary or an appointed designee finds that an emergency exists, in which case, a permit for the emergency move may be issued to the customer. Special conditions shall be noted on the permit.

(3) All permitted loads shall be secured according to provisions established by the federal motor carrier safety regulations, part 393, "parts and accessories necessary for safe operation," subpart I, section 393.100 through 393.106, including all charts, figures and appendices regarding these sections, as in effect on August 1996, which are adopted by reference.

(4) Transporting vehicles operating under the authorization of a permit shall follow no closer than 300 hundred feet behind another vehicle, except when attempting to overtake and pass another vehicle.

(5) Except for incidental movements, all oversize or overweight construction machinery or equipment shall be transported on a truck-tractor trailer, truck-tractor semitrailer, or truck combination. Incidental driving of construction machinery on state highways shall be allowed, provided that the section of highway to be used is adjacent to or entirely within the project limits or the distance traveled is less than or equal to one mile and no bridge structures are being crossed.

(6) Derricks used in oil or gas drilling that, when erected, stand more than two connected joints of rotary tubular pipe shall be dismantled before being transported on state highways.

(o) Validity. All movements of oversize or overweight loads are subject to the requirements set forth on the permit. Once a permit has been approved, it shall not be altered.

(p) Visibility. Oversize or overweight loads shall not be transported when visibility is less than one-half mile, or when conditions of moderate to heavy rain, sleet, snow, fog, or smoke exist, or when highway surfaces are slippery due to ice, packed snow, or rain.

(q) Warning flags. Each warning flag shall be a piece of red or orange material that is not less than 12 inches square and is clean and free of lettering.

(r) Warning lights. Warning lights shall be installed on the top of each escort vehicle. Each warning light shall be in good operating condition, emit a rotating or flashing amber light, be mounted on top of the towing vehicle, and be readily visible at a distance of not less than 1,000 feet.

(s) Warning signs. A warning sign shall be used by movers of oversize or overweight loads in the following manner and circumstances.

(1) Each vehicle transporting oversize manufactured houses or modular sections of buildings shall have an oversize warning sign attached to the rear of the manufactured home or modular section being transported.

(2) Oversize and overweight loads shall have attached to the front of the transporting vehicle and to the rear of the load an oversize warning sign.

(3) Warning signs shall be readily visible from a distance of 500 feet from one-half hour before sunrise to one-half hour after sunset and shall be removed from the vehicle when the load being transported does not exceed legal dimensions.

(4) An escort warning sign or oversize warning sign shall be attached to the front or to the top of each vehicle preceding the load being transported, and a similar sign shall be attached to the top or to the rear of the vehicle trailing the load being transported.

(Authorized by and implementing K.S.A. 1996 Supp. 8-1911; effective Aug. 15, 1997.)

***** Authenticated Kansas Administrative Regulation *****