

Kansas Administrative Regulations

Kansas Department of Transportation

Article 45.—Escort Vehicles, Escort Vehicle Service Providers, and Escort Vehicle Operators

36-45-1. Definitions.

Each of the following terms, as used in this article of the department's regulations, shall have the meaning specified in this regulation:

(a) "Department" and "KDOT" mean the Kansas department of transportation.

(b) "Escort vehicle" and "EV" mean a vehicle that accompanies a load and meets the requirements of K.A.R. 36-45-5.

(c) "Escort vehicle operator" and "EVO" mean a person who is driving a vehicle that is accompanying a load and who meets the requirements of K.A.R. 36-45-4.

(d) "Escort vehicle service provider" and "EVSP" mean a person, firm, owner, or company that operates an escort vehicle for the purpose of accompanying a load as required by K.A.R. 36-1-36 and K.A.R. 36-1-38 and that meet the requirements of K.A.R. 35-45-2 and K.A.R. 36-45-3.

(e) "Escort vehicle service provider registrar" and "EVSP registrar" mean a department employee who makes the initial determination to revoke or deny any EVSP registration. The determination made by the EVSP registrar shall be deemed to be the decision of the secretary.

(f) "Height-measuring pole" and "height pole" mean a retractable and flexible device made of nonconductive material that measures vertical clearance. A height pole shall be used when the height of the permitted load exceeds 16 feet when measured from the ground to the highest point on the load.

Each height-measuring pole shall meet the following requirements:

(1) Be set at the height of the permitted load plus three inches;

(2) be securely attached to the EV and be designed and operated in a manner that will notify the EVO that the load cannot safely pass under an overhead obstruction without causing damage to the obstruction, the load, or both; and

(3) not interfere with the ability of the EVO to safely operate the EV and communication equipment.

(g) "Large structure" means any load that exceeds either 16 feet, six inches in width or 18 feet in height.

(h) "Law enforcement agency" means the Kansas highway patrol (KHP) or any local law enforcement agency in Kansas.

(i) "Load" means either of the following:

(1) At least one item, object, or device, including self-propelled, that exceeds the maximum sizes or weights prescribed in K.S.A. 8-1902, 8-1904, 8-1908, and 8-1909, and amendments thereto; or

(2) the combination of an item, object, or device and a vehicle transporting the item, object, or device if the combination of these two exceeds the maximum sizes or weights prescribed in K.S.A. 8-1902, 8-1904, 8-1908, and 8-1909, and amendments thereto.

(j) "MUTCD" means the most recent edition of the manual on uniform traffic-control devices for streets and highways issued by the federal highway administration and adopted by the secretary of transportation pursuant to K.S.A. 8-2003, and amendments thereto.

(k) "Nondivisible," when used to describe a load or vehicle, means that the load or vehicle exceeds the applicable dimensions or weight limitations and, if separated into smaller loads or vehicles, would result in having any of the following effects:

(1) Compromise the intended use of the vehicle;

(2) destroy the value of the load or vehicle; or

(3) require more than eight work hours to dismantle, using appropriate equipment.

(l) "Permit" means a document issued by the secretary that grants the movement of a load or vehicle that exceeds the maximum sizes and weights as prescribed in K.S.A. 8-1902, 8-1904, 8-1908, and 8-1909, and amendments thereto, over the highways that are under the jurisdiction of the secretary.

(m) "Permitted route" means a designated course of travel that is over the highways under the jurisdiction of the secretary and has been approved by the secretary.

(n) "Secretary" means Kansas secretary of transportation or Kansas secretary of transportation's designee.

(o) "Superload" means either of the following:

(1) A load or a vehicle transporting a nondivisible load that exceeds a gross weight of 150,000 pounds; or

(2) a load or a vehicle transporting a nondivisible load in which any group or groups of axles exceed the limitations prescribed in K.A.R. 36-1-37.

(p) "Traffic-control operation" means the temporary suspension of normal traffic activity at locations of limited maneuverability, including any bridge or intersection, for the purpose of allowing a load to safely traverse the area in accordance with the MUTCD.

(q) "Vehicle" means any self-propelled device in, upon, or by which any person or property is or can be transported or drawn upon a public highway. The self-propelled device is designed to travel on at least four wheels in contact with the ground. This term shall not include electric personal assistive mobility devices, devices moved by human power or used exclusively upon stationary rails or tracks, devices propelled by electric power obtained from overhead trolley wires but not operated on rails, and motorized nonhighway devices.

(Authorized by K.S.A. 2019 Supp. 8-1921 and K.S.A. 68-404; implementing K.S.A. 2019 Supp. 8-1911, K.S.A. 2019 Supp. 8-1921, and K.S.A. 66-1326; effective, T-36-8-28-20, Aug. 28, 2020; effective Dec. 18, 2020.)

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