

## Size and Weight Laws

---

### **27-35-106. Extension of load beyond vehicle front.**

The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three feet (3) beyond the front wheels of the vehicle or the front bumper of the vehicle if it is equipped with such a bumper.

### **27-35-107. Registration of gross weight.**

(a)(1) Upon registering any vehicle under the laws of this state, which vehicle is designed and used primarily for the transportation of property or for the transportation of ten (10) or more persons, the Commissioner of Motor Vehicles may require such information and may make such investigation or test as necessary to enable him or her to determine whether the vehicle may safely be operated upon the highways in compliance with all the provisions of this chapter.

(2) The commissioner shall register every such vehicle for a permissible gross weight not exceeding the limitation set forth in this chapter.

(3) Every such vehicle shall be equipped with brakes as required in [27-37-501](#) and [27-37-502](#).

(b)(1) The commissioner shall insert in the registration card issued for every such vehicle the gross weight for which it is registered. If it is a motor vehicle to be used for propelling other vehicles, the commissioner shall separately insert the total permissible gross weight of that motor vehicle and other vehicles to be propelled by it.

(2) The commissioner may also issue a special plate with the gross weight or weights stated thereon which shall be attached to the vehicle and displayed at all times.

(3) A wrecker or tow vehicle shall be required to register only for the gross weight of that wrecker or tow vehicle without inclusion of the weight of the vehicle being towed by the wrecker or tow vehicle. In the registration card issued for a wrecker or tow vehicle, the commissioner shall only insert the total permissible gross weight of the wrecker or tow vehicle.

(c)(1) It shall be unlawful for any person to operate any vehicle or combination of vehicles of a gross weight in excess of that for which registered by the commissioner or in excess of the limitations set forth in this chapter.

(2) In determining the gross weight of a wrecker or tow vehicle, only the gross weight of the wrecker or tow vehicle shall be considered without inclusion of the weight of the vehicle being towed.

(d) The commissioner shall implement rules and regulations issued by the United States Secretary of Transportation pertaining to federal use tax payments.

**27-35-108. Authority to weigh vehicles and require removal of excess loads.**

(a)(1) Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing, by means of either portable or stationary scales, and may require that the vehicle be driven to the nearest public scales in the event the scales are within two (2) miles.

(2) The provisions of this section shall not be applicable to vehicles owned and operated by the State of Arkansas or any city or county of this state.

(b)(1) Whenever an officer, upon weighing a vehicle and load as provided in subsection (a) of this section, determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to the limit permitted under this chapter.

(2) All material so unloaded shall be cared for by the owner or operator of the vehicle at the risk of the owner or operator.

(c) Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses when directed by an officer upon a weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this section, shall be guilty of a misdemeanor.

(d) It shall also be the duty of county sheriffs or any other state or local police officers to enforce, or to cooperate in enforcing, the weight limits specified in this chapter or authorized on any public way in this state and to prevent overloading of vehicles or other violations of the traffic laws upon the public highways within their respective jurisdictions.

**27-35-109. Liability for damage to highway or structure.**

(a) Any person driving any vehicle, object, or contrivance upon any highway or highway structure shall be liable for all damage which the highway or structure may sustain as a result of any careless, negligent, or illegal operation, driving, or moving of that vehicle, object, or contrivance, or as a result of operation, driving, or moving of any vehicle, object, or contrivance of excessive width or weighing in excess of the maximum weight in this chapter, even though authorized by a special permit issued as provided in [27-35-210](#).

(b) Any person driving any vehicle, object, or contrivance upon any highway shall be liable for all damages to structures spanning the highway, or a part of the highway, by reason of load heights in excess of that which the structure will permit, when the clearance height of the structure is posted, and in any event where the height of the vehicle and load is in excess of thirteen feet, six inches (13 6).

(c) Whenever the driver is not the owner of the vehicle, object, or contrivance, but is operating, driving, or moving it with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any damage.

(d) Damage may be recovered in a civil action brought by the authorities in control of the highway or highway structure.

**27-35-110. Spilling loads on highways prohibited Covers required for loads of sand, gravel, and rock Exceptions.**

(a) No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom.

(b) Sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway.

(c) For a motor vehicle or a trailer with an open bed manufactured after September 30, 2001, no sand, gravel, or rock shall be transported on the paved public streets and highways of this state in a motor vehicle or trailer with an open bed unless the open bed is securely covered with a material which will prevent the load from dropping, sifting, leaking, or otherwise escaping there from. The cover shall be securely fastened to prevent the covering from becoming loose, detached, or in any manner a hazard to other users of the highway.

(d) For a motor vehicle or a trailer with an open bed manufactured on or before September 30, 2001, a vehicle with an open bed transporting sand, gravel, or rock is required to be covered as prescribed in subsection (c) of this section unless six inches (6) of freeboard is maintained at the perimeter of the load within the open bed of the vehicle or trailer carrying the load. Measurements are to be taken at the perimeter of the vehicle's or trailer's bed and measured from the top edge of the bed down to the sand, gravel, or rock being transported.

**27-35-201. Operating vehicle exceeding size or weight limitations unlawful.**

**Except as otherwise provided by this subchapter, it shall be unlawful for any person to drive, operate, or move, or for the owner to cause or permit to be driven or moved upon any road or highway within the state, any vehicle, or combination of vehicles, of a size or weight exceeding the limitations stated in this subchapter, or to transport over any road or highway within this state, whether paved or otherwise, any load or loads exceeding the weights or dimensions prescribed by this subchapter.**

**27-35-202. Penalties for overweight vehicles.**

**(a)(1)** Any operator found violating the provisions of this subchapter or any owner, principal, employer, lessor, lessee, agent, or officer of any firm or corporation who permits an operator to violate these provisions shall be guilty of a misdemeanor.

**(2)(A)** Upon first conviction, an offender shall be punished by a fine of not more than one hundred dollars (\$100).

**(B)** For a second conviction within one (1) year, an offender shall be punished by a fine of not more than two hundred dollars (\$200).

**(C)** For a third conviction and each successive conviction within one (1) year, an offender shall be punished by a fine of not more than five hundred dollars (\$500).

**(b)(1)** If the weight of the vehicle and load exceeds the maximum as prescribed by this subchapter or the gross weight as provided by a special permit, the operator or any owner, principal, employer, lessor, lessee, agent, or officer of any firm or corporation who permits such an operator to exceed the weight load provided in this subchapter or as provided by a special permit shall pay in addition a penalty to be computed as follows:

**(A)** Overweight one thousand pounds (1,000 lbs.) or less, a minimum penalty of ten dollars (\$10.00) or a maximum penalty of twenty dollars (\$20.00);

**(B)** Overweight more than one thousand pounds (1,000 lbs.) and not more than two thousand pounds (2,000 lbs.), a minimum penalty of one cent (1) per pound of excess weight or a maximum penalty of three cents (3) per pound of excess weight;

**(C)** Overweight more than two thousand pounds (2,000 lbs.) and not more than three thousand pounds (3,000 lbs.), a minimum penalty of two cents (2) per pound of excess weight or a maximum penalty of four cents (4) per pound of excess weight;

**(D)** Overweight more than three thousand pounds (3,000 lbs.) and not more than four thousand pounds (4,000 lbs.), a minimum penalty of three cents (3) per pound of excess weight or a maximum penalty of five cents (5) per pound for each pound of excess weight;

**(E)** Overweight more than four thousand pounds (4,000 lbs.) and not more than ten thousand pounds (10,000 lbs.), a minimum penalty of four cents (4) per pound of excess weight or a maximum penalty of six cents (6) per pound for each pound of excess weight; and

**(F)** Overweight more than ten thousand pounds (10,000 lbs.):

**(i)** A minimum penalty of eight cents (8) per pound of excess weight or a maximum penalty of ten cents (10) per pound of excess weight for the first offense during a calendar year;

**(ii)** A minimum penalty of thirteen cents (13) per pound of excess weight or a maximum penalty of fifteen cents (15) per pound of excess weight for the second offense during a calendar year; and

**(iii)** A minimum penalty of eighteen cents (18) per pound of excess weight or a maximum penalty of twenty cents (20) per pound of excess weight for the third and subsequent offense or offenses during a calendar year.

(2) Where the operator of an overloaded truck is found to have willfully avoided being weighed at a weigh station in this state, the penalty shall be computed by doubling the otherwise appropriate penalty set out in subdivision (b)(1) of this section.

(c)(1) All fines and penalties shall be collected as provided by law.

(2) All penalties collected shall immediately be transmitted by the authority collecting them to the Treasurer of State.

(3) It shall be mandatory and not within the discretion of the court to assess the penalty provided for.

(d) When any vehicle is found to exceed any weight limitation imposed by this subchapter or the gross weight provided by special permit, the vehicle shall be stopped at a suitable place and remain standing until the overweight shall have been removed or an additional permit obtained as provided in this subchapter.

### **27-35-203. Single and tandem axle load limits.**

(a) **Maximum Single Axle Load.** The total gross load imposed on the highway by the wheels of any one (1) single axle of a vehicle shall not exceed twenty thousand pounds (20,000 lbs.).

#### **(b)Maximum Tandem Axle Load.**

(1) The total gross load imposed on the highway by two (2) or more consecutive axles whose centers may be included between parallel transverse vertical planes spaced more than forty inches (40) and not more than ninety-six inches (96) apart, extending across the full width of the vehicle, shall not exceed thirty-four thousand pounds (34,000 lbs.).

(2) No one (1) axle of any such group of two (2) or more consecutive axles shall exceed the load permitted for a single axle.

#### **(c)Maximum Weight on Front or Steering Axle.**

(1) The maximum weight imposed on the highway by the front or steering axle of a vehicle shall not exceed the amount of the manufacturer's axle weight rating for the front or steering axle or twenty thousand pounds (20,000 lbs.), whichever is less. If the vehicle has no plate attached by the manufacturer providing the axle and gross weight ratings, the maximum weight allowed for the front or steering axle shall be twelve thousand pounds (12,000 lbs.).

(2) The combined maximum weight imposed on the highway by a front or steering axle and any adjacent axle whose centers may be included between parallel transverse vertical planes spaced more than forty inches (40) and not more than ninety-six inches (96) apart shall not exceed twenty-four thousand pounds (24,000 lbs.).

(3) A front or steering axle, for the purposes of this subsection, shall be defined as an axle attached to the front of the vehicle and which is utilized to steer the vehicle on a given path or direction.

**(d)(1)** Subject to the limit upon the weight imposed upon the highway through any one (1) axle as set forth in subsections (a)-(c) of this section, no vehicle, or combination of vehicles, shall be operated upon the highways of this state when the gross weight is in excess of eighty thousand pounds (80,000 lbs.).

**(2)** Greater gross weights than permitted may be authorized by special permit issued by competent authority as authorized by law, or lesser gross weights will be required when highways are posted.

**(e)(1)** No vehicle, or combination of vehicles, shall operate upon any highway in this state when the total gross load imposed on the highway by the wheels of any one (1) single axle of such vehicle or combination exceeds eighteen thousand pounds (18,000 lbs.), nor when the total gross load imposed on the highway by two (2) or more consecutive axles of any such vehicle or combination of vehicles whose centers may be included between parallel transverse vertical planes spaced more than forty inches (40) and not more than ninety-six inches (96) apart, extending across the full width of the vehicle or combination of vehicles, exceeds thirty-two thousand pounds (32,000 lbs.), nor when the total gross weight of the vehicle, or combination of vehicles thereof, is in excess of seventy-three thousand two hundred eighty pounds (73,280 lbs.) unless the vehicle, or combination thereof, shall not exceed the value given in Table I corresponding to the distance in feet between the extreme axles of the group, measured longitudinally to the nearest foot.

**(2)(A)** If the Federal Highway Administration or the United States Congress prescribes or adopts vehicle size or weight limits greater than those prescribed by the Federal-Aid Highway Act of 1956, which limits exceed, in full or in part, the provisions of subsection (a), (b), (c), (d), or (e) of this section, the State Highway Commission shall adopt size and weight limits comparable to those prescribed or adopted by the Federal Highway Administration or the United States Congress and shall authorize the limits to be used by owners or operators of vehicles while the vehicles are using highways within this state.

**(B)** No vehicle size or weight limit so adopted by the commission shall be less in any respect than those provided for in subsection (a), (b), (c), (d), or (e) of this section.

**(f)(1)(A)** Vehicles, or a combination of vehicles, transporting products commonly recognized in interstate commerce at gross weights exceeding seventy-three thousand two hundred eighty pounds (73,280 lbs.) shall be permitted direct access across any highway in this state to or from the nearest federal interstate highway or the nearest state primary highway.

**(B)** Vehicles, or combinations thereof, shall be subject to the limits set forth in subsections (a)-(e) and (g) of this section.

**(2)** Where more than one (1) highway in this state affords access to or from the point of shipment or receipt within this state, the commission may designate the access route to or from the nearest federal interstate highway or state-designated primary highway.

**(g)(1)(A)** Vehicles, or combinations of vehicles, which vehicles or combinations of vehicles have a total outside width in excess of one hundred two inches (102) but not exceeding one hundred eight inches (108) used for hauling compacted seed cotton from the farm to the first point at which such seed cotton shall first undergo any processing,

preparation for processing, or transformation from its compacted state shall be permitted an eight thousand pounds (8,000 lbs.) per axle variance above the maximum allowable gross axle weight for single and tandem axles set forth in subsections (a) and (b) and subdivision (c)(1) of this section; provided, no such variance for such vehicles from the formula prescribed in subsection (e) of this section, nor from the axle weight nor overall maximum gross weight shall be allowable on federal interstate highways. Provided, further, no vehicle or combination of vehicles permitted the above axle variance, which vehicle or combination of vehicles has only three (3) axles, shall exceed a maximum overall gross weight of seventy thousand pounds (70,000 lbs.) and no such vehicle or combination of vehicles permitted the above axle variance, which vehicle or combination of vehicles has four (4) or more axles, shall exceed a maximum overall gross weight of eighty thousand pounds (80,000 lbs.).

(B) Vehicles, or combinations of vehicles, with five (5) axles and used exclusively by the owner of livestock or poultry for hauling animal feed to the owner's livestock or poultry for consumption in this state shall be permitted an eight percent (8%) variance above the allowable gross weight whenever the formula in subsection (e) of this section is applied to the vehicle or combination of vehicles. A maximum gross weight, including any allowable variance or tolerance, shall not exceed eighty thousand pounds (80,000 lbs.).

(C) Vehicles, or combinations of vehicles, used exclusively for hauling solid waste, as defined by regulations promulgated by the commission, shall be permitted an eight percent (8%) variance above the allowable gross weight whenever the formula in subsection (e) of this section is applied to the vehicle or combination of vehicles. However, the maximum gross weight, including any allowable variance or tolerance, shall not exceed eighty thousand pounds (80,000 lbs.).

(2)(A) Vehicles, or a combination of vehicles, meeting all of the requirements of subdivision (g)(1)(B) or subdivision (g)(1)(C) of this section shall not be required to meet the tandem axle load limits of subsection (b) of this section if the vehicles, or combinations thereof, do not exceed the allowable gross weight permitted by the formula in subsection (e) of this section, plus any variance, and do not exceed a gross weight of eighty thousand pounds (80,000 lbs.).

(B)(i) No tandem axle on any vehicle, or a combination of vehicles, meeting all of the requirements of subdivision (g)(1)(B) or subdivision (g)(1)(C) of this section shall exceed thirty-six thousand five hundred pounds (36,500 lbs.) under this subsection.

(ii) No variance on gross weight or axle shall be permitted on federal interstate highways.

(iii) When a violation of this subsection occurs, fines and penalties to be assessed for vehicles otherwise meeting the requirements of subdivision (g)(1)(B) or subdivision (g)(1)(C) of this section shall be computed only on the basis of the excess weight over and above the maximum weight for which the vehicle qualifies under the formula prescribed in subsection (e) of this section plus an eight percent (8%) variance.

(iv) When a violation of this subsection occurs, fines and penalties to be assessed for vehicles otherwise meeting the requirements of subdivision (g)(1)(A) of this section shall be

computed only on the basis of the excess weight over and above seventy thousand pounds (70,000 lbs.), including the variance, for a three-axle vehicle, or combination of vehicles, and only on the basis of the excess weight over and above eighty thousand pounds (80,000 lbs.), including the variance, for a vehicle, or combination of vehicles, with four (4) or more axles.

(h)(1) When any axle, including any enforcement tolerance, is overloaded, but the total weight of all axles, including the steering axle, does not exceed the maximum total weight allowed for all axles, including the steering axle, the operator shall be permitted to unload a portion of the load or to shift the load if this will not overload some other axle, without being charged with violating this section and without being required to pay the penalties provided by law.

(2) The maximum axle load provided for in this section is subject to reduction as provided in [27-35-101](#) [27-35-103](#).

**(i)(1) A truck tractor and single semi-trailer combination with five (5) axles hauling sand, gravel, rock, or crushed stone and vehicles or combinations of vehicles with five (5) axles hauling unfinished and unprocessed farm products, forest products, or other products of the soil shall be exempt from the federal bridge formula found in subsection (e) of this section on non-interstate highways in this state.**

(2)(A) A truck tractor and single semi-trailer combination with five (5) axles hauling sand, gravel, rock, or crushed stone shall comply with a tandem axle limit of thirty-four thousand pounds (34,000 lbs.) and a single axle limit of twenty thousand pounds (20,000 lbs.) provided that the total gross weight shall not exceed eighty thousand pounds (80,000 lbs.).

**(B) Vehicles, or combinations of vehicles, with five (5) axles hauling unfinished and unprocessed farm products, forest products, or other products of the soil shall comply with a tandem axle limit of thirty-six thousand five hundred pounds (36,500 lbs.) and a single axle limit of twenty thousand pounds (20,000 lbs.) provided that the total gross weight shall not exceed eighty-five thousand pounds (85,000 lbs.).**

(C) Provided, no tandem axle shall exceed thirty-four thousand pounds (34,000 lbs.) while operated on the federal interstate highways of this state.

(3) No vehicle, or combination of vehicles, meeting all of the requirements of this subsection, shall be allowed any variance on overall gross weight or axle weight while operating on the federal interstate highways.

#### **27-35-206. Width of vehicles.**

(a) No vehicle operated upon the highways of this state shall have a total outside width, unladen or with load, in excess of one hundred two inches (102), excluding certain safety devices as designated by the state, unless a greater width is authorized by special permit issued by competent authority as provided in [27-35-210](#). **Provided, vehicles, as defined in [27-14-207](#), utilized to transport compacted seed cotton from the farm to the first point at which such seed cotton shall first undergo any processing, preparation for processing, or transformation from its compacted state may operate upon all highways of this state, with**

**the exception of federal interstate highways, with widths not exceeding one hundred eight inches (108) without such special permit; however, such vehicles must be equipped and operated in compliance with the traffic laws of this state as well as all safety rules and regulations of the United States Department of Transportation and the State Highway Commission.**

Additionally, such vehicles utilized to transport compacted seed cotton with widths exceeding one hundred two inches (102), but not exceeding one hundred eight inches (108), must be equipped and operated with both front and rear bumpers if operated individually, or, if operated in combination with other vehicles, must be equipped with a front bumper on the vehicle furnishing the motive power and with a rear bumper on the rear vehicle operated in that combination. Furthermore, such vehicles, when operated individually, or in combination with other vehicles, on the roads, highways, or streets of this state must be equipped with a sign or placard on the front and on the rear of the vehicle when operated individually, or on the front of the vehicle furnishing the motive power and on the rear of any vehicle operated in combination with the vehicle furnishing the motive power, when operated in combination, indicating that vehicle or combination of vehicles is slow-moving. Such signs or placards shall be of such a size, dimension, and color that it is readily apparent to the traveling public that the vehicle or combination is slow-moving and shall be in accordance with rules and regulations to be made and promulgated by the commission.

(b) Any person owning such a vehicle or combination of vehicles found operating such a vehicle or combination on the highways, roads, or streets of this state without the required bumpers or without the required signs or placards shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in a sum of not less than three hundred dollars (\$300) and not more than three thousand dollars (\$3,000).

#### **27-35-209. Forestry machinery exemptions.**

(a) Forestry machinery shall be exempt from the width and height limitations imposed by this subchapter, and all other statutes limiting the width and height of vehicles operating upon the state's highways.

(b) This section shall have no application to forest machinery traveling on federal interstate highways.

#### **27-35-210. Permits for special cargoes.**

(a)(1)(A) The State Highway Commission, with respect to highways under its jurisdiction, and local authorities, with respect to highways under their jurisdiction, may, in their discretion and as provided in this section, upon receipt of application made in person, in writing, by telephone, or by any acceptable means of electronic communication, and upon good cause being shown therefore, issue a special permit in writing to applicants desiring to transport cargoes of such nature that the cargo cannot readily be taken apart, separated, dismembered, or otherwise reduced in size or weight.

(B) The permit shall authorize the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this subchapter or otherwise not in conformity with the provisions of this subchapter upon any

highway under the jurisdiction of the agency granting the permit and for the maintenance of which the agency is responsible.

(C) No vehicle or combination of vehicles with a multi-unit or otherwise reducible overload may be issued a special permit as provided in this section.

(D) The commission may delegate to other state agencies the authority given in this section to issue special permits.

(2)(A) It shall not be necessary to obtain a permit for nor shall it be unlawful to move any vehicle or machinery in excess of the maximum width prescribed in [27-35-206](#) and which is used only for normal farm purposes such as, but not limited to, hay harvesting equipment, plows, tractors, bulldozers, combines, etc., where:

(i) The vehicle or machinery is hauled on a vehicle licensed as a natural resources vehicle;

(ii) The vehicle or machinery is owned by a person primarily engaged in farming operations and is being operated by an owner of the vehicle or an owner's employee;

(iii) The vehicle or machinery is either:

(a) Being transported by a farm machinery equipment dealer or repair person in making a delivery of new or used equipment or machinery to the farm of the purchaser; or

(b) Being used in making a pickup and delivery of the farm machinery or equipment from the farm to a shop of a farm equipment dealer or repair person for repairs and return to the farm; and

(iv) The movement is performed during daylight hours within a radius of fifty (50) miles of the point of origin thereof and no part of the movement is upon any highway designated and known as a part of the national system of interstate and defense highways or any fully controlled access highway facility.

(B) It shall not be unlawful to nor shall it be necessary to obtain a special permit to transport round bales of hay upon any public highway or road that is not a fully controlled highway or road if the load does not exceed twelve feet (12) in width.

(C) Notwithstanding the provisions of subdivision (a)(2)(A) of this section, permits may be issued for the movement of earthmoving equipment that is a tractor with dirt pan in tow used primarily for farming operations to travel upon the state highways in excess of a fifty-mile radius of the point of origin or for the movement of earthmoving equipment that is a tractor with dirt pan in tow used primarily for commercial earthmoving operations for travel upon state highways of any distance subject to the following requirements:

(i) The permit shall be issued only to owners of the vehicles who are primarily engaged in farming or commercial earthmoving operations;

(ii) The permit issued shall be limited to daylight operation for a specified seventy-two-hour period and shall specify the route of travel;

**(iii)** No part of the movement may be upon any interstate highway or fully controlled access facility;

**(iv)** Proof of liability insurance for the tow vehicle shall be submitted to the Arkansas State Highway and Transportation Department;

**(v)** Vehicles shall be accompanied by a front escort vehicle with flashing amber lights, radio contact with the vehicle operator, and wide load signs;

**(vi)(a)** Vehicles may be moved in convoys of no more than three (3) vehicles with escorts at the front and rear of the convoy.

**(b)** Convoys shall pull off the highway at sufficient intervals to allow traffic to pass;

**(vii)** A permit may be issued for no more than two (2) dirt pans to be towed by one (1) tractor; and

**(viii)** Permit fees shall be set by the commission.

**(D)(i)** It shall not be necessary to obtain a permit, and it shall be lawful to move any motor home or camping trailer in excess of the maximum width prescribed under [27-35-206](#) if the excess width is attributable to a noncargo-carrying appurtenance that extends no more than six inches (6) beyond the body of the vehicle.

**(ii)** As used in this section, appurtenance means:

**(a)** Awnings and awning support hardware; and

**(b)** Any appendage that is intended to be an integral part of a motor home or camping trailer.

**(b)(1)(A)** Except as is otherwise provided for by law, no application shall include nor shall any permit be issued for more than a single continuous movement or operation by one (1) vehicle.

**(B)** An application may include a request for and a permit may be issued for two (2) or more consecutive movements or operations by a vehicle, all of which shall be executed or performed within six (6) consecutive days and which must be limited to two (2) contiguous counties within the state, which counties must be specified at the time of application.

**(C)(i)** An application may include a request for a permit for consecutive movements or operations of a vehicle with a cargo not exceeding ten feet eight inches (10 8) in width along one designated route, all of which movements or operations have origins from an adjacent state and which movements or operations shall be executed or performed within the period of valid vehicle registration.

**(ii)** A permit may be issued at a fee of one thousand dollars (\$1,000) per year.

**(iii)** The permit shall be limited to one (1) county within the state where the one-way mileage into that county and within the state is no greater than fifteen (15) miles.

**(2)(A)(i)** Upon application and the payment of an annual fee of one hundred dollars (\$100), the Director of State Highways and Transportation shall issue a special permit for the movement of a crane which exceeds the length as provided in [27-35-208](#), and which is moved on pneumatic tires within a radius of thirty-five (35) miles of a point of origin of the movement, for a period of one (1) year from the date of the issuance of the permit.

**(ii)** Upon an application containing satisfactory proof that the vehicle is utilized solely for the following movements, the director may issue a special permit for a maximum load overhang beyond the front of a vehicle, which load exceeds the maximum provided in [27-35-106](#), but not exceeding five feet (5), for a vehicle equipped with pneumatic tires and utilized exclusively for the movements of cranes for a period of not more than one (1) year.

**(B)(i)** Upon application and the payment of an annual fee, the director shall issue a special permit for the movement of a vehicle of special design utilized exclusively for the drilling of water wells, or for the movement of auger equipment utilized exclusively for loading agricultural aircraft, which exceeds the length as provided in [27-35-106](#) or [27-35-208](#) and which is moved on pneumatic tires, for a period of one (1) year from the date of issuance of the permit.

**(ii)(a)** For annual movements within a radius of thirty-five (35) miles of a point of origin of the movements, the annual fee shall be one hundred dollars (\$100).

**(b)** For annual movements exceeding the thirty-five-mile radius, the annual fee shall be three hundred dollars (\$300).

**(C)** The permits authorized by this subsection (b) may contain limitations on the speed of operation and the routes of operation as the director may deem necessary for safety to the traveling public.

**(3)** The permits authorized by this subsection (b) for the overlength vehicle or vehicles shall not affect the other requirements of this section that special permits be obtained for vehicles exceeding other maximum size and weight limitations imposed by law.

**(c)** The application for any permit shall specifically describe:

- (1)** The vehicle and the load to be operated or moved;
- (2)** The origin and destination of the vehicle and load;
- (3)** The approximate dates within which the operation or movement is to be completed; and
- (4)** The particular highways for which a permit to operate is requested.

**(d)** Any agency authorized in this section to issue special permits is authorized:

**(1)** To issue or withhold the permit at its sole discretion, but its action in withholding a permit must be based upon the condition and state of repair of the highway involved, upon the ability of the highways to carry the overweight or oversized vehicle, or upon the danger to the traveling public from the standpoint of safety;

**(2)** To establish seasonal or other time limitations within which the vehicles described may be operated on the highways indicated;

(3) To otherwise limit or prescribe conditions of operation of the vehicles when necessary to assure against damage to the road foundation, surfaces, or structures; and

(4) To require a bond or other security as may be deemed necessary by the agency to compensate for any injury to any roadway or road structure arising out of the operation under the permit.

(e)(1) A charge of seventeen dollars (\$17.00) shall be made for each special permit.

(2) In addition, for each ton or major fraction thereof to be hauled in excess of the lawful weight and load for that vehicle or combination of vehicles, charges shall be made as follows:

(3) In addition to the fees prescribed in subdivisions (e)(1) and (2) of this section, a fee not to exceed five hundred dollars (\$500) shall be charged for a vehicle, unladen or with load, whose gross weight is one hundred eighty thousand pounds (180,000 lbs.) or greater.

(f)(1) Each permit shall be carried in the vehicle to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting the permit.

(2) No person shall violate any of the terms or conditions of the special permit.

(g) It shall be the duty of the respective agencies authorized in this section:

(1) To issue the permits provided for in this section;

(2) To collect the fees therefor at the time of the issuance of the permits, except that any applicant may furnish a corporate surety bond guaranteeing the payment of fees for permits as may be issued during any period of time, in accordance with the rules and regulations promulgated by the issuing agency; and

(3) To transmit the fees to the Treasurer of State to be credited to the State Highway and Transportation Department Fund.

(h) No fee shall be charged to any federal, state, county, or municipal governmental agency for any permit issued under the provisions of this section when the vehicle involved is public property and the proposed movement is on official business.

(i)(1) The commission is hereby authorized to issue permits for the movement of any overweight mobile construction vehicle or equipment upon highways under the commission's jurisdiction provided that the vehicle or equipment is equipped with pneumatic tires and has been reduced in size and weight until further reduction is impractical.

(2) A charge of seventeen dollars (\$17.00) shall be made for each special permit. In addition, for each ton or major fraction thereof to be hauled in excess of the lawful weight and load for that vehicle or equipment, charges shall be made as follows:

(i)(1) The commission may issue special permits authorizing the transport of round bales of hay on controlled highways under its jurisdiction provided that the load does not exceed ten feet (10) in width.

(2) The special permits shall be issued without a fee or other charge and shall expire three (3) days after the date of issuance.

**(k)(1)** The commission is authorized to issue special permits at a charge of one hundred dollars (\$100) for a one-year permit for the movement of cross ties from their first point of processing to the point at which they shall undergo creosote processing by five-axle vehicles registered and licensed pursuant to [27-14-601\(a\)\(3\)\(G\)\(ii\)](#) where the loaded weight on any tandem axle on such vehicles is greater than the allowable tandem axle limit of thirty-four thousand pounds (34,000 lbs.) provided that the one-way mileage for such trip is no greater than one hundred (100) miles, that no tandem axle weight exceeds thirty-six thousand five hundred pounds (36,500 lbs.), and that no portion of such trip is on any part of the federal interstate highways.

(2) The commission shall issue no more than five (5) special permits to the same person during the same calendar year.

**(l)(1)** The commission is hereby authorized to issue special permits in conformance with the provisions of this section for the movement of sealed containerized cargo units upon highways under the commission's jurisdiction subject to the restrictions and conditions deemed appropriate by the commission as contained within this section and the following additional restrictions:

**(A)** Such containerized cargo units must be part of international trade and be moved on the highways due to importation from or exportation to another country;

**(B)** A copy of the international bill of lading signed by a customs official or an international bill of lading with equipment interchange and inspection report must be submitted to the commission before a permit may be issued;

**(C)** The operators of such units shall at all times have in their possession a copy of the documents as described in subdivision (l)(1)(B) of this section;

**(D)** All vehicles operating under a sealed containerized cargo unit permit shall have a minimum of five (5) full-time load-bearing axles and shall not exceed twenty thousand pounds (20,000 lbs.) per axle or total gross vehicle weight of ninety thousand pounds (90,000 lbs.);

**(E)** All vehicles operating under a sealed containerized cargo unit permit must not exceed the legal width, length, or height restrictions as set out in this subchapter; and

**(F)** The payment of the charges for each special permit as ascertained in the manner set out in subsection (e) of this section.

(2) A special permit may be issued under this subsection only for a single continuous movement or operation to be executed or performed within six (6) consecutive days of the issuance of the permit by one (1) vehicle within one (1) county or across one (1) county line of this state.

**(m)(1)** The State Highway Commission is authorized to issue special permits to towing businesses for the operation of wreckers or towing vehicles used as emergency vehicles under [27-36-305\(b\)](#) when the operation and movement of the vehicle or combination of vehicles exceed the maximum size and weight limitations imposed by law as provided under this subsection.

(2) Notwithstanding any other provision of law to the contrary and upon application and payment of a permit fee not to exceed five hundred dollars (\$500), the commission, through the Director of State Highways and Transportation, may issue a special permit valid for one (1) single trip or for a one-year-period that authorizes a towing business licensed under [27-50-1203](#) to move at any time of day or night a vehicle that is disabled or wrecked when that movement:

(A) Results in an oversized, overweight, or both oversized and overweight combination of vehicles; and

(B) Is the initial movement of disabled or wrecked vehicles or combination of vehicles from highways, roads, streets, or highway right-of-ways to:

(i) The nearest point of storage or repair used by the towing or wrecker company;

(ii) The nearest point of storage or repair used by the owner or operator of the vehicle;

or

(iii) The nearest authorized repair center for the vehicle.