

189.270 Special permits to exceed limits -- Administrative regulations.

- (1) The department may issue permits for the operation of motor vehicles, manufactured homes, recreational vehicles, boats, or any other vehicle transporting a nondivisible load, whose gross weight including load, height, width, or length exceeds the limits prescribed by this chapter or which in other respects fail to comply with the requirements of this chapter. Permits may be issued by the department for stated periods, special purposes, and unusual conditions, and upon terms in the interest of public safety and the preservation of the highways as the department may require.
- (2) Except as provided in subsection (7) of this section, the department may, at the request of an applicant, issue a single-trip permit regardless of the type of vehicle or equipment being transported that exceeds the weight or dimension limits established by this chapter if the load being transported is a nondivisible load. A single-trip permit shall cost sixty dollars (\$60) for each overweight or overdimensional permit requested.
- (3) Except as provided in subsection (7) of this section, the department may, at the request of an applicant, issue an annual permit regardless of the type of vehicle or equipment being transported that exceeds the weight or dimension limits established by this chapter if the load being transported is a nondivisible load. The vehicle shall not exceed sixteen (16) feet in width exclusive of usual and ordinary overhang, one hundred twenty (120) feet in length including a towing vehicle and trailer combination, thirteen (13) feet six (6) inches in height, or one hundred sixty thousand (160,000) pounds. Except as provided in subsections (4) and (7) of this section, an annual permit for loads less than fourteen (14) feet in width shall cost two hundred fifty dollars (\$250). An annual permit for loads exceeding fourteen (14) feet in width shall cost five hundred dollars (\$500).
- (4) An annual permit to transport farm equipment less than fourteen (14) feet in width shall cost eighty dollars (\$80). An annual permit to transport farm equipment that exceeds fourteen (14) feet in width from a dealership to a farm, from a farm to a dealership, or from a dealership to a dealership shall cost one hundred fifty dollars (\$150).
- (5) Permits issued under this section shall be for nondivisible loads and shall be valid statewide; however, the department may, as a condition of issuing an annual or single-trip permit, limit the overweight or overdimensional vehicle to specified routes, exclude certain highways, or even cancel an applicant's permit if an unreasonable risk of accident or an unreasonable impedance of the flow of traffic would result from the presence of the overweight or overdimensional vehicle. A person who applies for, and accepts, a permit issued under this section is acknowledging that the Kentucky Transportation Cabinet is not guaranteeing safe passage of vehicles by issuing the permit. A person who applies for, and accepts, a permit issued under this section agrees to measure all clearances of highway structures, both laterally and vertically, prior to passage of the person's vehicles along the routes specified in the permit. A person who applies for, and accepts, a permit issued under this section is classified as a bare licensee whose duty is to

assume sole risk involved in using Kentucky's highways without warranty of accuracy.

- (6) Subject to the limitations of subsection (11) of this section, the department shall promulgate administrative regulations under KRS Chapter 13A to establish requirements for escort vehicles, safety markings, and other safety restrictions governing the operation of an overweight or overdimensional vehicle. The department shall provide each applicant for an annual or single-trip permit issued under this section a copy of all restrictions associated with the overweight or overdimensional permit at no charge to the applicant. The department shall be prohibited from raising the permit fee established in subsections (2) and (3) of this section by levying additional fees for an overweight or overdimensional permit through the administrative regulation process.
- (7) The cabinet shall not issue an annual permit under this section if the person applying for the permit is eligible for an annual permit issued under KRS 189.2715 or 189.2717.
- (8) The department may require the applicant to give bond, with approved surety, to indemnify the state or counties against damage to highways or bridges resulting from use by the applicant. The operation of vehicles in accordance with the terms of the permit issued under this section shall not constitute a violation of this chapter if the operator has the permit, or an authenticated copy of it, in his possession.
- (9) Any person transporting a parade float which exceeds the dimensional limits on a highway over which it is transported shall be required to obtain a permit as required in subsection (2) of this section. If the float is being used in conjunction with a parade to be held within the boundaries of the Commonwealth, a fee shall not be assessed by the department to issue the permit.
- (10) A person shall not operate any vehicle in violation of the terms of the permit issued under this section.
- (11)
 - (a) The cabinet shall not promulgate administrative regulations pursuant to this section that restrict the time or days of the week when a permit holder may operate on the highway, except that travel may be limited from 6 a.m. to 9 a.m. and 3 p.m. to 6 p.m. Monday through Friday. In addition to the restrictions established in this paragraph, any manufactured home being transported by permit issued under this section shall not travel on any highway after daylight hours Monday through Saturday, or at any time on Sunday.
 - (b) The cabinet shall allow a permit holder who has obtained a permit to transport equipment to a work site to return to the permit holder's place of business immediately after work is completed at the job site, subject to the limitations of paragraph (a) of this subsection.

Effective: March 16, 2011

History: Amended 2011 Ky. Acts ch. 88, sec. 4, effective March 16, 2011. -- Amended 2005 Ky. Acts ch. 166, sec. 1, effective June 20, 2005. -- Amended 2003 Ky. Acts ch. 30, sec. 2, effective June 24, 2003. -- Amended 1998 Ky. Acts ch. 306, sec. 1, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 356, sec. 1, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 42, sec. 7, effective July 15, 1994. -- Amended

1992 Ky. Acts ch. 22, sec. 1; ch. 283, sec. 1, effective July 14, 1992; and ch. 400, sec. 1, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 77, sec. 1, effective July 13, 1990; ch. 197, sec. 1, effective July 13, 1990; ch. 269, sec. 1, effective July 13, 1990; and ch. 292, sec. 1, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 126, sec. 1, effective July 15, 1988; ch. 175, sec. 11, effective July 15, 1988; and ch. 245, sec. 2, effective July 15, 1988. -- Amended 1984 Ky. Acts ch. 150, sec. 1, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 265, sec. 3, effective April 1, 1982; and ch. 395, sec. 20, effective July 15, 1982. -- Amended 1976 Ky. Acts ch. 173, sec. 3. -- Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(1). -- Amended 1942 Ky. Acts ch. 118, sec. 1(c). -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2739g-92.

189.271 Special permits for hauling industrial materials -- Renewals -- Overweight and overdimensional vehicles.

- (1) Notwithstanding any other provision of laws, the Transportation Cabinet may issue special permits to the owners, operators, or lessees of motor vehicles for the purpose of hauling industrial materials whose gross weight or dimensions, including vehicle and load, exceeds the limits prescribed by this chapter or which in other respects fail to comply with the requirements of this chapter. A separate permit shall be required for each vehicle. Such permits shall be issued for specified materials only and shall designate the portions of the state primary road system over which such vehicle may operate pursuant to the permit. Such permit shall be issued for a stated period of time determined by the applicant not to exceed three (3) years, and an existing permit may be renewed pending an inspection by the cabinet of the routes listed on the permit. Permits under this section shall be upon such terms and conditions as the cabinet may, in its discretion, require in the public interest.
- (2) The cabinet may establish a system by which a current permit holder can be granted a new permit specifying different routes or materials without having to complete a new application or pay a separate application fee.
- (3) The cabinet shall require, as a condition to the issuance of the permit, that the applicant pay a reasonable fee, to be fixed by the cabinet, and shall require that an applicant convicted under provisions of KRS 189.990(2)(a) two (2) or more times within a five (5) year period give bond, with approved surety, in an amount not to exceed six thousand dollars (\$6,000) for each vehicle to indemnify the Commonwealth of Kentucky against damage to highways or bridges resulting from the operation of any motor vehicle under the authorization of such permit. A bond acquired under this subsection may be carried forward to another permit if the cabinet has not gone against the bond.
- (4) The operation of any motor vehicle in accordance with the terms of any such permit shall not constitute a violation of this chapter, if the operator has the permit, or a copy of it, authenticated as the cabinet may require, in his possession.
- (5) The cabinet shall not issue a permit under this section for a vehicle whose gross weight, including vehicle and load, exceeds the maximum gross weight as provided in KRS 189.222.
- (6) The cabinet shall not issue a permit under this section for a vehicle whose dimensions, including vehicle and load, exceed the maximum dimension as provided in KRS 189.222.
- (7) A person shall not operate a motor vehicle in violation of the terms and conditions of any permit issued by the cabinet pursuant to this section.
- (8) As used in this section, industrial materials shall mean all cargo, whether divisible or indivisible, which a motor vehicle transports in the usual and ordinary course of business and shall specifically include, but not be limited to, agricultural products, minerals, or natural resources transported by a motor vehicle.
- (9) The cabinet may:

- (a) Exercise general supervision of the administering and enforcement of this section.
- (b) Promulgate administrative regulations, subject to the limitations of this section, with respect to the issuance of a permit, including, but not limited to, administrative regulations concerning the duration of permits and weight limits for various types of vehicles, materials, and highways.
- (c) Promulgate administrative regulations with respect to the amount, terms and conditions of the bond and the sufficiency of the surety of such bond required by this section. The cabinet shall allow applicants not required to post a surety bond under subsection (3) of this section to self-insure to meet the bonding requirements of this section.
- (d) Issue, continue in effect, revoke, modify, or deny, under such conditions as the cabinet may prescribe, permits provided for under this section.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 481, sec. 1, effective July 14, 2000. -- Amended 1994 Ky. Acts ch. 132, sec. 1, effective July 15, 1994. -- Amended 1978 Ky. Acts ch. 232, sec. 1, effective June 17, 1978. -- Created 1974 Ky. Acts ch. 258, sec. 4.

**189.2715 Annual overweight permit for transporting steel products or materials --
Weight and mileage limitations.**

- (1) In order to promote economic development and retain jobs within this state, subject to the provisions of KRS 189.222, the department may promulgate administrative regulations pursuant to KRS Chapter 13A governing the issuance of annual permits for the operation of motor vehicles transporting steel products or steel materials in divisible or nondivisible loads to or from a facility manufacturing products in this state or a facility used for storage of those products, whose gross weight exceeds the limits prescribed by this chapter. In no instance shall the gross weight limits issued pursuant to this section exceed one hundred twenty thousand (120,000) pounds. The movement of the products or materials shall be limited to no more than thirty-five (35) miles within the state.
- (2) A motor carrier transporting steel products or steel materials in divisible or nondivisible loads to or from a facility manufacturing steel products in this state or a facility used for storage of those products, may apply for an annual overweight permit pursuant to subsection (1) of this section. The permit shall be valid twenty-four (24) hours a day, but shall be limited to movements of steel products or steel materials of not more than thirty-five (35) miles within the state. The cost of the annual permit shall be two hundred fifty dollars (\$250).

Effective: July 14, 1992

History: Created 1992 Ky. Acts ch. 94, sec. 1, effective July 14, 1992.

189.2717 Annual overweight permit for transporting nondivisible loads over specified routes -- Axle-weight limitation.

- (1) Subject to the provisions of KRS 189.222, the department may promulgate administrative regulations pursuant to KRS Chapter 13A governing the issuance of annual permits for the operation of motor vehicles transporting nondivisible loads in this Commonwealth whose gross weight exceeds the limits prescribed by this chapter. The gross weight of a motor vehicle operating pursuant to this section shall not exceed one hundred twenty thousand (120,000) pounds. The movement of the overweight motor vehicle shall be limited to a specific route set forth on the annual permit.
- (2) The following axle weights shall not be exceeded in the loading of a nondivisible load:
 - (a) Single axle with axles less than forty-two (42) inches apart and being the steering axle with one (1) wheel on each side of the axle to be considered a single axle shall not be more than fifteen thousand (15,000) pounds;
 - (b) Two (2) axles in tandem arrangement which are spaced forty-two (42) inches or more apart and less than ninety-six (96) inches apart shall not be more than forty thousand (40,000) pounds;
 - (c) Three (3) axles in tridem arrangement which are spaced forty-two (42) or more inches apart and less than one hundred twenty (120) inches apart shall not be more than sixty-five thousand (65,000) pounds; and
 - (d) Dual wheel axle with one (1) axle with two (2) wheels on each side of the axle to be considered a dual wheel axle shall not be more than twenty thousand (20,000) pounds each.
- (3) Each motor vehicle operating pursuant to this section shall comply with the safety provisions set forth in the administrative regulations promulgated by the department pursuant to this section.
- (4) The fee for the annual permit for each motor vehicle pursuant to this section shall be five hundred dollars (\$500).
- (5) The department may refuse to issue a permit for a requested route because of the inadequacies of the roadway or a structure on that route.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 306, sec. 2, effective July 15, 1998. -- Created 1996 Ky. Acts ch. 52, sec. 1, effective July 15, 1996.