

HB

78

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Transportation:

4/14/87

4/27/87

Alaska State Legislature

House of Representatives

Committee on Transportation



Rep. Bette Cato, Chairman

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

April 24, 1987

COMMITTEE CALENDAR:

HB 78: "An Act relating to the operation of farm equipment on state highways."

FOR THIS MEETING YOU HAVE:

A folder on HB 78 that includes:

- * a copy of HB 78
- * a sectional analysis
- * three zero fiscal notes and three position papers:
 - one from the Dept. of Comm. & Economic Dev.
 - one from the DOT/PF
 - one from the Dept. of Public Safety
- * a description of types of vehicular permits
- * letters of support
- * a copy of the minutes from the last committee of referral
- * a copy of the House Labor & Commerce Committee Report

~~EXISTING STATUTE~~

~~PROPOSED NEW STATUTORY LANGUAGE~~

~~CHANGES MADE BY CS FOR HB 78~~

5-0088B ✓

Levy
4/11/87

Original sponsor: Miller

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 78 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the operation of farm equipment
7 on state highways."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 19.10.060 is amended to read:

10 Sec. 19.10.060. REGULATION OF WEIGHT AND LOAD OF VEHICLES AND
11 USE OF HIGHWAYS DURING CERTAIN SEASONS. The department, with respect
12 to highways under its jurisdiction, may

13 (1) establish limitations on weight, size, and load of
14 vehicles, except as otherwise provided in AS 19.10.065;

15 (2) [REPEALED

16 (3)] prohibit the operation or impose restrictions on
17 vehicular use of highways during certain seasons of the year.

18 * Sec. 2. AS 19.10 is amended by adding a new section to read:

19 Sec. 19.10.065. OPERATION OF FARM EQUIPMENT ON HIGHWAYS. (a)
20 Implements of husbandry, as defined by regulation under AS 28.05.011,
21 are not subject to restrictions adopted under AS 19.10.060(1) unless
22 the implement is the load of another vehicle. Implements of husbandry
23 may be operated on highways subject to the department's jurisdiction
24 without obtaining a permit, as provided in this section.

25 (b) The incidental operation of an implement of husbandry up to
26 12 feet wide on a state highway is authorized without a permit if the
27 implement

28 (1) is operated only during daylight hours;

29 (2) displays a slow-moving vehicle emblem on the rear of

1 the implement;

2 (3) displays a red flag on the implement in a location that
3 affords greatest visibility; and

4 (4) is moving from one farm operation to another within 50
5 miles of the home base of the implement of husbandry.

6 (c) An implement of husbandry that is more than 12 feet wide may
7 be operated on a state highway without a permit if it meets the pro-
8 visions of (b) of this section and is preceded by a pilot car during
9 operation on the highway.

10 * Sec. 3. AS 28.10.011 is amended to read:

11 Sec. 28.10.011. VEHICLES SUBJECT TO REGISTRATION. Every vehicle
12 driven, moved, or parked upon a highway or other public parking place
13 in the state shall be registered under this chapter except when the
14 vehicle is

15 (1) driven or moved on a highway only for the purpose of
16 crossing the highway from one private property to another, including
17 an implement of husbandry as defined by regulation;

18 (2) driven or moved on a highway under a dealer's plate or
19 temporary permit as provided for in AS 28.10.031 and 28.10.181(j);

20 (3) special mobile equipment as defined by regulation;

21 (4) owned by the United States;

22 (5) moved by human or animal power;

23 (6) exempt under 50 U.S.C. App. 501-591 (Soldier's and
24 Sailor's Civil Relief Act);

25 (7) driven or parked only on private property;

26 (8) the vehicle of a nonresident as provided under AS 28.-
27 10.121;

28 (9) a commercial interstate vehicle under AS 28.10.141;

29 (10) transported under a special permit under AS 28.10.151;

1 (11) being driven or moved on a highway, vehicular way, or a
2 public parking place in the state that is not connected by a land
3 highway or vehicular way to

4 (A) the land-connected state highway system, or

5 (B) a highway or vehicular way with an average daily
6 traffic volume greater than 499;

7 (12) a mobile home as defined by regulation;

8 (13) an implement of husbandry operated in accordance with
9 the provisions of AS 19.10.065.
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

Alaska State Legislature

REPRESENTATIVE
MIKE W. MILLER
P.O. Box 55094
North Pole, Alaska 99705
(907) 488-2687

District 18
North Pole
Badger Road
Eielson
Moose Creek
Salcha




While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-4976

House of Representatives

MEMORANDUM

TO: Representative Bette Cato, Chairman,
House Transportation Committee

FROM: Representative Mike Miller 

RE: House Bill 78, "An Act relating to the operation of farm
equipment on state highways."

DATE: 4/14/87

I would like to formally request that House Bill 78 be scheduled for a hearing before the House Transportation Committee.

HB 78 was heard by the House Labor and Commerce Committee on Tuesday, April 14th at which time, a committee substitute was adopted. The bill will now be formally referred to the Transportation Committee during the House floor session Wednesday, April 15th.

If you have any questions regarding this request, please contact me at 465-4976.

MEMORANDUM

TO: Representative Mike Miller

FROM: Staff *live*

RE: Analysis of CS HB 78(L&C), "An Act relating to the operation of farm equipment on state highways."

DATE: 4/14/87

Section 1

Amends the current statutory authority of the Department of Commerce and Economic Development to regulate the weight, size, and load of vehicles operating on the State highway system. Adds an exemption which is outlined in section 2 of the bill.

Section 2

Adds a new statutory section allowing implements of husbandry to operate on the State highway system without obtaining a permit. This section also establishes four criteria, for implements up to 12 feet in width, that must be met to qualify for the permit exemption. The implement may only be operated on the highway system during daylight hours. A slow-moving vehicle emblem must be displayed on the rear of the implement. The implement must display a red flag where it affords the greatest visibility. The permit exemption is only good for moves within a 50 mile radius of the implements home base.

Implements that exceed 12 feet in width are eligible for the permit exemption if they meet the four requirements for narrower implements and are preceded by a pilot car during operation on the highway.

Section 3

Adds implements of husbandry to the list of vehicles that are exempt from the motor vehicle registration requirements of AS 28.10.011.

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version : HB 78

Publish Date : _____

Revision Date: _____

Title : Farm implements on highways

Agency Affected : Comm. & Econ. Dev.

BRU : Measurement Standards

Sponsor : _____

Requestor : _____

Components : _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
----------------	------------	------------	------------	------------	------------	------------

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
----------------	------------	------------	------------	------------	------------	------------

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by : Joe Swanson, Director

Division : Measurement Standards

Phone : 345-7750

Date : April 14, 1987

Approved by Commissioner : J. Anthony Smith, Commissioner

Date : April 14, 1987

Agency : Department of Commerce and Economic Development

Distribution (by preparer) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

0003k41487a

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF MEASUREMENT STANDARDS

P.O. BOX 111686
ANCHORAGE, ALASKA 99511
PHONE: (907) 345-7750

March 24, 1987

MAR 30 1987

Representative Mike Miller
P.O. Box V
Juneau, Alaska 99811

SUBJECT: HB78

Dear Representative Miller:

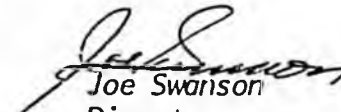
We recommend inserting the following language on page 1, line 24, of House Bill 78:

..." without obtaining a permit [,as] while moving from one farming operation to another within fifty (50) miles of the home base of the implement of husbandry and as further provided in this section."

The purpose of this language is to allow the movement of equipment from one field to another or from the farm's equipment storage area to a field under its own power, yet not allow the equipment to be moved from, for example, the Point McKenzie area to Anchorage for repair. When traveling distances greater than fifty miles, we feel the equipment should be loaded on a truck and a permit required.

With this change, we are in support of this legislation. We feel that this will provide the necessary flexibility during the short growing season.

Sincerely,


Joe Swanson
Director

JS:cs/P.5.

cc: John Williams, Deputy Commissioner
Department of Commerce and
Economic Development

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version: HB 78
Publish Date: 1/28/87

Revision Date: 4-9-87
Title: Operation of Farm Equipment
On State Highways
Sponsor: Miller
Requestor: Donley

Agency Affected: _____
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

This bill has no fiscal impact to the Department of
Transportation & Public Facilities

Prepared by: Bruce R. Freitag Phone: 465-2957
Division: Engineering & Operations Standards Date: 4/10/87
Approved by Commissioner: *M. L. H.* Date: 4/13/87
Agency: DOT&PF

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary



Dept. of Transportation & Public Facilities

Position Paper

BILL NO: HB 78

APPROVED: Mark S. Hickey ^{M.S.H.}
Commissioner

TITLE: An Act Relating to the Operation
of Farm Equipment on State Highways

DATE:

The proposed legislation would considerably relax existing restrictions concerning the movement of farm equipment on state highways.

The legislation does not directly impact the department, but could create unsafe conditions for other highway users as noted below:

- (1) For "Jaylight hours", certain restrictions should apply to prevent movement where high-speed traffic conditions exist. "Daylight hours" should also be defined as in the existing DCED Permit Manual.
- (2) A permit should always be required in order to apply any load controls for a particular piece of equipment in a given area.
- (3) "Oversize" signs and flashing lights should be required for those slow moving pieces of equipment the same as would be required for any other wide-load move - especially as most rural farm state routes have limited sight distance.
- (4) Since most rural state roads have driving lanes less than twelve feet in width, any movement of slow farm equipment over ten feet in width should have at least one pilot car.
- (5) By allowing farm implements of widths greater than 8 1/2 feet to use highways without a permit there would be no way of revoking their movement if safety problems result. A revocation section should be added to the existing proposal.

In summary, since the department is concerned with providing safe facilities for the motoring public, we feel the above items should be considered in the development of your legislation. Most of the above information was taken from the attached Washington regulations.

and remove the unit from the highway when any of the above conditions exist which could create an unsafe movement.

WAC 468-38-270 Construction equipment. Pursuant to RCW 46.44.091(3), permits may be issued to move equipment on approved highways whose single axle weight is not more than 45,000 pounds if operating on single pneumatic tires having a rim width of 20 inches or more and a rim diameter of 24 inches or more. If the vehicle has dual pneumatic tires, the rim width shall be at least 16 inches and the rim diameter shall be at least 24 inches.

WAC 468-38-280 Special Equipment. Special equipment employing axle groupings other than the conventional single or tandem axle must first be approved by the department before permits will be granted authorizing the unit to operate on state highways.

A retractable axle carrying weight allowed under RCW 46.44.041 shall have a manufacturer's rating of at least 10,000 pounds, shall be self-steering, and shall have the capacity to be activated only from outside the driver's compartment: PROVIDED, The requirement that controls be activated only from outside the driver's compartment shall not apply to existing trucks presently equipped with hydraulically loaded lift axles which presently can be activated inside the driver's compartment.

WAC 468-38-290 farm implements.

(1) Farm implement means any device that directly affects the production of agricultural products. For purposes of this section, it must weigh less than forty-five thousand pounds. It must move on pneumatic tires when on public highways and must be less than twenty feet wide.

Spray rigs including fertilizer or chemical applicator rigs or equipment auxiliary to any of these rigs are farm implements.

(2) Permits: Farm implements less than fourteen feet wide do not require a special permit for movement on state highways other than fully controlled limited access highways.

A quarterly or annual permit to move farm implements may be purchased by a farmer or by a person engaged in the business of selling or maintaining farm implements. Such a permit or copy will allow the person or company identified on the permit to draw, drive, or haul any farm implement on state highways.

(3) Movements of oversize farm implements are subject to the following regulations:

(a) An unescorted farm implement shall travel at least five hundred feet behind other vehicles so as to allow other drivers to pass.

(b) If five or more vehicles line up behind a farm implement, the operator of the farm implement shall pull off the road at the first point wide enough to allow traffic to pass safely.

(c) Oversize farm implements may be moved only during daylight hours. Such movements are prohibited at the times and on the those days listed in WAC 468-38-230.

The department may permit movements outside daylight hours during an emergent harvest season to a company or farmer who requests and receives permission in writing. Pilot cars are required for such movements as prescribed in subsection (4)(c) of this section.

(d) Convoying with pilot cars may be used to move farm implements. Two-way radio equipment shall be provided to the pilot cars.

(e) Lights: Requirements for hazard warning lights visible from one thousand feet, clearance lights, reflectors, and other lights shall be as prescribed in RCW 46.37.160.

(4) Flags, signs, and escorts are required for the movement of farm implements as follows:

(a) Flags: If the farm implement is over eight and one-half feet wide, it must display red flags at least twelve inches square so as to wave freely on all four corners of the vehicle and at the extreme ends of all protrusions, projections, or overhangs.

(b) Signs: If the farm implement is over eight and one-half feet wide, OVERSIZE LOAD signs visible to oncoming and overtaking traffic must be displayed. These signs must meet the requirements of WAC 468-38-190. A farm implement preceded and followed by pilot cars is not required to display such signs.

(c) Escort cars: On two-lane state highways, escort cars must precede and follow if the farm implement is over twelve and one-half feet wide. Vehicles or loads whose width is between ten and twelve and one-half feet are exempt from having escort cars only when operating within fifty miles of the business owning the equipment.

On multiple-lane state highways, one escort car in the rear is required if vehicle or load is more than fourteen feet wide.

Other requirements for escort cars and their operation are prescribed by WAC 468-38-110.

When approval to use a flagperson instead of an escort vehicle is given, the permit shall specifically state that exemption.

(d) Posting a route may be used in lieu of escort cars if the route to be traveled is less than two miles. Signs reading OVERSIZE VEHICLE MOVING AHEAD on a square at least three feet on each side shall be placed at points before the oversize farm implement enters or leaves the highway and at any entry points along the way. These signs must be removed immediately after the oversize movement has been completed.

(6) Any other provision of law to the contrary notwithstanding, district courts having venue have concurrent jurisdiction with the superior courts for the imposition of any penalties authorized under this section.

(7) For the purpose of determining additional penalties as provided by subsection (2) of this section, "excess weight" means the poundage in excess of the maximum gross weight prescribed by RCW 46.44.042 and 46.44.041 plus the weights allowed by RCW 46.44.047, 46.44.091, and 46.44.095.

(8) The penalties provided in subsections (1) and (2) of this section shall be remitted as provided in chapter 3.62 RCW or RCW 10.82.070. For the purpose of computing the basic penalties and additional penalties to be imposed under the provisions of subsections (1) and (2) of this section the convictions shall be on the same vehicle or combination of vehicles within a twelve-month period under the same ownership.

(9) Any state patrol officer or any weight control officer who finds any person operating a vehicle or a combination of vehicles in violation of the conditions of a permit issued under RCW 46.44.047, 46.44.090, and 46.44.095 may confiscate the permit and forward it to the state department of transportation which may return it to the permittee or revoke, cancel, or suspend it without refund. The department of transportation shall keep a record of all action taken upon permits so confiscated, and if a permit is returned to the permittee the action taken by the department of transportation shall be endorsed thereon. Any permittee whose permit is suspended or revoked may upon request receive a hearing before the department of transportation or person designated by that department. After the hearing the department of transportation may reinstate any permit or revise its previous action.

Every permit issued as provided for in this chapter shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any law enforcement officer or authorized agent of any authority granting such a permit.

Upon the third finding within a calendar year of a violation of the requirements and conditions of a permit issued under RCW 46.44.095 as now or hereafter amended, the permit shall be canceled, and the canceled permit shall be immediately transmitted by the court or the arresting officer to the department of transportation. The vehicle covered by the canceled permit is not eligible for a new permit for a period of thirty days.

(10) For the purposes of determining gross weights the actual scale weight taken by the arresting officer is prima facie evidence of the total gross weight.

The chief of the state patrol, with the advice of the department, may adopt reasonable rules to aid in the enforcement of this section. [1985 c 351 § 6; 1984 c 258 § 327; 1984 c 7 § 58; 1979 ex.s. c 136 § 75; 1975 '76 2nd ex.s. c 64 § 23.]

Rules of court: Monetary penalty schedule—JTIR 6.2.

Court Improvement Act of 1984—Effective dates—Severability—Short title—1984 c 258: See notes following RCW 3.30.010.

Intent—1984 c 258: See note following RCW 3.46.120.

Severability—1984 c 7: See note following RCW 47.01.141.

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16.070.

RCW 46.44.110 Liability for damage to highways, bridges, etc. Any person operating any vehicle or moving any object or conveyance upon any public highway in this state or upon any bridge or elevated structure that is a part of any such public highway is liable for all damages that the public highway, bridge, or elevated structure may sustain as a result of any illegal operation of the vehicle or the moving of any such object or conveyance or as a result of the operation or moving of any vehicle, object, or conveyance weighing in excess of the legal weight limits allowed by law. This section applies to any person operating any vehicle or moving any object or contrivance in any illegal or negligent manner or without a special permit as provided by law for vehicles, objects, or contrivances that are overweight, overwidth, overheight, or overlength. Any person operating any vehicle is liable for any damage to any public highway, bridge, or elevated structure sustained as the result of any negligent operation thereof. When the operator is not the owner of the vehicle, object, or contrivance but is operating or moving it with the express or implied permission of the owner, the owner and the operator are jointly and severally liable for any such damage. Such damage to any state highway or structure may be recovered in a civil action instituted in the name of the state of Washington by the department of transportation. Any measure of damage to any public highway determined by the department of transportation by reason of this section is prima facie the amount of damage caused thereby and is presumed to be the amount recoverable in any civil action therefor. [1984 c 7 § 59; 1961 c 12 § 46.44.110. Prior: 1937 c 189 § 57; RRS 6360-57.]

Severability—1984 c 7: See note following RCW 47.01.141.

RCW 46.44.120 Liability of owner, others, for violations. Whenever an act or omission is declared to be unlawful in chapter 46.44 RCW, the owner or lessee of any motor vehicle involved in such act or omission is responsible therefor. Any person knowingly and intentionally participating in creating an unlawful condition of use, is also subject to the penalties provided in this chapter for such unlawful act or omission.

If the person operating the vehicle at the time of the unlawful act or omission is not the owner or lessee of the vehicle, such person is fully authorized to accept the citation and execute the promise to appear on behalf of the owner or lessee. [1980 c 104 § 2; 1971 ex.s. c 148 § 1; 1969 ex.s. c 69 § 1.]

RCW 46.44.130 Farm implements—Gross weight and size limitation exception—Penalty. The limitations of RCW 46.44.010, 46.44.020, 46.44.030, and 46.44.041 shall not apply to the movement of farm implements of less than forty-five thousand pounds gross weight, a total length of seventy feet or less, and a total outside width of fourteen feet or less when being moved while patrolled, flagged, lighted, signed, and at a time of

day in accordance with rules hereby authorized to be adopted by the department of transportation and the statutes. Violation of a rule adopted by the department as authorized by this section or a term of this section is a traffic infraction. [1979 ex.s. c 136 § 76; 1975 '76 2nd ex.s. c 64 § 20; 1975 1st ex.s. c 168 § 3; 1973 1st ex.s. c 1 § 1.]

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16.070.

Effective date—1975 1st ex.s. c 168: See note following RCW 46.44.091.

RCW 46.44.140 Farm implements—Special permits—Penalty. In addition to any other special permits authorized by law, special permits may be issued by the department of transportation for a quarterly or annual period upon such terms and conditions as it finds proper for the movement of (1) farm implements used for the cutting or threshing of mature crops; or (2) other farm implements that may be identified by rule of the department of transportation. Any farm implement moved under this section must have a gross weight less than forty-five thousand pounds and a total outside width of less than twenty feet while being moved, and such movement must be patrolled, flagged, lighted, signed, at a time of day, and otherwise in accordance with rules hereby authorized to be adopted by the department of transportation for the control of such movements.

Applications for and permits issued under this section shall provide for a description of the farm implements to be moved, the approximate dates of movement, and the routes of movement so far as they are reasonably known to the applicant at the time of application, but the permit shall not be limited to these circumstances but shall be general in its application except as limited by the statutes and rules adopted by the department of transportation.

A copy of the governing permit shall be carried on the farm implement being moved during the period of its movement. The department shall collect a fee as provided in RCW 46.44.0941.

Violation of a term or condition under which a permit was issued, of a rule adopted by the department of transportation as authorized by this section, or of a term of this section is a traffic infraction. [1984 c 7 § 60; 1979 ex.s. c 136 § 77; 1973 1st ex.s. c 1 § 2.]

Severability—1984 c 7: See note following RCW 47.01.141.

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

RCW 46.44.150 Highway improvement vehicles—Gross weight limit excesses authorized—Limitations. The state, county, or city authority having responsibility for the reconstruction or improvement of any public highway may, subject to prescribed conditions and limitations, authorize vehicles employed in such highway reconstruction or improvement to exceed the gross weight limitations contained in RCW 46.44.041 and 46.44.042

without a special permit or additional fees as prescribed by chapter 46.44 RCW, but only while operating within the boundaries of project limits as defined in the public works contract or plans. [1983 c 3 § 121; 1975 1st ex.s. c 63 § 1.]

RCW 46.44.160 Monthly or quarterly permits for additional tonnage. When vehicles for which licensed tonnage has been purchased on a monthly or quarterly basis pursuant to RCW 46.16.135 or 46.85.120 as now or hereafter amended, then the additional tonnage provided for in RCW 46.44.095 may be purchased on a monthly or a quarterly basis: *Provided*, That the total additional tonnage purchased under RCW 46.44.095 is not less than six thousand pounds. The fee for a monthly permit shall be one-twelfth the amount charged for a corresponding twelve-month period, and the fee for a quarterly permit shall be one-fourth the amount charged for a corresponding twelve-month permit, and shall further be reduced by one-twelfth for each full calendar month of the quarter that has elapsed at the time the quarterly permit is purchased. In addition, a fee of five dollars shall be charged for each monthly or quarterly permit issued hereunder.

The quarterly periods covered by this section shall be registration quarters consisting of three registration months. The first quarter shall commence with registration month one. [1981 c 229 § 1; 1975-'76 2nd ex.s. c 64 § 21; 1975 1st ex.s. c 196 § 1.]

Effective dates—Severability—1975-'76 2nd ex.s. c 64: See notes following RCW 46.16.070.

RCW 46.44.170 Mobile home movement special permit and decal—County treasurer certification of taxes paid—Vehicle license plates—Rules. (1) Any person moving a mobile home as defined in RCW 46.04.302 upon public highways of the state must obtain a special permit from the department of transportation and local authorities pursuant to RCW 46.44.090 and 46.44.093 and shall pay the proper fee as prescribed by RCW 46.44.0941 and 46.44.096.

(2) A special permit issued as provided in subsection (1) of this section for the movement of any mobile home shall not be valid until the county treasurer of the county in which the mobile home is located shall endorse or attach thereto his certificate that all property taxes due in that calendar year, and all delinquent taxes upon the mobile home being moved have been satisfied. Further, any mobile home required to have a special movement permit under this section shall display an easily recognizable decal: *Provided*, That endorsement or certification by the county treasurer and the display of said decal is not required when a mobile home is to enter the state or is being moved from a manufacturer or distributor to a retail sales outlet or directly to the purchaser's designated location or between retail and sales outlets. It shall be the responsibility of the owner of the mobile home or the agent to obtain such endorsement from the county treasurer and said decal.

(3) Nothing herein should be construed as prohibiting the issuance of vehicle license plates for a mobile home.

Lights: Flashing amber lights at least 6 inches in diameter shall be mounted on the upper outer edges of the rear of the trailing unit. They shall be in good working order, and clearly visible, and meet the requirements of WAC 468-38-110(12).

County Treasurer Validation: If a mobile home is to be moved on public highways, the county treasurer of that county must certify that all property taxes due on that mobile home have been paid (RCW 46.44.170). A decal indicating that county taxes have been paid must be affixed to the mobile home. This is an essential element of the permit, and the permit is invalid without it.

FARM IMPLEMENTS

Definition: A farm implement means any device that directly affects the production of agricultural products. It does NOT include:

- a. Implements having a gross weight of 45,000 pounds or more;
- b. Those more than 20 feet wide;
- c. Those not equipped with pneumatic tires when operating on the highway surface; or
- d. Those more than 14 feet wide unless used for the harvest of mature crops.

Permits: Farm implements do not need permits to operate on the state highway system unless they are more than 14 feet wide except that permits are required to operate any oversize farm vehicle on the interstate system (WAC 468-38-290).

Vehicles not meeting the criteria of "farm implements" must have permits to be driven or drawn on state highways.

Regulations for the Movement of Farm Implements:

- a. If the implement is more than 3½ feet wide, it must display bright red flags at least 12 inches square on all four corners and on any protrusions.
- b. It must keep at least a 500 foot distance between itself and other vehicles. If five or more vehicles line up behind it, it must pull off the roadway to let the traffic clear.
- c. Movement may be made only during daylight hours and when visibility is at least 1,000 feet. If an emergency exists, WSDOT or the Washington State Patrol may allow nighttime movements with escort cars. In that case, the farm implement must be properly lighted and have two 4 inch double face flashing amber lights positioned at the widest points on the farm implement.

- d. On two-lane highways, if the implement is over 8½ feet but less than 12½ feet wide, OVERSIZE LOAD signs in front and back must be attached; if 12½ to 20 feet wide, escort cars must precede and follow as well.

Vehicles between 10 and 12-1/2 feet wide are exempt from escort car requirements only when operating within 50 miles of the business owning the equipment.

- e. On a multiple-lane highway, if the implement is over 8½ but less than 14 feet wide, the implement shall have an OVERSIZE LOAD sign on the rear; if between 14 to 20 feet wide, an escort vehicle shall follow as well.
- f. A flagperson may be used under some circumstances when stipulated on the permit. A route may be posted indicating movement of farm implements under some conditions. (See WAC 468-38-290.)
- g. Farm implements may be moved in convoy when escort cars are equipped with two-way radio equipment.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: CSHB 78 (L&C)

Publish Date: _____

REQUEST
Revision Date: _____
Title: "An Act relating to the operation of farm equipment on highways."
Sponsor: Rep. Miller
Requestor: House Transportation

Agency Affected: Public Safety

BRU: Alaska State Troopers

Components: Detachments & CIB

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUNDS		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Francis C. Allan *F.C.A.*
Division: Alaska State Troopers

Phone: 269-5691

Date: 4/20/87

Approved by Commissioner: Arthur English *A. English*
Agency: Public Safety

Date: 4/23/87

Distribution (by preparer):

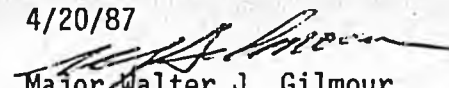
- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

JMM
4/25/87

BILL NO: CSHB 78 (L&C)

DATE: 4/20/87

TITLE: "An Act relating to the operation of farm equipment on state highways."

CONTACT: 
Major Walter J. Gilmour
Acting Director
Alaska State Troopers

DEPARTMENT OF
PUBLIC SAFETY
POSTION PAPER

To allow for movement of farm equipment upon roadways and provide guidelines, requirements, and restrictions for such movements.

This version of HB 78 contains no changes which alter the original position of the Division of Alaska State Troopers. It clarifies AS 19.10.065(B)(1) as to daylight hours, (3) as to placement of the red flag and (4) limits distance allowed to within 50 miles from home base. All of these changes are of a positive nature and make the statute more easily understood.

The Division of Alaska State Troopers is neutral on this legislation.


Arthur A. English
Commissioner

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version : HB 78
Publish Date : _____

Revision Date: _____
Title: "An Act relating to the operation
of farm equipment..."

Agency Affected: Public Safety
BRU: Alaska State Troopers

Sponsor: Rep. Miller
Requestor: House Labor & Commerce

Components: Detachments & CIB

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
----------------	---	---	---	---	---	---

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Francis C. Allan *F.C.A.*

Phone: 269-5691

Division: Alaska State Troopers

Date: 2/19/87

Approved by Commissioner: William R. Nix *W.R.N.*

Date: 2/24/87

Agency: Public Safety

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

*Jmk
2/24/87*

MAR 18 1987

BILL NO: HB 78

DATE: 3/16/87

TITLE: "An Act relating to the operation of farm equipment on state highways."

CONTACT: Major Walter J. Gilmour
Acting Director
Alaska State Troopers

W. J. Gilmour

DEPARTMENT OF
PUBLIC SAFETY
POSTING PAPER

Current statutes require registration of farm equipment that use road ways even incidentally.

Title 17, AAC 25.020 allows the maximum width of a vehicle to be 102 inches. This legislation would allow an implement of husbandry vehicle width of 144 inches for incidental operation during daylight hours with a slow moving vehicle emblem displayed without a permit. "Incidental operation" is not defined. This could cause problems.

A vehicle described as an "implement of husbandry" more than 144 inches wide can be operated during daylight hours with a slow moving vehicle emblem displayed and also preceded by a pilot car for "incidental operation" on a highway. No permit is required. Once again, "incidental operation" is not defined.

A vehicle 144 inches wide (12 feet) would use most of the width of the road lane and in the interest of total safety should have a pilot car front and rear.

The Division of Alaska State Troopers is neutral on this legislation.

William R. Nix

William R. Nix
Acting Commissioner

TYPES OF PERMITS

Throughout this manual we refer to vehicles and vehicles with loads. It is important to distinguish between the two.

Permits may be issued for vehicles that exceed the legal limitations. These permits may be issued for vehicles capable of being driven on a highway but which are designed for purposes other than the transportation of a load upon a highway. Examples of such vehicles may be self propelled cranes, off road construction equipment or other road maintenance equipment.

Permits may be issued for vehicles with loads that exceed the legal limitations. These permits are intended to allow the transportation of a non-reducible load on a standard size vehicle or on specialized hauling equipment that is designed for the transportation of non-reducible oversize or overweight loads.

Permits may be issued for certain specialized hauling equipment designed to transport oversize and overweight loads. These permits are issued to allow the movement of the trailer with or without a load. Permits may be issued for extended periods to allow the movement of the empty or loaded trailer. Normally, a load that extends beyond the width or length of an overwidth trailer will require a single trip permit. It must also be understood that the permit allowing the use of specialized equipment does not authorize loading side by side, stacking or loading end to end. This permit is designed to allow the movement of equipment that would not normally be transported on a legal trailer. An example of such specialized hauling equipment is a ten foot wide lowboy.

Oversize and/or overweight permits may be issued for various lengths of time as described below:

1. Single Trip: One move from origin to destination and return for a specific period of time. Usually one day unless the move is of a greater distance.
2. Extended Period Permits (monthly periods for up to a maximum of one year)
 - A. Vehicles
 1. Vehicle dimensions may not exceed:
 - a. 10 feet wide
 - b. 15 feet high
 - c. Legal length including front and/or rear overhangs not to exceed 10 feet.
 - B. Vehicles with Loads
 1. Truck-tractor semi-trailer:
 - a. Vehicle may not exceed legal length or width.

b. When loaded with a non-reducible load and with proper lighting, the maximum dimensions may be:

- (1) 10 feet wide
- (2) 15 feet high
- (3) 75 feet long, including overhangs. The maximum overhang, front and/or rear, is 10 feet.

NOTE: Normally, when empty, stretch trailers must meet legal limitations. When loaded, the above dimensions apply.

2. Specialized hauling equipment:

a. Lowboys

- (1) Lowboy trailer may be a maximum of 10 feet wide without the use of outriggers.
- (2) When loaded with a non-reducible load and with proper lighting, the maximum dimensions may be:

- (a) 10 feet wide
- (b) 15 feet high
- (c) 75 feet long, including overhangs. The maximum overhang, front and/or rear, is 10 feet.

3. Multi-Move: Issued for a period of 30 days when numerous moves are involved for the same piece of equipment. The permit must be filled out in full leaving out date of move, origin, and destination. Each time the piece of equipment is moved, the user must call the issuing office for approval of the move.
4. Pre-Issue: A number of permits up to ten per applicant, issued in advance, for a specific type of load or move which is moved frequently (mobile homes, trusses, etc.). Permit usage must be made within a 30 day period and used for only one move. These permits are completed in their entirety but lack the date, time, origin, destination, and route of movement. This portion is completed by the applicant after verification of the move and approval from the issuing permit office.
5. Seasonal: A permit issued to government agencies and public utilities only, exceeding 30 days but not exceeding 12 months, for equipment used exclusively in the maintenance of highways and other public facilities.
6. Doubles: An authorization agreement is used to allow truck-tractor and trailers in a doubles configuration to the maximum length of 105 feet on the Glenn Highway from Anchorage to Palmer, the Parks Highway from Fairbanks to its junction with the Glenn Highway, and the Richardson Highway from Fairbanks to Delta Junction or other designated routes as determined by the Department of Transportation and Public Facilities, Department of Public Safety or the Department of Commerce and Economic Development. Loads must be of legal weight, width, and height.

Convoys: No more than two mobile homes being towed on their own axles or three self propelled off the road type vehicles shall be allowed per convoy, or a total combined vehicle length of 200 feet (including pilot

*Revised 7.
See
unit*

7. Convoys: Oversize vehicles or vehicles with loads may be authorized to move in convoy when there are no more than two vehicles with loads or three off the road type vehicles in a convoy and the overall length of the convoy, including pilot cars, does not exceed 200 feet. The maximum width of vehicles or vehicles with loads, in convoy, is 14 feet. Each permit application for convoy will be considered individually and, when justified, convoy permits may be issued when criteria for weather, road conditions, traffic, and safety are met. Convoys are not allowed in city areas.

Convoy permits shall be single trip permits only.

"Oversize" signs for each convoy shall clearly state the number of units in the convoy, with one pilot car required in front and one pilot car in the rear. The permit shall stipulate that a maximum distance of 1,000 feet between each convoyed unit is allowed during travel status and, if two convoys are involved, a distance of one mile must be maintained between the rear pilot car of the first convoy and the front pilot car of the rear convoy at all times.

The issuance of the permit stipulates that traffic behind a convoy shall not be allowed to build unreasonably. Where it is not feasible to pull off the roadway, convoys must come to a stop and flagpersons equipped with hand paddles and red flags are required to direct the traffic buildup. A violation of this restriction may result in voiding the permit and may be grounds for denial of future permits.

8. Equipment Engaged in Snow Removal: Special permits may be issued for equipment engaged in snow removal operations. Maximum widths allowed are 12'0" for graders and 10'0" for loaders and are to be issued on a seasonal basis. These permits will be marked: "Valid for Snow Removal Operations Only" and are not valid for general construction use.

Other conditions of the permit are that equipment operated during the hours of darkness or adverse weather conditions shall be equipped with stop lights, taillights, clearance lights, and reflectors mounted on extremities. In areas of high traffic volume, no movement is allowed from 7 to 8 a.m. and 4:30 to 6 p.m., Monday through Friday, unless an emergency or snow removal is in progress. Amber rotating or flashing beacons visible for a distance of 1,000 feet under normal conditions are required. "Oversize" signs and pilot cars shall be waived when engaged in a working status but are required when in a general travel status.

9. Exceptions: Exceptions are listed here for clarification:

- A. Bulk (dry) Cement - Vehicles must be legal in all dimensions and combined vehicle weight. A permit may be issued to allow for the shifting of the load as long as the legal gross weight is not exceeded. Applicant agrees to use all care in loading to maintain legal axle loadings. Permits may be issued for seasonal periods.
- B. Car Carriers - Maximum height 15 feet, 6 inches and overall length including overhangs not to exceed 85 feet. Car carriers may travel 24 hours a day, seven days a week, including holidays, on specific designated routes. Permits may be issued for extended periods.
- C. Cylindrical Hay Bales - Bales may be loaded side by side provided that the maximum width does not exceed 10 feet. The vehicle with load must be legal in all other respects. Movement is restricted to daylight hours only, and to the normal peak traffic restrictions. Permits may be issued for extended periods.

No permit needed Act 15 -
→ w/ out. number
Permit w/ out
→ Act 15 (2002)
165 in axle
max. weight
memo.

- D. Farm Equipment - Vehicles may move Saturday and Sundays from one field to another during harvest season or emergency situations only. Ordinarily, integral components of farm equipment need not be removed on movements within a 50 mile radius of the point of origin. No movement will be allowed in town during 7:00 a.m. to 8:00 a.m. and 4:30 p.m. to 6:00 p.m., Monday through Friday or past noon on Saturdays, all day Sunday or holidays. Each towing or self propelled vehicle must have its own individual permit.
- E. Construction Equipment - Ordinarily, removal and separate transport of appurtenances will not be required for a move within a 50 mile radius of point of origin if weight is not a detriment to the roadway and bridges involved in the route of travel. Generally, outside of the local boundary areas (defined as a 50 mile radius), appurtenances will require removal, however, equipment with appurtenances attached may move outside a local boundary area if weight is legal and width does not exceed 10 feet.
- F. Tanks - Loads may be stacked in a pyramid fashion as long as the dimensions do not exceed 15 feet high, 10 feet wide, and legal length. Weight must be legal. Permits may be issued for an extended period.
- G. Truck Mounted Cranes - In local areas, a front overhang of up to 15 feet may move during hours of darkness if a rotating or flashing beacon is mounted at the extreme end of the boom. Permits may be issued for an extended period.
- H. Trusses and/or Glu Lam Beams - Loads may be 15 feet high, may have a front and/or rear overhang of 15 feet and the truss or glu lam may not exceed 60 feet long.

MAR 23 1987

March 11, 1987


Representative Dave Donley
Chairman House Labor and Commerce Committee
Pouch V
Juneau, AK 99811

The Honorable Donley,
My name is Mike Bigge and I am a member of the North Pole Chapter of the Future Farmers of America. I am writing to you to ask you to support HB 78 which Representative Miller has introduced. This bill would allow us to move our equipment from our fields in Fairbanks to our fields in North Pole without having to get a permit. Obtaining a permit to move farm equipment is a very expensive and time consuming job. As a concerned member and also a person who has used the farm equipment on several occasions, I once again urge you to support HB 78.

Thank You for your valuable time.

Sincerely,

Mike Bigge


Mike Bigge

908 Clear Street
North Pole, AK
99705

MAR 23 1987

March 11, 1987

Representative Dave Donlev
House Labor & Commerce Committee
Pouch 7
Juneau, AK 99811

The Honorable Donlev:

I am writing to you about HB 78. I sincerely wish that you would take action and support this bill. I am in the ninth grade, and plan on being an FFA member. How are we ever going to succeed in the field of agriculture if everytime we move from one field to another we must get a permit. We are involed in several public service projects that require the use of our equipment and the cost of getting permits for each piece of equipment makes it very expensive. With the permits costing \$15 if we moved our 6 pieces of hay equipment to Creemers Field and back it would cost us \$180.

We are working on a field there and in North Pole by the High School and so we are moving the equipment many times during the summer. We would go broke before we would be able to succeed in the field of Agriculture. My dad is a hard working farmer also, and he could never afford to pay that much everytime he moves his equipment. I am asking you to please support HB 78.

Thank you very much for your time.

Sincerely,

John S. [unclear]
John S. [unclear]
1080 Chertok Road
North Pole, AK 99705

~~CONFIDENTIAL~~

MAR 23 1987

March 11, 1987

Chairman Dave Donley
House Labor & Commerce Committee
Pouch V
Juneau, AK. 99811

Dear Honorable Donleys:

I'm writing you about HB 79. We need to do some work on the State Highways with our farming equipment. We are doing this with low costs. It costs too much for a certain amount of pieces of equipment from North Pole to Fairbanks to collect hay from Creamers Field and then back again. We need you to take action on, and pass HB 79.

Thank you for your time.

Sincerely,

Mark G. Dodson

Mark G. Dodson
5807 Black Road
North Pole, Ak. 99705

MAR 23 1987

March 11, 1987

Representative Dave Donley
House Labor & Commerce Comm.
P.O. Box 9
Juneau Ak 99811

The Honorable Donley:

I am writing to you regarding House Bill Number 5--Farm
Equipment of state highways. This is of interest to me
because I am a member of Future Farmers of America (FFA).
FFA is a service organization which does community work--the
up keep of North Pole Park and care of Creamers field, are a
few of the things we do. In some of our work we use farm
equipment, because we are a service organization we do not
have much money, and we cannot afford to pay a fee everytime
we wish to do a service that requires our equipment.

It is my feeling that you should not put a charge on farm
equipment using state highways. I feel that we should not
have to go to DOT/PF before we operate on the highway.

I have just recently learned how to operate a tractor and I
am eager to put my knowledge to use.

It would benefit not only us our fellow people in our state
state involved with agriculture. I would want to see you
passing House Bill 5.

Sincerely,
[Signature]

[Signature]

James Taylor
1005 1/2 St. S.
North Pole, Alaska

HOUSE COMMITTEE REPORT

(7)

Date referred: 1/28/87

FURTHER REFERRALS: Transportation

DATE: 4/14

The Labor & Commerce Committee has considered HB 78

"An Act relating to the operation of farm equipment on state highways."

RECOMMENDS:

- replace with CS HB 78 (L+C) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

Walt Furnace NO REC

[Signature] NO REC

[Signature] NO REC

Chairman's signature

HOUSE COMMITTEE REPORT

(7)

Date referred: 4/15/87

FURTHER REFERRALS:

DATE: April 27, 1987

The Transportation Committee has considered HB 78

"An Act relating to the operation of farm equipment on state highways."

RECOMMENDS:

- replace with CSHB 78(L&C) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published ^{House 4/15/87 DOT/I} _{House 4/15/87 DCED}
- zero with analysis

SIGNING DO PASS:

James Sprague

W. W. Miller

Bill Hudson

Bette Cato

SIGNING OTHER RECOMMENDATIONS:

Bette Cato

Chairman's signature

