

**WAC 468-38-073 Measurement exclusive devices.** (1) **What are the criteria for being a measurement exclusive device?** Generally, measurement exclusive devices are vehicle appurtenances designed and used for reasons of safety, aerodynamics, or efficient vehicle operation. A measurement exclusive device must not carry property, create a space that property could occupy outside of legal or permitted dimensions, or exceed the specific dimensional limitations stated in this section.

(2) **What devices at the front of a single unit vehicle, or power unit in a vehicle combination, are excluded from length determinations?** The following devices have been identified as measurement exclusive when determining length from the front of a single unit vehicle or power unit in a vehicle combination:

(a) Resilient bumpers that do not extend more than six inches from the vehicle;

(b) A fixed step up to three inches deep at the front of an existing automobile transporter until April 29, 2005. It will be the responsibility of the operator of the unit to prove that the step existed prior to April 29, 2002. Such proof can be in the form of a work order for equipment modification, a receipt for purchase and installation of the piece, or any similar type of documentation. After April 29, 2005, the step shall no longer be excluded from a vehicle's length.

(3) **What devices at the front of a semi-trailer or trailer are excluded from length determinations?** The following devices have been identified as measurement exclusive when determining length from the front of a semi-trailer or trailer:

(a) A device at the front of a trailer chassis to secure containers and prevent movement in transit;

(b) A front coupler device on a semi-trailer or trailer used in road and rail intermodal operations;

(c) Aerodynamic devices, air deflector;

(d) Air compressor;

(e) Certificate holder (manifest box);

(f) Door vent hardware;

(g) Electrical connector;

(h) Gladhand (air hose connectors joining tractor to trailer);

(i) Handhold;

(j) Hazardous materials placards and holders;

(k) Heater;

(l) Ladder;

(m) Nonload carrying tie-down devices on automobile transporters;

(n) Pickup plate lip (plate at front of trailer to guide fifth wheel under trailer);

(o) Pump offline on tank trailer;

(p) Refrigeration unit;

(q) Removable bulkhead;

(r) Removable stake;

(s) Stabilizing jack (antinosedive device);

(t) Stake pocket;

(u) Step;

(v) Tarp basket;

(w) Tire carrier; and

(x) Uppercoupler.

(4) **What devices at the rear of a single unit vehicle, semi-trailer or trailer are excluded from length determinations?** The following devices have been identified as measurement exclusive when de-

termining length from the rear of a single unit vehicle, semi-trailer or trailer:

(a) Aerodynamic devices that extend up to a maximum of five feet beyond the rear of the vehicle, provided such devices have neither the strength, rigidity nor mass to damage a vehicle, or injure a passenger in a vehicle, that strikes a vehicle so equipped from the rear, and provided also that they do not obscure tail lamps, turn signals, marker lamps, identification lamps, or any other required safety devices, such as hazardous materials placards or conspicuity markings (i.e., reflective tape);

(b) Handhold;

(c) Hazardous materials placards and holder;

(d) Ladder;

(e) Loading and unloading device not to exceed two feet;

(f) Pintle hook;

(g) Removable stake;

(h) Splash and spray suppression device;

(i) Stake pocket; and

(j) Step.

(5) **What devices at the side of a vehicle are excluded from width determinations?** The following devices have been identified as measurement exclusive, not to exceed three inches from the side of the vehicle, when determining width of a vehicle:

(a) Corner cap;

(b) Handhold for cab entry/egress;

(c) Hazardous materials placards and holder;

(d) Lift pad for trailer on flatcar (piggyback) operation;

(e) Load induced tire bulge;

(f) Rain gutter;

(g) Rear and side door hinge and protective hardware;

(h) Rearview mirror;

(i) Side marker lamp;

(j) Splash and spray suppressant device, or component thereof;

(k) Structural reinforcement for side doors or intermodal operation (limited to one inch from the side within the three-inch maximum extension);

(l) Tarping system for open-top cargo area;

(m) Turn signal lamp;

(n) Movable device to enclose the cargo area of a flatbed semi-trailer or trailer, usually called "tarping system," where no component part of the system extends more than three inches from the sides or back of the vehicle when the vehicle is in operation. This exclusion applies to all component parts of a tarping system, including the transverse structure at the front of the vehicle to which the sliding walls and roof of the tarp mechanism are attached, provided the structure is not also intended or designed to comply with 49 C.F.R. 393.106, which requires a headerboard strong enough to prevent cargo from penetrating or crushing the cab; the transverse structure may be up to one hundred eight inches wide if properly centered so that neither side extends more than three inches beyond the structural edge of the vehicle. Also excluded from measurement are side rails running the length of the vehicle and rear doors, provided the only function of the latter, like that of the transverse structure at the front of the vehicle, is to seal the cargo area and anchor the sliding walls and roof. On the other hand, a headerboard designed to comply with 49 C.F.R. 393.106 is load bearing and thus limited to one hundred two inches in width. The "wings" designed to close the gap between such a

headerboard and the movable walls and roof of a tarping system are width exclusive, provided they are add-on pieces designed to bear only the load of the tarping system itself and are not integral parts of the load-bearing headerboard structure;

(o) Tie-down assembly on platform trailer;

(p) Wall variation from true flat; and

(q) Weevil pins and sockets on a platform or low-bed trailer (pins and sockets located on both sides of a trailer used to guide winch cables when loading skid mounted equipment).

(6) **Are there weight measurement exclusive devices?** Yes. Any vehicle equipped with idle reduction technology, designed to promote reduced fuel usage and emissions from engine idling, may have up to four hundred pounds in total gross, axle, tandem or bridge formula weight exempt (excluded) from the weight measurement. To be eligible for the weight exemption, the vehicle operator must be able to prove:

(a) By written certification the weight of the idle reduction technology; and

(b) By demonstration or certification, that the idle reduction technology is fully functional at all times.

The weight exemption cannot exceed five hundred fifty pounds or the certified weight of the unit, whichever is less.

(7) **Can exclusion allowances be combined to create a larger allowance (i.e., adding a five-foot aerodynamic device to a two-foot loading/unloading device for a total exclusion of seven feet)?** No. Each exclusion allowance is specific to a device and may not be combined with the exclusion allowance for another device.

(8) **Can a device receive exclusion if it is not referenced in law or administrative rule?** If the device meets the criteria in subsection (1) of this section, a request for measurement exclusion may be made to the administrator for commercial vehicle services. If approved for an exclusion allowance, the administrator will provide the requestor a written authorization.

[Statutory Authority: RCW 46.44.090 and 46.44.093. WSR 18-21-168, § 468-38-073, filed 10/23/18, effective 11/23/18. Statutory Authority: RCW 46.44.090, 46.44.093, and P.L. 112-141 MAP 21 section 1510. WSR 13-20-002, § 468-38-073, filed 9/19/13, effective 10/20/13. Statutory Authority: RCW 46.44.090. WSR 07-16-083, § 468-38-073, filed 7/30/07, effective 8/30/07. Statutory Authority: RCW 46.44.090 and 2005 c 189. WSR 05-12-002, § 468-38-073, filed 5/18/05, effective 6/18/05.]