

WAC 468-38-050 Special permits for extra-legal loads. (1) When can the department or its agents issue a permit for an extra-legal move? The following general conditions must be met:

(a) Application can be made in face-to-face over-the-counter transactions with the department or its agents and the applicant has shown there is good cause for the move. The requestor may self-issue a special motor vehicle permit for their vehicles when applicable. Application may be made in written or electronic format to the department's agents.

(b) The applicant has shown the configuration is eligible for a permit.

(c) The vehicle, vehicle combination and/or load has been thoroughly described and identified.

(d) The points of origin and destination and the route of travel have been stated and approved.

(e) The move has been determined to be consistent with public safety. The permit applicant has indicated that appropriate safety precautions will be taken as required by state law, administrative rule or specific permit instruction.

(2) How must a vehicle(s), including load, be configured to be eligible for a special permit to move on the state highways? A vehicle(s), including load, that can be readily or reasonably dismantled must be reduced to a minimum practical size and weight. Portions of a load may be detached and reloaded on the same hauling unit when the separate pieces are necessary to the operation of the machine or equipment which is being hauled: Provided, that the arrangement does not exceed special permit limits. Detached and reloaded pieces must be identified on the special permit. Permit requests for specific divisible loads are authorized under WAC 468-38-071.

(3) Are there any exceptions to dismantling the configuration? Yes. A vehicle, vehicle combination or load may stay assembled if by separating it into smaller loads or vehicles the intended use of the vehicle or load would be compromised (i.e., removing the boom from a self-propelled crane), the value of the load or vehicle would be destroyed (i.e., removing protective packaging), and/or it would require more than eight work hours to dismantle using appropriate equipment. The permit applicant has the burden of proof in seeking an exception. Configurations that fall under the exception must not exceed special permit limits.

(4) What does the applicant affirm when he/she signs the permit? The permit applicant affirms:

(a) The vehicle or vehicle combination and operator(s) are properly licensed to operate and carry the load described in accordance with appropriate Washington law and administrative code.

(b) They will comply with all applicable requirements stipulated in the permit to move the extra-legal configuration.

(c) The move (vehicle and operator) is covered by a minimum of seven hundred and fifty thousand dollars liability insurance: Provided, that a noncommercial move (vehicle and operator) shall have at minimum three hundred thousand dollars liability insurance for the stated purpose.

(d) Except as provided in RCW 46.44.140, the official department special permit signed by the permittee, or a copy of the signed permit, must be carried on the power unit at all times while the permit is in effect. Moves made by designated emergency vehicles, receiving departmental permit authorization telephonically, are exempt from this requirement.

(e) A copy of a signed permit as noted in (d) of this subsection includes the electronic display of the signed permit on an electronic device with the following requirements:

(i) When a permittee chooses to display the permit electronically, the permittee accepts all liability for any damage or loss of display to the device during transport, inspection by enforcement personnel, or other times that the permit is to be displayed.

(ii) The displayed permit must be verifiable by law enforcement through the Washington state permitting system known as the electronic system network overweight oversize permit information (eSNOOPI) system.

(iii) The permittee agrees to authorize law enforcement to have physical control of the device for inspection of the permit when requested.

(iv) Permits containing routing information require the electronic device to have a screen display of no less than three and a half inches by five inches. Other permit types may have smaller screen displays.

(v) Display of the permit must be legible or the electronic device must have the ability to zoom the image so it is legible.

(vi) The permittee must comply with the requirements for electronic display of a permit or must have a paper copy of the permit carried on the power unit at all times while transporting the permitted load.

(5) What specific responsibility and liability does the state assign to the permit applicant through the special permit? Permits are granted with the specific understanding that the permit applicant shall be responsible and liable for accidents, damage or injury to any person or property resulting from the operation of the vehicle covered by the permit upon public highways of the state. The permit applicant shall hold blameless and harmless and shall indemnify the state of Washington, department of transportation, its officers, agents, and employees against any and all claims, demands, loss, injury, damage, actions and costs of actions whatsoever, that any of them may sustain by reason of unlawful acts, conduct or operations of the permit applicant in connection with the operations covered by the permit.

(6) When and where can a special permit be acquired? The following options are available:

(a) Special permits may be purchased at any authorized department of transportation office or agent Monday through Friday during normal business hours.

(b) Companies that would like to self-issue permits for their own vehicles may apply to the department for this privilege. Department representatives will work with the company to determine if self-issuing is appropriate.

(c) The department will maintain and publish a list of authorized permit offices and agents.

[Statutory Authority: RCW 46.44.090. WSR 16-11-011, § 468-38-050, filed 5/5/16, effective 6/5/16. Statutory Authority: RCW 46.44.090, 46.44.0915, and 46.44.101. WSR 11-17-130, § 468-38-050, filed 8/24/11, effective 9/24/11. Statutory Authority: RCW 46.44.090. WSR 05-04-053, § 468-38-050, filed 1/28/05, effective 2/28/05. Statutory Authority: RCW 46.44.090 and 47.01.071. WSR 91-10-023 (Order 71), § 468-38-050, filed 4/23/91, effective 5/24/91. Statutory Authority: RCW 46.44.090. WSR 89-23-110 (Order 68), § 468-38-050, filed 11/22/89, effective 12/23/89; WSR 82-18-010 (Order 31, Resolution No. 156), § 468-38-050,

filed 8/20/82. Formerly WAC 468-38-150. Statutory Authority: 1977 ex.s. c 151. WSR 79-01-033 (DOT Order 10 and Comm. Order 1, Resolution No. 13), § 468-38-050, filed 12/20/78. Formerly WAC 252-24-050.]