House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

CHAPTER 60

HOUSE BILL 2430

AN ACT

AMENDING SECTIONS 28-1095, 28-1103, 28-1105 AND 28-1144, ARIZONA REVISED STATUTES; RELATING TO VEHICLE SIZE, WEIGHT AND LOAD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 28-1095, Arizona Revised Statutes, is amended to read:

28-1095. Vehicle length; exceptions; permits; rules; definitions

A. A vehicle, including any load on the vehicle, shall not exceed a length of forty feet extreme overall dimension, including front and rear bumpers. This subsection does not apply to any of the following:

1. A semitrailer when used in combination with a truck or a truck tractor.

2. A truck that is equipped with a conveyor bed, that is used solely as a fiber and forage module mover and that does not exceed forty-eight feet in length.

3. An articulated bus or articulated trolley coach that does not exceed a length of sixty feet.

4. A bus that is not articulated and that does not exceed a length of forty-five feet.

5. A recreational vehicle, a power unit, a farm vehicle, a horse trailer or wheeled equipment as defined in section 28-2153 if used in combination with two units and if the combination does not exceed sixty-five feet in length.

6. A recreational vehicle as defined in section 41-2142, paragraph 30, subdivision (b) that does not exceed a length of forty-five feet.

B. A vehicle transporter may draw only one semitrailer. A combination of vehicles, excluding a vehicle transporter and the semitrailer it draws, that is coupled together shall not consist of more than two units, except that a truck or a truck tractor and semitrailer may draw either one trailer or a forklift.

C. The following restrictions apply:

1. The length of a semitrailer operating in a truck tractor-semitrailer combination or a truck tractor-semitrailer-forklift combination shall not exceed fifty-seven feet six inches.

2. The length of a semitrailer or trailer operating in a truck tractor-semitrailer-trailer combination shall not exceed twenty-eight feet six inches.

3. The length of a trailer operating in a truck-trailer combination shall not exceed twenty-eight feet six inches.

4. If the length of a semitrailer is more than fifty-three feet, the overall length of a truck tractor-semitrailer combination shall not exceed sixty-five feet on all highways, except for the national intercity truck route network designated by the United States secretary of transportation as required by the surface transportation assistance act of 1982 or on a system of highways that is designated by a local authority. In designating the streets, the local authority shall consider any reasonable restriction including such safety restrictions as structural hazards and street width and

any other safety factors identified by the local authority as a hazard to the motoring public.

5. A vehicle transporter and the semitrailer it draws shall not exceed a length of seventy-five feet.

6. A truck-semitrailer combination shall not exceed an overall length of sixty-five feet.

D. Subsection B and subsection C, paragraphs 1 through ~~4~~ 6 of this section do not apply to damaged, disabled or abandoned vehicles or combinations of vehicles while being towed by a tow truck in compliance with section 28-1108.

E. Notwithstanding subsections B and C of this section, extensions of not more than three feet beyond the foremost part and six feet beyond the rear bed or body of a vehicle or combination of vehicles used to transport manufactured vehicles or fiber and forage shall not be included in measuring the length of the vehicle or combination of vehicles when loaded.

F. Pursuant to a permit issued pursuant to section 28-1103, a truck or a truck ~~tractor and semitrailer~~ TRACTOR-SEMITRAILER may draw not more than two ADDITIONAL trailers or semitrailers. The department shall adopt rules governing the movement and safety of a combination of vehicles under this subsection and authorizing the issuance in advance of prepaid permits. The rules shall include the adoption of minimum speeds on grades, lighting, signing, identification and braking requirements and any other rules the department deems necessary. The permit issued pursuant to this subsection is limited to the following highways:

1. An interstate highway that connects with two states if both states allow ~~two~~ SUCH COMBINATIONS OF trailers or semitrailers and if the interstate highway does not exceed forty miles between the connecting states.

2. ~~Portions of an alternate~~ A state route OR HIGHWAY that ~~are~~ IS located within four miles of and ~~extend~~ EXTENDS to the border of this state and an adjacent state that allows ~~two~~ SUCH COMBINATIONS OF trailers or semitrailers.

3. A state route OR HIGHWAY that extends at least ten miles through an Indian reservation, that does not cross the Colorado river and that is located within twenty miles of and extends to the border of this state and an adjacent state that allows ~~two~~ SUCH COMBINATIONS OF trailers or semitrailers.

G. Notwithstanding subsections B and C of this section:

1. A motor vehicle may draw one single axle tow dolly on which a motor vehicle may be transported. A person shall secure the raised end of any motor vehicle being transported pursuant to this paragraph to the tow dolly by two separate chains, cables or equivalent devices adequate to prevent shifting or separation of the drawn vehicle and the tow dolly. For the purposes of this paragraph, "single axle tow dolly" means a vehicle drawn by a motor vehicle and designed and used exclusively to transport another motor vehicle by which the front or rear wheels of the drawn motor vehicle are

mounted on the tow dolly while the other wheels of the drawn motor vehicle remain in contact with the ground.

2. A truck or a truck tractor may draw a trailer or semitrailer that does not exceed a length of fifty-seven feet only on an interstate highway or on a highway that is within ten miles of an interstate highway if the trailer or semitrailer is manufactured in this state and is traveling with or without a load from its place of manufacture to be delivered for use outside this state.

3. A recreational vehicle may pull two units if all of the following conditions are met:

(a) The middle unit is equipped with a fifth wheel and brakes. The middle unit may be a farm vehicle or a horse trailer and shall have a weight equal to or greater than the rear unit.

(b) If the rear unit has a gross weight of three thousand pounds or more, it is equipped with brakes.

(c) The total combined gross weight of the towed units does not exceed the manufacturer's stated gross vehicle weight of the towing unit.

H. For the purposes of this section:

1. "Farm vehicle" has the same meaning prescribed in section 28-2514.

2. "Recreational vehicle" means a motor vehicle that is designed and customarily used for private pleasure, including vehicles commonly called motor homes, pickup trucks with campers and pickup trucks with a fifth wheel trailing device.

Sec. 2. Section 28-1103, Arizona Revised Statutes, is amended to read:

28-1103. <u>Excess size and weight special permits; definition</u>

A. Subject to section 28-1104, subsection E, on application in writing and for good cause, the director with respect to highways under the jurisdiction of the department and a local authority with respect to highways under its jurisdiction may issue a special permit in writing authorizing 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 article or otherwise not in conformity with this chapter on any highway under the jurisdiction of the party granting the permit and for the maintenance of which the party is responsible.

B. A special permit may be issued for the movement of overdimensional and overweight loads that is subject to department rules for overdimensional and overweight loads. The director shall adopt rules for overdimensional and overweight loads. The director may establish fees to cover all or part of the cost of review and analysis of requests for overdimensional and overweight load permits. The department shall collect the fees, in addition to the special permit fee provided by this section OR SECTION 28-1105.

C. Subject to this section, the director or local authority may issue the following special permits that are valid for THIRTY DAYS OR one year and that may be limited by the director or local authority:

1. A special permit authorizing the applicant to transport a load by means of a ~~truck or truck tractor, a semitrailer and one full trailer~~ TRUCK-SEMITRAILER, TRUCK-TRAILER, TRUCK TRACTOR-SEMITRAILER-SEMITRAILER OR TRUCK TRACTOR-SEMITRAILER-TRAILER combination, if all of the following conditions are met:

~~(a) The combination does not exceed one hundred eleven thousand pounds of gross vehicle weight.~~

(a) THE OVERALL LENGTH OF THE CARGO CARRYING UNIT OF THE VEHICLE COMBINATION DOES NOT EXCEED NINETY-FIVE FEET.

(b) The axle weight limitations are subject to sections 28-1099 and 28-1100.

(c) THE OVERALL GROSS WEIGHT OF THE VEHICLE COMBINATION DOES NOT EXCEED ONE HUNDRED TWENTY-NINE THOUSAND POUNDS.

~~(c)~~ (d) The vehicle combination is traveling within twenty miles of the borders of this state and an adjacent state that allows such combinations of length and gross vehicle weight.

2. Except on the national intercity truck route network ~~as~~ designated by the United States secretary of transportation as required by the surface transportation assistance act of 1982, a special permit authorizing the applicant to transport a load by means of a truck AND TWO TRAILING UNITS or A truck tractor, a semitrailer and ~~not more than~~ two ~~trailers~~ TRAILING UNITS if all of the following conditions are met:

(a) The overall length of the cargo carrying unit of the vehicle combination does not exceed ninety-five feet.

(b) The axle weight limitations conform to sections 28-1099 and 28-1100.

(c) The overall gross weight of the vehicle combination does not exceed ~~one hundred twenty-one thousand pounds for nine axles or~~ one hundred twenty-three thousand five hundred pounds ~~for ten axles~~.

(d) The vehicle combination is traveling on either:

(i) ~~Portions of an alternate~~ A state route OR HIGHWAY that is located within four miles of and extends to the border of this state and an adjacent state that allows vehicle combinations of a truck or a truck ~~tractor, a semitrailer~~ TRACTOR-SEMITRAILER and NOT MORE THAN two ADDITIONAL trailers or semitrailers.

(ii) A state route OR HIGHWAY that extends at least ten miles through an Indian reservation, does not cross the Colorado river and is located within twenty miles of and extends to the border of this state and an adjacent state that allows ~~two~~ SUCH COMBINATIONS OF trailers or semitrailers.

3. On application in writing by an owner of a watercraft as defined in section 5-301 and on good cause shown, a special excess width permit for a fee of forty-five dollars for each watercraft covered by the permit that:

(a) Authorizes the owner to move a vehicle loaded with the watercraft on a highway under the jurisdiction of the issuer if all of the following conditions exist:

(i) The total outside width of the vehicle and watercraft does not exceed ten feet.

(ii) The vehicle loaded with the watercraft is otherwise in conformity with the limitations prescribed by this chapter.

(iii) The watercraft is properly registered with the Arizona game and fish department.

(b) Contains the watercraft registration number.

D. The director may issue a special excess width permit for the operation of a vehicle with a reducible load only if both:

1. The load exceeds the width limitation prescribed in ~~this~~ section 28-1093.

2. The load does not exceed ten feet in width.

E. Subject to this section and on receipt of an application, the director or local authority shall issue a permit that is valid for THIRTY DAYS OR one year and that authorizes the commercial movement of recreational vehicles as defined in section 41-2142 that exceed the size restrictions prescribed in this article. There is no limit on the number of movements generated or the number of vehicles moved by the permittee under a permit issued pursuant to this subsection. Notwithstanding section 28-1104, additional permit requirements shall not be imposed on the commercial movement of these recreational vehicles if the recreational vehicles comply with section 28-1093, subsection D.

F. If a local authority issues permits pursuant to this section, the local authority shall provide to the department in a timely manner in an electronic format prescribed by the director all current ordinances and rules of the local authority relating to the permits. The department shall make the ordinances and rules available to the public in an electronic format.

G. The department is immune from liability for providing to the public a local authority's ordinances or rules relating to permits issued by the local authority pursuant to this section if the department relies on the information submitted by the local authority in good faith.

H. For the purposes of this section, "cargo carrying unit" means any portion of a commercial motor vehicle combination used for the carrying of cargo, including a trailer, a semitrailer or the cargo carrying section of a single unit truck. Cargo carrying unit does not include the CAB PORTION OF A truck or truck tractor.

Sec. 3. Section 28-1105, Arizona Revised Statutes, is amended to read:

28-1105. <u>Special permit fees</u>

A. Except as otherwise provided by law, the following fees are required:

1. Fifteen dollars for each special permit issued pursuant to section 28-1103 for excess size, except that a thirty dollar fee is required for each thirty day permit and a three hundred sixty dollar fee is required for each annual permit.

2. EXCEPT AS PROVIDED IN PARAGRAPH 4 OF THIS SUBSECTION, seventy-five dollars for each permit and each thirty day permit issued pursuant to section 28-1103 for excess weight, except that a six hundred dollar fee is required for each annual permit. For commercial vehicles traveling through an international port of entry on a special single trip excess weight permit issued pursuant to section 28-1103, notwithstanding section 28-6538, each month the department shall allocate and the state treasurer shall distribute the seventy-five dollar special single trip permit fee collected pursuant to this paragraph as follows:

(a) To the state highway fund established by section 28-6991, fifty per cent.

(b) To counties located in the twenty-five mile commercial border zone identified on the permit, twenty-five per cent.

(c) To incorporated cities and towns located in the twenty-five mile commercial border zone identified on the permit, twenty-five per cent. Revenues allocated to incorporated cities and towns pursuant to this subdivision shall be apportioned to each city or town on the basis that the population of each bears to the population of all cities and towns located in the twenty-five mile commercial border zone identified on the permit.

3. EXCEPT AS PROVIDED IN PARAGRAPH 4 OF THIS SUBSECTION, for a permit requested for a motor vehicle or combination of vehicles that is in excess of both the size and weight permitted by this chapter, the amount of fees applicable for an excess weight permit.

~~4. Three hundred sixty dollars for each permit issued pursuant to section 28-1103, subsection C.~~

4. FOR A VEHICLE COMBINATION DESCRIBED IN SECTION 28-1103, SUBSECTION C:

(a) SEVENTY-FIVE DOLLARS FOR EACH SINGLE TRIP OR THIRTY-DAY PERMIT ISSUED FOR EXCESS SIZE AND WEIGHT.

(b) THREE HUNDRED SIXTY DOLLARS FOR EACH ANNUAL PERMIT ISSUED FOR EXCESS SIZE AND WEIGHT UP TO ONE HUNDRED TWENTY-THREE THOUSAND FIVE HUNDRED POUNDS.

(c) SIX HUNDRED DOLLARS FOR EACH ANNUAL PERMIT ISSUED FOR EXCESS SIZE AND WEIGHT MORE THAN ONE HUNDRED TWENTY-THREE THOUSAND FIVE HUNDRED POUNDS AND UP TO ONE HUNDRED TWENTY-NINE THOUSAND POUNDS.

B. A fee is not required for a permit issued pursuant to section 28-1103 for the movement of vehicles or combinations of vehicles owned by the United States government, this state or a county, city or town.

C. If a special permit is required by the director and by one or more authorities to move a vehicle or combination of vehicles, the applicant for the permit or permits shall pay a permit fee only to the director and is not required to pay a permit fee to a local authority.

D. If a special permit is required by more than one local authority to move a vehicle or combination of vehicles and if the permit is not required by the director, the applicant shall pay a permit fee only to the local

authority that has jurisdiction of the streets and highways where the movements of the vehicle or combination of vehicles originate.

Sec. 4. Section 28-1144, Arizona Revised Statutes, is amended to read:

28-1144. Issuing envelope permits; restrictions; requirements

A. EXCEPT AS PROVIDED IN SUBSECTION D OF THIS SECTION, on approval of the application, the director may issue an envelope permit. The envelope permit for a nonspecific and nonreducible vehicle or cargo shall not authorize a vehicle or a vehicle transporting cargo on a highway to exceed two hundred fifty thousand pounds gross weight, fourteen feet in width, sixteen feet in height and one hundred twenty feet in length.

B. The director may issue an envelope permit for a vehicle hauling a houseboat within a ten mile radius of a lake that is located in this state and the state of Utah and whose tributary is the Colorado River if the vehicle or load does not exceed one hundred fifty thousand pounds gross weight, sixteen and one-half feet in width, twenty-five feet in height and one hundred twenty feet in length. A person who operates a vehicle on a highway transporting a houseboat for which an envelope permit has been issued pursuant to this subsection must notify the department as prescribed by the director each time a vehicle hauls a houseboat as authorized by the envelope permit. A person who violates the notification requirement of this subsection subjects the envelope permit to immediate revocation by the department and must apply for a special permit prescribed in section 28-1103 in order to comply with ~~the provisions of~~ article 18 of this chapter relating to vehicle size, weight and load. The director shall adopt rules, including establishing fees, for envelope permits for vehicles hauling houseboats pursuant to this subsection.

C. EXCEPT AS PROVIDED IN SUBSECTION D OF THIS SECTION, a vehicle for which an envelope permit is issued shall have at least three axles. Except for excess gross weight, excess width or length authorized by the envelope permit, a vehicle and cargo shall meet the requirements of statutes, rules and ordinances governing the movement of vehicles on highways and rules of local authorities.

D. ON APPROVAL OF THE APPLICATION, THE DIRECTOR MAY ISSUE AN ENVELOPE PERMIT FOR A VEHICLE WITH TWO AXLES THAT IS TRANSPORTING A NONSPECIFIC AND NONREDUCIBLE VEHICLE OR CARGO ON A HIGHWAY IF THE VEHICLE OR VEHICLE TRANSPORTING CARGO DOES NOT EXCEED THE APPLICABLE MAXIMUM GROSS WEIGHT LIMITS AS PRESCRIBED IN SECTION 28-1100, FOURTEEN FEET IN WIDTH, SIXTEEN FEET IN HEIGHT AND ONE HUNDRED TWENTY FEET IN LENGTH.

~~D.~~ E. A person who operates a vehicle on a highway transporting cargo for which an envelope permit has been issued and is required shall have a legible envelope permit in the person's immediate possession. The envelope permit is valid only if the power unit towing or transporting the cargo is listed on the permit. The operator shall display the envelope permit on demand of a peace officer.

~~E.~~ F. A photocopy or facsimile of the envelope permit is not valid.

~~F.~~ G. An envelope permit shall provide for the listing of any number of power units on the permit. A permit may be duplicated and modified to include the listing of additional power units at the time of initial application or later.

~~G.~~ H. The director shall not issue an envelope permit for a vehicle or vehicle combination that transports cargo commonly known as a mobile or modular home.

APPROVED BY THE GOVERNOR APRIL 16, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2014.

Passed the House March 4, 2014

by the following vote: 54 Ayes,

1 Nays, 5 Not Voting

Speaker of the House

Pro Tempore

Cheryl Laube

Chief Clerk of the House

Passed the Senate April 15, 2014

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

16 day of April, 2014

at 11:50 o'clock A M.

Mikhaela Howell

Secretary to the Governor

Approved this 16th day of

April

at 2:58 o'clock P. M.

Janice K. Brewer

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 17th day of April, 2014

at 8:12 o'clock a M.

Secretary of State

H.B. 2430