

Adopt Tra 304, previously effective 1-26-00 (Doc #7193), and expired 1-26-08, to read as follows:

#### PART Tra 304 OVERSIZE AND OVERWEIGHT VEHICLE PERMITS

Tra 304.01 Purpose. The purpose of Tra 304 is to establish procedures and criteria for permits for the movement of non-divisible vehicles, objects, or vehicles and loads having weight, width, height, or length greater than statutorily allowed limits set forth in RSA 266. Pursuant to RSA 266:24, the commissioner, with the approval of the director of motor vehicles, department of safety, has authority to grant permits that specify routes and times of travel for movement of oversize, overweight, or both, vehicles, objects, or vehicles and loads. These permits authorize travel only on those state maintained roads and bridges over which the department of transportation has jurisdiction, that is, the state highway system.

Tra 304.02 Scope. Tra 304 shall apply to any individual or business organization wishing to move a non-divisible vehicle, object, or vehicle and load within the state of New Hampshire on the state highway system that has a weight, width, height, or length greater than the limits set forth in RSA 266.

#### Tra 304.03 Definitions.

(a) “Applicant” means a carrier applying for a permit or a permitting service applying for a permit on behalf of a carrier.

(b) “Business organization” means any enterprise, whether a corporation, partnership, limited liability company, proprietorship, association, business trust, real estate trust, nonprofit organization, or other form of organization, carrying on any business activity within the state.

(c) “Buildings or structures” means a building or structure located on an existing permanent foundation system to be moved to another location and to be placed on a new, existing, or proposed permanent foundation.

(d) “Building component” means an assembled section of a modular building, ready for on-site assembly. This does not include sheds.

(e) “Combination unit” vehicle means coupled vehicles consisting of truck or tractor together with a trailer attached by a pintle hook or a similar coupling system, or a 5<sup>th</sup> wheel coupling device, with adequate breakaway protection as provided in RSA 266:63.

(f) “Convoy” means more than 2 vehicles with a permitted load for the same individual or business organization traveling in a row on the ways of the state.

(g) “Electronic permitting system” means the department’s on-line electronic system to apply for a permit for vehicles, objects, or vehicles and loads that are oversize, overweight, or both.

(h) “Emergency” means a calamity, existing or imminent, caused by fire, flood, riot, windstorm, explosion, earthquake, extreme weather, terrorist act, or act of God that requires immediate remedial action to protect property or life.

(i) “Hauling unit” means a truck used to move a load or a truck or tractor used to move a load with a trailing unit attached to the truck or tractor.

(j) “Inclement weather” means atmospheric conditions that may interfere with safe operation of a vehicle or load involved in a move, including, but not limited to, fog, haze, heavy rain, freezing rain, sleet, ice, snow, or wind.

(k) “Insufficient highway” means a highway:

(1) That is not passable in any safe manner by those vehicles permitted on the highway by state law; or

(2) On which there exists a safety hazard which is not reasonably discoverable or reasonably avoidable by a person who is traveling upon the highway at posted speeds, in obedience to all posted regulations, and in a manner which is reasonable and prudent as determined by the condition and state of repair of the highway, including any warning signs, and prevailing visibility and weather conditions.

(l) “Manufactured housing” means “manufactured housing” as defined in RSA 205-D:1, XI, namely, “any structure, transportable in one or more sections, which in the traveling mode, is 8 body feet or more in width and 40 body feet or more in length, or when erected on site, is 320 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating, and electrical heating systems contained therein. Manufactured housing as defined in this section shall not include campers or recreational vehicles as defined in RSA 216-I:1 or RSA 259:84-a; presite built housing as defined in RSA 674:31-a; or modular buildings as defined in RSA 205-C:1, XI.”

(m) “Modular building” means “modular building” as defined in RSA 205-C:1, XI, namely, “any building of closed construction, which is made or assembled in manufacturing facilities off the building site, for installation, or assembly and installation, on the building site. This definition shall not be construed to include any structure labeled in accordance with the Federal Manufactured Housing Construction and Safety Standards Act of 1974, nor shall it include any recreational vehicle or park trailer as defined in American National Standards Institute A119.2, Standard for Recreational Vehicles, or A119.5, Standard for Park Trailers, or any building type not subject to the requirements of nationally recognized model building codes.”

(n) “Non-divisible load” means any load or vehicle exceeding applicable size or weight limits which, if separated into smaller loads or vehicles would:

(1) Compromise the intended use of the vehicle, that is, make it unable to perform the function for which it was intended;

(2) Destroy the value of the load or vehicle, that is, make it unusable for its intended purpose); or

(3) Require more than 8 work hours to dismantle using appropriate equipment.

(o) “Permit office” means the permit office within the bureau of highway maintenance of the department.

(p) “Permit” means a permit issued by the permit office for a specific oversize, overweight, or both, load that is identifiable by vehicle serial number or product specific identification number.

(q) "Permit service" means an individual or a business organization that seeks to obtain single trip permits on behalf of individuals or business organizations for oversize, overweight, or both, vehicles, objects, or vehicles and loads.

(r) "Portable structure", for the purpose of Tra 304.12, means a structure designed for exterior use, such as a shed or gazebo, that is prefabricated at an off-site location and then transported to a new location for installation and use.

(s) "Self-propelled" means a single unit vehicle consisting of cab, chassis, and body not capable of carrying a load and not primarily designed for drawing other vehicles.

(t) "Self-certification" means that the applicant is self certifying that they have performed a review of all state bridges on the proposed route for the proposed load and that all state bridges are adequate to carry the proposed load without any limitations or special conditions.

(u) "Single unit" vehicle means a single piece straight truck with a rigid frame connecting all axles.

(v) "Supermoves" means moves which involve excessive weights and dimensions as further described in Tra 304.12(c).

(w) "Tandem axle" means "tandem axle" as defined by RSA 259:107-a, namely, "2 consecutive axles whose centers may be included between parallel vertical planes spaced at least 4 feet and not more than 10 feet apart, extending across the full width of the vehicle, except that for vehicles being driven on the interstate and defense highway system with a gross weight in excess of 73,280 pounds a tandem axle shall be limited to 2 or more consecutive axles whose centers may be included between parallel vertical planes spaced not less than 40 nor more than 96 inches apart, extending across the full width of the vehicle."

(x) "Tractor" means "tractor" as defined in RSA 259:108, namely, "any self-propelled vehicle designed or used as a traveling power plant or for drawing other vehicles, but having no provision for carrying a load, but shall not include off-highway recreational vehicles not designed or equipped for highway use."

(y) "Truck" means "truck" as defined in RSA 259:115-b, namely, "every motor vehicle designed, used or maintained primarily for the transportation of property."

(z) "Vehicle and load" means hauling unit, trailing unit, if any, and load.

#### Tra 304.04 When Permit is Not Required.

(a) No permit shall be required for the movement upon the ways of this state for the following vehicles:

(1) Any vehicle or load dimension that is permissible in accordance with RSA 266:10, RSA 266:11, and RSA 266:12, and any vehicle or load weight that is permissible in accordance with RSA 266:18, RSA 266:18-a, RSA 266:18-b, or RSA 266:18-c;

(2) Any vehicle or vehicle and load exempted under the length exceptions in RSA 266:11-a;

(3) Any vehicle or vehicle and load exempted under the width exceptions in RSA 266:13, RSA 266:13-a, RSA 266:13-b, RSA 266:13-c, or RSA 266:15;

(4) Any vehicle or vehicle and load exempted under the weight exceptions in RSA 266:19-a, RSA 266:21, RSA 266:21a, or RSA 266:23;

(5) Highway building equipment, vehicle and load, motor vehicles, or construction materials exempted in RSA 266:20;

(6) Any vehicle exempted under the truck axle length exception in RSA 266:24-a; or

(7) Equipment that is an implement of husbandry designed, adapted, and used exclusively for agricultural, horticultural, or livestock operations, but not on a for hire basis, for which use on a public way is incidental to its intended function as defined in RSA 259:44.

(b) No additional New Hampshire permit shall be required for vehicles driving upon the ways of this state in compliance with a permit issued in accordance with the terms of the New England Transportation Consortium (NETC) regional agreement authorized by RSA 266:24-b and recognized as enforceable in New Hampshire.

Tra 304.05 Types of Recognitions and Permits Available under Tra 304. An individual or business organization may apply for one or more of the following issued by the permit office in accordance with Tra 304:

(a) Recognition as a permit service, as provided in Tra 304.08;

(b) Annual permit, as provided in Tra 304.09, including associated annual permit supplementals, as provided in Tra 304.10;

(c) Emergency permit as provided in Tra 304.11; and

(d) Single-trip permit, as provided in Tra 304.12 and Tra 304.13.

Tra 304.06 Permit Applications; Availability and Filing.

(a) Application for an annual permit, annual permit supplemental, or single-trip permit shall be made in the name of the individual or business organization that is the registered owner of the hauling unit that will actually perform the move. When a permit service is making an application on behalf of an individual or business organization, the name of the permit service shall be provided on the application.

(b) The process shall require the applicant to:

(1) Accept the user agreement on the permitting register webpage and click “go”;

(2) Complete a user form to open an account; and

(3) Once the applicant has an account, the applicant shall update the applicant and carrier account information;

(c) An application for an annual permit or a single-trip permit shall be filed with the permit office in electronic or paper format.

(d) An application for an annual permit supplemental shall be made:

(1) Electronically, using the electronic permitting system found at the department's internet address of "<http://www.nhpermits.org>" with the required electronic signature;

(2) By telephone, by calling the permit office at (603) 271-2691; or

(3) In person, from the permit office located at the John O. Morton Building, 7 Hazen Drive, Concord NH 03302-0483.

(e) An applicant may obtain a paper application as follows:

(1) Online at the department's Internet address of: <http://www.nhpermits.org>;

(2) By sending a request in writing, with a self-addressed stamped return envelope, to the permit office at the following address:

New Hampshire Department of Transportation  
Oversize and Overweight Permit Office  
PO Box 483  
7 Hazen Drive  
Concord NH 03302-0483;

(3) In person, from the permit office located at the John O. Morton Building, 7 Hazen Drive, Concord NH 03302-0483; or

(4) By requesting an application by telephone, by calling the permit office at (603) 271-2691.

(f) A paper application shall be:

(1) Filed in person at the John O. Morton Building, 7 Hazen Drive, Concord NH 03302-0483; or

(2) Sent by mail, addressed to:

New Hampshire Department of Transportation  
Oversize and Overweight Permit Office  
PO Box 483  
7 Hazen Drive  
Concord NH 03302-0483

(g) If travel is on other than state roads or bridges, the applicant shall obtain permission from the selectman, council, trustee, or other appropriate officials with jurisdiction over the roads or bridges.

Tra 304.07 Processing of Permit Applications; General Requirements.

(a) Except for (d) below, this section shall not apply to the processing of emergency permit applications as provided in Tra 304.11.

(b) Upon receipt of an application, the permit office shall determine if the application is complete. If the application is not complete, the permit office shall notify the applicant and allow the applicant to complete and resubmit the application.

(c) Within 30 days after receipt of a complete application, the permit office shall determine whether to grant the permit in accordance with Tra 304, unless the permit office requires additional information to process the application. If the permit office requires additional information to process the application, the permit office shall determine whether to grant the permit within 30 days after receipt of all additional information required by the permit office.

(d) The permit office shall not grant an annual permit, annual permit supplemental, emergency permit, or single trip permit if the permit office determines that it would be unsafe or impossible for the vehicle, object, or vehicle and load to accomplish the move, taking into account:

- (1) The configuration of the vehicle;
- (2) The maximum length, width, and height dimensions or weight of the vehicle, object, or vehicle and load;
- (3) The parameters of the route;
- (4) Obstacles on the route;
- (5) The turning radius of the vehicle, object, or vehicle and load;
- (6) Any restrictive bridge weight posting;
- (7) Construction in progress along the route; or
- (8) Condition of the highway.

(e) For a single trip permit and annual permit single trip supplemental, the permit office shall also take into account, in addition to the factors listed in (d) above, anticipated weather and time of day.

(f) Except as otherwise provided in Tra 304.12(c) for a supermove, based on safety considerations, including the particular route, the permit office shall require the applicant for an oversize, overweight, or both, vehicle, object, or vehicle and load to provide, at the applicant's expense, the following information, unless the permit office has on file current engineering information applicable to the proposed route and the proposed vehicle, object, or vehicle and load:

- (1) A written report of an engineering inspection, performed by a professional engineer licensed in New Hampshire, certifying that the pavement and highway structures, including bridges, are adequate to support the move along the entire route;
- (2) A confirmation from the applicable highway district engineer, the bureau of bridge design or designees, or both, that the pavement and highway structures, including bridges, of the proposed route meet the criteria specified in (1) above; and
- (3) Approved bridge review by the department or an application with an acceptable self-certification of the proposed route.

(g) The permit office shall require the applicant to provide, at the applicant's expense, a physical route survey identifying the minimum clearances along the proposed route, taking into consideration all physical obstructions, if:

- (1) The height of the vehicle, object, or vehicle and load is greater than 13 feet 6 inches;
- (2) The length of the vehicle, object, or vehicle and load is greater than 110 feet; or
- (3) The permit office determines that the proposed route poses a potential clearance problem.

(h) If the permit office determines that the applicant qualifies for a permit under Tra 304, the permit office shall:

- (1) Compute the fee in accordance with RSA 266:22;
- (2) Collect the fee from the applicant;
- (3) Endorse the permit with any provisions applicable to the vehicle, object, or vehicle and load by reason of:
  - a. The general terms and conditions specified in Tra 304.14;
  - b. The provisions specified in Tra 304.13, Tra 304.15, and Tra 304.16;
  - c. The escort vehicle requirements specified in Tra 304.17;
  - d. Any specific conditions imposed pursuant to RSA 266:23 and Tra 304; or
  - e. Any special conditions that the department determines are in the best interest of the safety of the traveling public or will protect the highways and bridges; and
- (4) Issue the permit to the applicant.

(i) If the permit office determines that the applicant does not qualify for a permit under Tra 304, the permit office will:

- (1) Provide the applicant with notice of the final denial;
- (2) Specify the grounds upon which the denial is based; and
- (3) Advise the applicant of the applicant's right to request a hearing pursuant to Tra 304.20.

Tra 304.08 Recognition as a Permit Service.

(a) The issuance of an active account by the permit office for a permit service by means of the electronic permitting system shall constitute recognition of the permit service.

(b) An individual or business organization seeking recognition as a permit service shall provide the following information to the permit office:

- (1) Permit service name;
- (2) The permit service's permanent address, including street, city, state, country, and postal code;

- (3) Full name of the administrator for the service;
  - (4) Telephone number of the administrator; and
  - (5) An active electronic mail address for the administrator or company;
- (c) The permit office shall assign:
- (1) A user ID name unique to the administrator; and
  - (2) A user password unique to the administrator.
- (d) Recognition as a permit service shall not:
- (1) Create or constitute a contractual relationship between the state and the service;
  - (2) Be construed to be a license within the meaning of RSA 541-A:1, VIII; or
  - (3) Constitute any form of endorsement by the state of the quality of the permit service to potential users of the service.
- (e) A permit service that has received recognition from the department shall notify the department of any change to the information required under (b)(1)-(5) above, within 5 calendar days of the change.
- (f) Any employee listed as an administrator by the permit service shall be authorized to identify to the department any clerks, by user name and password, employed by the permit service for use in the electronic permitting system. An administrator or a clerk identified by an administrator shall be authorized to make applications for single trip permits for clients of the permit service using the department's electronic permitting system. An administrator shall place any terminated clerk into inactive status in the department's electronic permitting system and shall notify the department in writing or email of the termination.

Tra 304.09 Annual Permit; Application; Processing; Expiration.

- (a) An applicant applying for an annual permit shall provide the following information to the department on the department's electronic permitting system, with Items 1-7 below being provided when the applicant establishes an account in the electronic permitting system:
- (1) The carrier's name;
  - (2) The carrier's permanent address, including street, city, state, country, and postal code;
  - (3) The carrier's mailing address, if different from the permanent address;
  - (4) If the carrier's permanent address is not in New Hampshire and the carrier has a business location in New Hampshire, the address of the carrier's business location in New Hampshire, including street, city, and postal code;
  - (5) Full name of the contact person for the carrier;
  - (6) Telephone number of the contact person; and



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- (7) An active electronic mail address for the contact person or company;
- (8) The category of the load, which shall be one of the following:
- a. Construction equipment and miscellaneous; or
  - b. Self propelled;
- (9) Whether the request is to operate:
- a. Within a limited radius of 100 miles or less from the applicant's home location and provided that the permit can apply only to an operating area within the state of New Hampshire;
  - b. Within a specified area; or
  - c. On a statewide basis; and
- (10) A description of the hauling unit, specifying:
- a. The vehicle type, which shall be one of the following:
    1. Tractor; or
    2. Truck;
  - b. The state of registration of the hauling unit;
  - c. The plate registration of the hauling unit;
  - d. The registered weight of the hauling unit; and
  - e. The total number of axles of the hauling unit.
- (b) The permit office shall assign the applicant the following in the electronic permitting system, unless the applicant selects their own user name and password as allowed in (c) below:
- (1) A user ID name unique to the applicant; and
  - (2) A user password unique to the applicant.
- (c) The applicant may assign in the electronic permitting system:
- (1) A user ID name unique to the applicant, created by the applicant; and
  - (2) A user password unique to the applicant, created by the applicant.
- (d) Subject to the requirements of Tra 304, the permit office shall grant an annual permit for:
- (1) A single hauling unit that exceeds the width or length limitations of RSA 266, but does not exceed any of the following:

- a. A length of 45 feet, 0 inches;
- b. A width of 10 feet, 6 inches;
- c. A height of 13 feet, 6 inches; or
- d. The legally registered weight of the truck in New Hampshire; or

(2) Combined tractor, trailing unit, and load that exceed the width or length limitations of RSA 266, but do not exceed any of the following:

- a. A length of 75 feet, 0 inches;
- b. A width of 10 feet, 6 inches;
- c. A height of 13 feet, 6 inches; or
- d. The legally registered weight of the tractor in New Hampshire;

(e) The holder of an annual permit granted under Tra 304.09(d) may apply for a single-trip supplemental or round trip by reverse route supplemental as provided in Tra 304.10(c).

(f) An annual permit shall be valid on all class I and class II highways within the area(s) indicated on the permit, except for bridges and highways posted for less than the permitted weight of the vehicle and load.

(g) An annual permit shall expire one year after the date of issuance of the permit.

(h) An annual permit or annual permit supplemental shall not be available for a supermove, as described in Tra 304.12(c).

Tra 304.10 Annual Permit Supplementals: Application; Expiration.

(a) The permit office shall issue the following types of annual permit supplementals:

(1) Single-trip supplemental or round-trip return by reverse route supplemental, formerly known as an “instant permit,” as set forth below in Tra 304.10(c); and

(2) Emergency supplemental, as set forth below in Tra 304.10 (f).

(b) The holder of an annual permit may apply for an annual permit supplemental. An annual permit supplemental shall allow the permit holder to exceed a condition(s) specified in the annual permit for the category of load, hauling unit, and trailing unit, if any, as specified in (c)-(g) below.

(c) A single-trip supplemental or round trip return by reverse route supplemental shall allow a permit holder to make a move exceeding any of the dimensions specified on the annual permit, in accordance with the conditions specified in the supplemental. A single-trip supplemental or round trip return by reverse route supplemental is only valid for the specific load as described on (d) (3) (g) below.

(d) An applicant for a single trip supplemental or round trip return by reverse route supplemental shall provide the following information to the permit office electronically, by telephone or in person at the permit office on a supplemental permit form:

- (1) The number of the annual permit;
- (2) The following information relative to the itinerary of the move:
  - a. Anticipated start date;
  - b. Points of origin and destination;
  - c. The specific route between the points of origin and the destination; and
  - d. Return trip information if applicable; and
- (3) The following information relative to the vehicle and load:
  - a. Total gross weight of the vehicle and load;
  - b. Overall length of the vehicle and load;
  - c. Overall width of the vehicle and load;
  - d. Overall height of the vehicle and load;
  - e. The total number of axles, proposed axle weights, center-to-center axle spacings, and manufacturer maximum axle ratings;
  - f. Manufacturer maximum tire capacity, number of tires per axle, and total axle tire capacity;
  - g. Description of the load including equipment serial number or identification number for other loads;
  - h. GVWR/GCWR of the hauling unit and all components of the hauling equipment; and
  - i. Proposed load for each part of the permit vehicle, if requested.

(e) An emergency supplemental shall allow a permit holder to move vehicles or vehicles and loads in response to an emergency during the period of time covered by the annual permit, for the type(s) of emergency specified in the emergency supplemental.

(f) An applicant for an emergency supplemental shall provide the following information to the permit office on a supplemental permit form:

- (1) The number of the annual permit;
- (2) The following information relative to the emergency move(s):
  - a. Type of emergency;

- b. Anticipated routes to be traveled in response to the emergency;
- c. Type of vehicle and load that will need to be moved in response to the emergency; and
- d. State, city, town, or agency contact name and telephone number to verify the nature of the emergency; and

(3) The following information relative to the anticipated vehicle and load:

- a. Total gross weight of the vehicle and load;
- b. Overall length of the vehicle and load;
- c. Overall width of the vehicle and load;
- d. Overall height of the vehicle and load;
- e. The total number of axles, proposed axle weights, center-to-center axle spacings, and manufacturer maximum axle ratings;
- f. Manufacturer maximum tire capacity, number of tires per axle, and total axle tire capacity;
- g. Description of the load including equipment serial number or identification number for other loads;
- h. GVWR/GCWR of the hauling unit and all components of the hauling equipment; and
- i. Proposed load for each part of the permit vehicle, if requested.

(g) A single-trip supplemental shall expire on the date specified in the permit for the completion of the move or upon completion of the move, whichever occurs first.

(h) A round trip return by reverse route supplemental shall expire on the date specified in the permit for the completion of the move or upon the completion of the move, whichever occurs first.

(i) An emergency supplemental shall expire upon the date specified in the permit for the completion of the move, upon completion of the move, or the expiration of the permit it supplements, whichever occurs first.

Tra 304.11 Emergency Permit; Processing; Expiration.

(a) An applicant seeking to move a load in response to an emergency shall be granted an emergency permit if the applicant follows the procedures and meets the criteria provided in this section.

(b) If the emergency arises during regular business hours, a supplemental application for an emergency supplemental permit shall be made:

- (1) Electronically, using the electronic permitting system by calling the permit office at (603) 271-2691; or

(2) In person, at the permit office located in the John O. Morton Building, 7 Hazen Drive, Concord NH 03302-0483.

(c) If the emergency arises outside of regular business hours, a supplemental application for an emergency permit shall be made electronically using the electronic permitting system followed by calling the transportation management center at 603-271-6862.

(d) An applicant for an emergency permit under this section shall provide all required information on a supplemental application, up to and including:

- (1) The applicant's name;
- (2) The applicant's permanent address, including street, city, state, country, and postal code;
- (3) The applicant's mailing address, if different from the permanent address;
- (4) The applicant's telephone number;
- (5) State, city, town, or agency contact name and telephone number to verify the nature of the emergency;
- (6) An active electronic email address for the contact person;
- (7) The following information relative to the vehicle and load:
  - a. Total gross weight of the vehicle and load;
  - b. Overall length of the vehicle and load;
  - c. Overall width of the vehicle and load;
  - d. Overall height of the vehicle and load;
  - e. The total number of axles, proposed axle weights, center-to-center axle spacings, and manufacturer maximum axle ratings;
  - f. Manufacturer maximum tire capacity, and number of tires per axle, and total axle tire capacity;
  - g. Description of the load including equipment serial number or identification number for other loads;
  - h. GVWR/GCWR of the hauling unit and all components of the hauling equipment; and
  - i. Proposed load for each part of the permit vehicle, if requested;
- (8) The reason for the emergency permit;
- (9) The applicant's proposed action; and

- (10) The specific route(s) for the emergency move;
- (e) The department shall issue an emergency permit to the applicant, if department determines:
  - (1) The emergency constitutes an imminent threat to public health, safety, or property; and
  - (2) The movement is in the interest of public safety.
- (f) An emergency permit issued under this section shall expire at the conclusion of the emergency.

Tra 304.12 Single-Trip Permit; Application; Processing; Expiration.

(a) An applicant for a single-trip permit to make a single move of a load exceeding a size or weight allowed by RSA 266 shall provide the following information to the permit office on the single trip application form, with items (1)-(6) below being provided when the carrier establishes an account in the electronic permitting system:

- (1) The applicant's name;
- (2) The applicant's permanent address, including street, city, state, country, and postal code;
- (3) The applicant's mailing address, if different from the permanent address;
- (4) Full name of the contact person for the applicant;
- (5) Telephone number of the contact person or company;
- (6) An active electronic mail address for the contact person or company;
- (7) A description of the load;
- (8) The following information regarding the itinerary of the move:
  - a. Anticipated start date;
  - b. Point of origin and the destination; and
  - c. The specific route between the points of origin and the destination;
- (9) The requested effective date for the permit;
- (10) A description of the hauling unit, specifying:
  - a. The vehicle type, which shall be one of the following:
    - 1. Tractor; or
    - 2. Truck;
  - b. The state of registration of the hauling unit;

- c. The plate registration number of the hauling unit;
  - d. The registered weight of the hauling unit;
  - e. The total number of axles, proposed axle weights, center-to-center axle spacings, and manufacturer maximum axle ratings of the hauling unit;
  - f. Manufacturer maximum tire capacity, number of tires per axle, and total axle tire capacity; and
  - g. GVWR/GCWR of the hauling unit;
- (11) A description of the trailing unit(s), specifying:
- a. The trailer type(s), which shall be one of the following:
    - 1. Trailer;
    - 2. Item in tow;
    - 3. Jeep dolly;
    - 4. Pivoting booster;
    - 5. Rear-steering dolly;
    - 6. Semi-trailer;
    - 7. Stretched semi-trailer;
    - 8. Tag-along; or
    - 9. Other, as specified by the applicant;
  - b. State of registration of the trailing unit(s);
  - c. Plate registration number of the trailing unit(s);
  - d. Length of the trailing unit(s);
  - e. Number of axles, center-to-center axle spacings, manufacturer maximum axle rating, and proposed axle weights of the trailing unit(s);
  - f. Manufacturer maximum tire capacity, number of tires per axle, total axle tire capacity, and proposed tire loads of the trailing unit;
  - g. Description of the load including equipment serial number or identification number for other loads; and
  - h. GVWR/GCWR of the trailing unit(s); and

(12) The following information relative to the vehicle and load:

- a. Total gross weight of the vehicle and load;
- b. The total number of axles;
- c. Overall length of the vehicle and load;
- d. Overall width of the vehicle and load;
- e. Overall height of the vehicle and load; and
- f. The load on each component of the vehicle and hauling equipment, if requested.

(b) The permit office shall not issue a single-trip permit, except as otherwise provided in (c) and (g) below and in Tra 304.13, for a vehicle and load that:

- (1) Exceeds a width of 15 feet, 0 inches;
- (2) Exceeds a length of 110 feet 0 inches;
- (3) Exceeds a height of 13 feet 6 inches; or
- (4) Exceeds a gross vehicle and load total weight that qualifies for a supermove as described in (c) below.

(c) The following shall be classified as a supermove:

- (1) The vehicle and load exceeds 15 feet 0 inches in width or exceeds 110 feet 0 inches in length, or both;
- (2) The load exceeds a height of 13 feet 6 inches; or
- (3) The weight exceeds 149,999 pounds.

(d) A vehicle, object, or vehicle and load shall be classified as a supermove based on the following:

- a. The factors listed in Tra 304.07(d)(1)-(8);
- b. The safety of the public;
- c. Anticipated traffic; and
- d. The likelihood of damage to transportation infrastructure and/or roadside objects.

(e) For a supermove permit, the permit office shall require the applicant to provide, at the applicant's own expense, the following information in addition to the information required under (a) above, unless the permit office has on file current engineering information applicable to the proposed route and the proposed vehicle, object, or vehicle and load:



- (1) A written report of an engineering inspection, performed by a professional engineer licensed in New Hampshire, certifying that the vehicle, object, or vehicle and load and proposed route meet each of the following criteria:
- a. The vehicle and equipment are adequate to safely perform the move;
  - b. The pavement and highway structure, including bridges, are adequate to support the move along the entire route without sustaining damage, and
  - c. There are adequate vertical and horizontal clearances and turning paths along the entire route; and
- (2) A confirmation from the applicable turnpike/highway district engineer, the bureau of bridge design or designees, or both, that the proposed route meets each of the criteria specified in (1) b. and c. above.
- (f) When the permit office issues a permit for a supermove, it shall be for a date and time of day when the move can be safely carried out, which may be at any time of day on either a weekday or a weekend day, and the permit shall be valid for the date(s) and time(s) specified in the permit. The permit fee for a supermove shall be calculated in accordance with RSA 266:22. An annual permit supplemental shall not be issued for supermoves.
- (g) A load consisting of buildings, structures, and portable structures upon an independent carriage assembly exceeding 12 feet 0 inches in width shall be subject to the following conditions:
- (1) No such load, except as provided in (2) below, shall be moved upon any portion of the interstate highway system or on the toll highway system;
  - (2) A building, structure, or portable structure that is designed and constructed to be appropriate for transport upon the interstate highway system or on the toll highway system shall be allowed if:
    - a. The applicant provides, at the applicant's own expense, documentation that the:
      1. Proposed move meets the criteria listed in (5) a. – d. below; and
      2. Building, structure, or portable structure will withstand the anticipated travel conditions of the proposed move; and
    - b. The move is approved by the applicable turnpike/district engineer or the bureau of bridge design(or designees, or both, after review of the applicant's documentation;
  - (3) On all state highways, other than those listed in (1) above, if a move is within the boundaries of a highway construction project or highway construction zone, the move shall be coordinated with the prime state contractor to avoid conflicts with scheduled work;
  - (4) If the route through a highway construction project or highway construction zone is over a new highway section not yet maintained for vehicular traffic, the applicant shall obtain written approval from the prime state contractor who controls the new highway section; and
  - (5) The applicable turnpike/district engineer or bureau of bridge design or designees, or both, shall review the request and confirm that:

- a. The building or structure to be moved is structurally sound;
- b. The vehicle and equipment are adequate to safely perform the move;
- c. The pavement and highway structures, including bridges, are adequate to support the move along the entire route without sustaining damage; and
- d. There are adequate horizontal and vertical clearances and turning paths along the entire route.

(h) The requirements of (g) above shall not apply to manufactured housing or modular buildings.

(i) Except as otherwise provided in (f) above, a permit for a vehicle, object, or vehicle and load that is oversize, overweight, or oversize and overweight shall be valid for 5 business days. When requested by the applicant, a permit for a round trip return by reverse route shall be valid for 10 business days. The calculation of the 5 or 10 business days shall include the date the permit takes effect.

Tra 304.13 Special Provisions for Single-Trip Permits for Manufactured Housing, Modular Buildings, and Building Components.

(a) The movement of manufactured housing, a modular building, or building components shall require a single-trip permit issued under Tra 304.12.

(b) The movement of manufactured housing, modular buildings, and building components that exceed 16 feet 0 inches in width shall not be allowed.

(c) When calculating the maximum width dimensions allowed under this section, there shall be an additional 6-inch allowance for overhanging eave(s) on the right-hand shoulder side of the highway in the direction of travel. Any eave overhang on the left side shall be considered part of the maximum width dimension.

(d) A single trip permit for movement of a vehicle hauling manufactured housing, modular buildings, or building components shall be subject to the following conditions:

(1) The manufacturer's specifications regarding maximum capacities for the equipment employed in transporting manufactured housing units shall not be exceeded;

(2) The towing vehicle for manufactured housing units which exceed 10 feet 0 inches in width shall be a truck-tractor of not less than 2-ton capacity, equipped with dual wheels on each side of the drive axle;

(3) The transport vehicles, including trailers, shall have the following equipment:

- a. Brakes;
- b. Clearance lights;
- c. Reflectors;
- d. Safety chains to restrain the trailer to the truck or tractor if the coupling fails; and

e. Emergency brakes;

(4) Moves shall be prohibited when ground surface wind velocity exceeds 25 miles per hour;

(5) When traffic following a permitted move of manufactured housing, modular building, or building components has accumulated to 7 or more vehicles because of the permitted move, the transport vehicle and escort(s) shall yield the right-of-way for these vehicles to pass at the nearest accessible and safe location;

(6) No movement shall be permitted in the form of a convoy; and

(7) All other conditions, restrictions, and requirements of Tra 304 shall apply to such movements.

(e) A single trip permit issued under Tra 304.12 for movement of a vehicle hauling manufactured housing, modular building, or building components, with overall measurements of up to 110 feet 0 inches in length, equal to or less than 14 feet 6 inches in height, and equal to or less than 14 feet 0 inches in width, shall be allowed to move from Monday through Friday, unless otherwise suspended by a holiday, weather condition, or other control regulation contained in Tra 304 or noted on the face of the permit.

(f) A single trip permit issued under Tra 304.12 for movement of a vehicle hauling manufactured housing, modular building, or building components, with overall measurements of up to 110 feet 0 inches in length, equal to or less than 14 feet 6 inches in height, and greater than 14 feet 0 inches but equal to or less than 16 feet 0 inches in width, shall be subject to the following conditions:

(1) Movements shall be limited to Tuesdays, Wednesdays, and Thursdays, unless otherwise suspended by a holiday, weather condition, or other control regulation contained in Tra 304 or as noted on the face of the permit;

(2) Except as otherwise provided in (3) below, the movements shall be restricted to highways featuring a minimum pavement width of 24 feet 0 inches and minimum paved shoulders of 8 feet 0 inches, from point of origin to point of delivery; and

(3) Travel on highways that do not meet the minimum dimensions in (2) above shall be permitted under the following circumstances:

a. The vehicle is moving from the point of origin of the manufactured housing, modular building, or building components, including, but not limited to, the manufacturer site and dealership;

b. The vehicle is moving to the point of final destination;

c. The travel lanes are of sufficient width to allow safe passage and turning;

d. The highway shoulders are of sufficient condition and width to allow emergency travel or stopping of the vehicle and load;

e. The route contains one or more passing zones which allow other motorists unimpeded safe travel past a slow moving vehicle and load;

f. The route contains sufficient sight distance at intersections to allow for safe stopping and passage of the vehicle and load through intersections; and

g. The vehicle and load are physically able to safely negotiate turns along the designated route.

(g) A single trip permit issued under Tra 304.12 for movement of a vehicle hauling manufactured housing, modular building, or building components shall be subject to the following escort requirements:

(1) If any of the following applies, one non-police escort shall be required:

a. The overall length is equal to or greater than 90 feet 0 inches;

b. The overall width is equal to or greater than 12 feet 0 inches;

c. The overall height is greater than 14 feet 6 inches; or

d. The front or rear overhang is equal to or greater than 15 feet 0 inches;

(2) Two non-police escorts shall be required if:

a. The overall width is equal to or greater than 12 feet 0 inches; and

b. The front or rear overhang is equal to or greater than 15 feet 0 inches;

(3) If the overall length is equal to or greater than 100 feet 0 inches, one state police escort shall be required;

(4) If the overall width exceeds 14 feet 0 inches, a total of 2 state police escorts shall be required, including any state police escorts already required under (3) above;

(5) No more than 2 non-police escorts shall be required under (1) and (2) above, but any state police escort(s) required under (3) or (4) above shall be in addition to any required non-police escort(s);

(6) If the movement requires highway closure or closure of a portion of a highway, 3 state police escorts shall be required, provided that any state police escorts already required under (1)-(5) above shall be included in counting the 3 state police escorts required under this subparagraph (6); and

(7) If the permit office determines that the anticipated highway traffic or weather conditions indicate that the safety of the public would be increased or the likelihood of damage of roadside objects would be reduced by requiring non-police or state police escort vehicle(s) not already required under (3)-(6) above, the permit office shall require such additional escort vehicle(s).

#### Tra 304.14 General Terms and Conditions.

(a) All permits shall be subject to the following general conditions:

(1) Permits shall be issued only for the individual or business organization that is the registered owner of the hauling unit that will actually do the hauling;

- (2) Permits shall not be issued for loads that can be reasonably reduced to legal size or weight, or both, such as, but not limited to, the situation when attachments can be removed from the equipment to reduce an oversize load to within legal limits in accordance with Tra 304.03 (n);
  - (3) The permit office shall not issue a permit for any hauling vehicle equipped with dealer plates to transport a load in violation of RSA 261 or any rules adopted under RSA 261;
  - (4) The permit office shall not issue a permit for any vehicle registered outside of the state of New Hampshire for movement of a load between 2 points in New Hampshire, unless the vehicle is registered under the international registration plan (IRP) and New Hampshire is listed on the IRP certificate;
  - (5) Travel shall only be authorized on those state-maintained highways and bridges over which the department has jurisdiction;
  - (6) The permit shall be subject to the restrictions contained in seasonal and other postings on posted bridges and highways. and
  - (7) Failure to abide by the permit terms and conditions shall render the permit invalid.
- (b) Notice of the status of oversize and overweight permit travel shall be posted on the NHDOT online permitting website at: <http://www.nhpermits.org>.
- (c) The applicant shall assume all responsibility for injury to persons or damage to public or private property, including transportation infrastructure, caused directly or indirectly by the transportation of the vehicle or load authorized under the permit.
- (d) Acceptance of the permit by the applicant shall be deemed certification by the applicant that:
- (1) The applicant is in compliance with all operational requirements;
  - (2) Size and weight limitations specified in the permit shall not be exceeded;
  - (3) Registration and license requirements have been met, including financial responsibility obligations; and
  - (4) The applicant shall comply with all state and federal rules, regulations, and laws.
- (e) The permit shall be carried in the vehicle during the time of the move. Carriers may provide an electronic copy of the permit to satisfy this requirement.
- (f) If a holiday falls on a Sunday, the following Monday shall also be restricted and if a holiday falls on a Saturday, the previous Friday shall also be restricted.
- (g) Except as provided in (j) below, permits shall not be valid during the following holidays and times:
- (1) New Year's Day;
  - (2) Martin Luther King, Jr. Civil Rights Day;
  - (3) Washington's Birthday, also known as Presidents' Day;

- (4) Memorial Day;
- (5) Independence Day;
- (6) Labor Day;
- (7) Columbus Day;
- (8) Veterans Day;
- (9) Thanksgiving Day and the following day; and
- (10) Christmas Day.

(h) Permits for oversize or oversize and overweight vehicles and loads shall not be valid on weekend days, except when otherwise provided for a supermove permit or a single-trip permit for a load consisting of buildings or structures upon an independent carriage assembly exceeding 12 feet 0 inches in width.

(i) Except as provided in (j) below or when otherwise provided for a supermove permit or a single-trip permit for a load consisting of buildings or structures upon an independent carriage assembly exceeding 12 feet 0 inches in width, travel shall be restricted to daylight hours, which are ½ hour before sunrise and ½ hour after sunset.

(j) Vehicles that are overweight only and operated at normal traffic speeds shall not be restricted to date and time of day movement, but shall be subject to (k) below.

(k) No operator shall move an oversize, overweight, or oversize and overweight vehicle, or vehicle and load, on an existing permit during a period of inclement weather. A vehicle that is underway when inclement weather occurs shall exit the highway at the first available location and park in a safe place until the weather is no longer inclement or the highway conditions improve so as to allow the move to safely proceed. Notice of the status of oversize and overweight permit travel will be posted on the NHDOT online permitting system website at <http://www.nhpermits.org>.

(l) Any self-propelled vehicle traveling under a permit shall carry no load except manufacturers' original equipment.

(m) When traffic following a permitted move has accumulated to 7 or more vehicles because of the permitted move, the permitted vehicle and load and escort(s) shall yield the right-of-way at the nearest accessible and safe location for these vehicles to pass.

(n) Permits shall not be transferable to other pieces of equipment or product.

#### Tra 304.15 Vehicle and Load Markings and Restrictions.

(a) The extremities of all oversize loads shall be marked longitudinally and laterally by fluorescent red, fluorescent orange, or MUTCD standard flags at least 18 inches square, secured by at least 2 adjacent corners or mounted on a staff.

(b) Overwidth loads shall have at least 4 and up to 6 flags mounted at the widest extremity and corners of the load. The flags shall be placed so as not to increase the overall load width.

(c) Overlength loads or loads with rear or front end overhang shall display at least 4 flags at the corners of the load.

(d) Warning signs shall be displayed during the move on the front of the hauling unit and on the rear of the vehicle or load where license plate is not obstructed. The sign shall read "OVERSIZE LOAD." The signs shall not be less than 7 feet 0 inches wide and 18 inches high with 10-inch high black letters featuring a 1.4-inch brush stroke on a yellow background. Signs shall be made of durable material unaffected by moisture.

(e) All oversize load signs shall be removed, covered, or otherwise sight restricted when not being used for an oversize move.

(f) The hauling vehicle shall have an operating, top-mounted, flashing or strobe amber light visible for 1000 feet in all directions;

(g) No movement shall be permitted in the form of a convoy.

#### Tra 304.16 Route Approval.

(a) If the movement is on other than a state highway system, the applicant shall obtain permission from the governing body with jurisdiction over the highway, such as selectmen, city council, trustees, or other appropriate officials.

(b) Movement shall be restricted to the specific routes designated on the permit.

(c) No permit for movement of an oversize, overweight, or both, vehicle, object, or vehicle and load shall be effective during a period of inclement weather.

(d) A permit shall restrict the movement of an oversize, overweight, or both, vehicle, object, or vehicle and load to a specific route.

(e) The timing and route of any single-trip move shall be restricted if safe movement of the vehicle, object, or vehicle and load requires the move to:

(1) Occur at a time not permitted by Tra 304.14(f) and (g);

(2) Occur in an unusual manner, including, but not limited to, unusually slow movements, movements with extra required stops, or wrong-way movements; or

(3) Be facilitated by law enforcement officials to maintain the safety of motorists.

#### Tra 304.17 Escort Vehicles.

(a) The number of escort vehicle(s) required for manufactured housing, modular buildings, and building components shall be as provided in Tra 304.13(g).

(b) No escort shall be required for a vehicle and load with:

(1) An overall width of less than 12 feet 0 inches;

(2) An overall length of less than 90 feet 0 inches; and

(3) A rear overhang of less than 15 feet 0 inches, provided that load marking flags are displayed as required in Tra 304.15.

(c) An applicant for a permit under Tra 304 shall be required to furnish one non-police escort vehicle for an oversize vehicle, object or vehicle and load, if:

(1) The overall width is equal to or greater than 12 feet 0 inches and less than 14 feet 0 inches;

(2) The overall length is equal to or greater than 90 feet 0 inches;

(3) The overall height is greater than 14 feet 0 inches; or

(4) There is a front or rear overhang of equal to or greater than 15 feet 0 inches.

(d) An applicant for a permit under Tra 304 shall be required to furnish a second non-police escort vehicle for an oversize load or hauling vehicle if the vehicle and load have a combination of a rear overhang of 15 feet 0 inches or more and a width of 12 feet 0 inches or more.

(e) If the vehicle and load are 100 feet 0 inches or more in length, one state police escort vehicle, in addition to any non-police escort vehicle required under (c) or (d) above, shall be required, unless the state police determine that weather conditions, visibility, traffic flow, or other conditions do not compromise safe movement.

(f) If the overall width exceeds 14 feet 0 inches, a total of 2 state police escorts shall be required, including any state police escorts already required under (e) above.

(g) No more than 2 non-police escorts shall be required under (c) and (d) above, but any state police escort(s) required under (e) or (f) above shall be in addition to any required non-police escort(s).

(h) If the movement requires highway closure or closure of a portion of a highway, 3 state police escorts shall be required, provided that any state police escorts already required under (e)-(f) above shall be included in counting the 3 state police escorts required under this subparagraph (h).

i) The permit office shall determine the number of non-police and state police escort vehicles required to safely effect the required traffic control of any move, taking into consideration the safety of the public, the characteristics of the specific route, anticipated traffic, and the reduction of the likelihood of damage to roadside objects. If the permit office determines that the number of escort vehicle(s) required under (c)-(g) above is inadequate for these purposes, the permit office shall require sufficient additional non-police or state police, or both, escort vehicle(s) to safely accomplish the move.

(j) A non-police escort vehicle shall be a motor vehicle the size of a compact car or larger, registered and inspected, with the following equipment installed:

(1) An operating, top-mounted, flashing or strobe amber light visible for 1000 feet in all directions;



- (2) A 2-way radio using the same frequency as the 2-way radio in the vehicle it is escorting allowing contact with the permitted vehicle and all escort vehicles, including state police, at all times; and
- (3) Two warning signs shall be displayed during the move on the front and back of the vehicle or one sign above the roofline where it is visible from the front and rear meeting the following standards:
- a. The sign shall contain the legend reading "OVERSIZE LOAD" in black letters not less than 10 inches high of a 1.4-inch stroke on a yellow background;
  - b. The sign shall be made of durable material unaffected by moisture; and
  - c. The shape of the warning sign shall be varied to fit the escort vehicle, with a minimum size of 5 feet 0 inches wide and 12 inches high.
- (k) The following shall apply to the operation of an escort vehicle(s):
- (1) The driver shall maintain 2-way radio contact with the permitted vehicle and all escort vehicles and shall keep the permitted vehicle and other escort vehicles, including state police, in the line of sight at all times;
  - (2) All drivers shall operate escort vehicles with headlights turned on in the low beam position at all times;
  - (3) When one escort is required, the driver shall position the vehicle to precede a load on undivided highways and follow the load on divided highways;
  - (4) When 2 escorts are required, one escort shall precede the load and the other shall follow the load;
  - (5) When traffic following a permit move has accumulated to 7 or more vehicles because of the permitted move, the driver(s) shall yield the right-of-way at the nearest accessible, safe location for these vehicles to pass; and
  - (6) When crossing a bridge on a 2-way highway, when the bridge width is 24 feet 0 inches or less, the police escort shall stop all traffic while the load is on the bridge.

Tra 304.18 Fees.

- (a) The following shall be issued permits without a fee:
- (1) Federal government agencies;
  - (2) State government agencies; and
  - (3) Local government subdivisions.
- (b) All permit fees shall be computed in accordance with RSA 266:22 and paid prior to issuance of a permit.

(c) Permit fees shall be paid by cash, credit card, debit card, check, money order, or draft payable to the “Treasurer, State of New Hampshire” when the applicant pays permit fees in person at the permit office.

(d) Permit fees shall be paid by credit card, debit card, check, money order, or draft payable to the “Treasurer, State of New Hampshire” when the applicant submits permit fees by United States mail or other delivery service.

(e) Permit fees shall be paid by credit card or debit card when the applicant uses the electronic permitting system for an online application.

(f) All permit fees shall be nonrefundable.

Tra 304.19 Violations and Enforcement.

(a) The department shall refer a matter to law enforcement officials for enforcement, if the department has information that the holder of the permit has:

- (1) Violated any condition specified by the terms of the permit as provided in RSA 266:16, RSA 266:24, RSA 266:25, RSA 266:26, or Tra 304;
- (2) Altered the language of the permit as provided in RSA 641:7;
- (3) Provided false information on the application for the permit as provided in RSA 641:3; or
- (4) Engaged in any other conduct that serves to endanger the public health, safety, or welfare.

(b) The department shall notify a permit service, in writing by certified mail, if the department receives a complaint(s) from one or more permittees that the permit service failed to process requests for permits within a reasonable time or that the permit service misrepresented the rules of the department to the permittee(s). The permit service shall have 30 days to respond to the department regarding the complaint(s). If the department determines that the complaint(s) is founded, it shall notify the permit service, in writing by certified mail that it intends to withdraw the permit service’s recognition. If the department determines, after opportunity for a hearing under Tra 200, that the permit service has failed to process requests for permits within a reasonable time, the department shall withdraw the permit service’s recognition as a permit service.

(c) The department shall revoke a permit issued under Tra 304 if the holder of the permit:

- (1) Is convicted of a violation of any condition specified by the terms of the permit as provided in RSA 266:16, RSA 266:24, RSA 266:25, RSA 266:26, or Tra 304;
- (2) Is convicted of altering the language of the permit as provided in RSA 641:7;
- (3) Is convicted of providing false information on the application for the permit as provided in RSA 641:3;
- (4) Is convicted of a misdemeanor or felony related to conduct while operating under the permit, that endangered the public health, safety, or welfare; or
- (5) Supplied inaccurate information to the permit office on the basis of which the permit office issued a permit.

(d) Recognition of a permit service shall be withdrawn in the following instances:

(1) A permit service fails to maintain accurate information regarding its name and contact information as required under Tra 304.08(e); or

(2) The permit service has provided inaccurate information to the permit office that has induced the permit office to issue permits for movements that are not permitted by Tra 304.

Tra 304.20 Hearings. An individual or business organization shall be entitled to a hearing in accordance with Tra 200 if the individual or business organization:

(a) Is denied a permit or recognition as a permit service or special carrier under Tra 304;

(b) Is aggrieved by the imposition of a condition, limitation, restriction, or fee relating to a permit issued under Tra 304;

(c) Has received notice under Tra 304.19(b) that the department intends to withdraw its recognition as a permit service;

(d) Has had its recognition as a permit service withdrawn under Tra 304.19(d); or

(e) Has had its permit revoked under Tra 304.19(c).