

IN THE SENATE

SENATE BILL NO. 1043

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-110, IDAHO CODE, TO REVISE  
2 A DEFINITION; AMENDING SECTION 49-1010, IDAHO CODE, TO REVISE CERTAIN  
3 EXCEPTIONS TO WIDTHS OF VEHICLES; AND DECLARING AN EMERGENCY.  
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 49-110, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 49-110. DEFINITIONS -- I. (1) "Identifying number" means:

9 (a) Motor number. That identifying number stamped on the engine of a  
10 vehicle.

11 (b) Vehicle identification number. The numbers and letters, if any,  
12 placed on a vehicle by the manufacturer for the purpose of identifying  
13 the vehicle.

14 (2) "Implements of husbandry" means every vehicle including self-pro-  
15 pelled units, designed or adapted and used exclusively in agricultural,  
16 horticultural, dairy and livestock growing and feeding operations ~~when be-~~  
17 ~~ing incidentally operated~~. Such implements include, but are not limited  
18 to, combines, discs, dry and liquid fertilizer spreaders, cargo tanks, har-  
19 rows, hay balers, harvesting and stacking equipment, pesticide applicators,  
20 plows, swathers, mint tubs and mint wagons, and farm wagons. A farm tractor  
21 when attached to or drawing any implement of husbandry shall be construed  
22 to be an implement of husbandry. "Implements of husbandry" do not include  
23 semitrailers, nor do they include motor vehicles or trailers, unless their  
24 design limits their use to agricultural, horticultural, dairy or livestock  
25 growing and feeding operations.

26 (3) "Incidentally operated" means the transport of the implement of  
27 husbandry from one (1) farm operation to another.

28 (4) "Individual record" means a record containing personal information  
29 about a designated person who is the subject of the record as identified in a  
30 request for information.

31 (5) "Infraction" means a civil public offense, not constituting a  
32 crime, which is not punishable by incarceration and for which there is no  
33 right to a trial by jury or right to court-appointed counsel, and which is  
34 punishable by only a penalty not exceeding three hundred dollars (\$300) and  
35 no imprisonment.

36 (6) "Instruction permits":

37 (a) "Class A, B or C instruction permit." (See "Commercial learner's  
38 permit," section 49-104, Idaho Code)

39 (b) "Class D driver's training instruction permit" means a temporary  
40 privilege to operate a class D motor vehicle while attending classes  
41 as an enrollee of a public or private driver's training course only;  
42 is available to a person aged fourteen and one-half (14 1/2) years and

1 older; is issued to the instructor of the driver's training course; is  
2 issued and expires pursuant to the provisions of section 49-307, Idaho  
3 Code; and the permittee is subject to the conditions specified in sec-  
4 tion 49-307, Idaho Code.

5 (c) "Class D instruction permit" means a temporary privilege to op-  
6 erate a class D motor vehicle which is available to a person under the  
7 age of seventeen (17) years who has successfully completed an approved  
8 driver's training course and has satisfied the requirements of a class D  
9 supervised instruction permit, or to any person seventeen (17) years of  
10 age or older; is valid for a period of one hundred eighty (180) days or as  
11 provided in section 49-305, Idaho Code, if applicable; privileges are  
12 limited to driving with a person who is at least eighteen (18) years of  
13 age who holds a valid class D driver's license and is actually occupying  
14 a seat beside the permittee; is issued pursuant to the provisions of  
15 section 49-305, Idaho Code; and the permittee is subject to the condi-  
16 tions specified in section 49-305, Idaho Code.

17 (d) "Class D supervised instruction permit" means a temporary privi-  
18 lege to operate a class D motor vehicle which is available to a person  
19 who is at least fourteen and one-half (14 1/2) years of age who has suc-  
20 cessfully completed an approved driver's training course. No person  
21 may apply for a class D driver's license until he has attained the age of  
22 at least fifteen (15) years and has successfully satisfied the require-  
23 ments of this permit, as specified and issued pursuant to the provisions  
24 of section 49-307, Idaho Code.

25 (7) "Instructor" means any person, whether acting for himself as oper-  
26 ator of a commercial driver training school or for such a school for compen-  
27 sation, who teaches, conducts classes of, gives demonstrations to, or super-  
28 vises practice of, persons learning to operate or drive motor vehicles.

29 (8) "Insurer" means any insurer, public or private, which shall in-  
30 clude, but not be limited to, insurance companies domiciled in the state of  
31 Idaho, agents, adjuster or any other person acting on behalf of any insurance  
32 not domiciled in the state of Idaho and any self-insured entity operating  
33 under Idaho insurance laws or rules.

34 (9) "International registration plan" means a registration reci-  
35 procity agreement among the states of the United States and provinces  
36 of Canada providing for payment of registration and licensing fees on a  
37 proportional basis determined by the fleet miles operated in the various  
38 jurisdictions.

39 (10) "Intersection" means:

40 (a) The area embraced within the prolongation or connection of the  
41 lateral curb lines, or, if none, then the lateral boundary lines of the  
42 roadways of two (2) highways which join one another at, or approximately  
43 at, right angles, or the area within which vehicles traveling upon dif-  
44 ferent highways joining at any other angle may come in conflict.

45 (b) Where a highway includes two (2) roadways thirty (30) feet or more  
46 apart, then every crossing of each roadway of the divided highway by an  
47 intersecting highway shall be regarded as a separate intersection. In  
48 the event an intersecting highway also includes two (2) roadways thirty  
49 (30) feet or more apart, then every crossing of two (2) roadways of the  
50 highways shall be regarded as a separate intersection.

1 (c) The junction of an alley with a street or highway shall not consti-  
2 tute an intersection.

3 SECTION 2. That Section 49-1010, Idaho Code, be, and the same is hereby  
4 amended to read as follows:

5 49-1010. SIZE OF VEHICLES AND LOADS. No vehicle shall exceed the di-  
6 mensions specified below, except that certain devices determined by the  
7 board as necessary for the safe and efficient operation of motor vehicles,  
8 including energy conservation devices, shall be excluded from the calcula-  
9 tion of width or length.

10 (1) The width of a vehicle, including any load thereon, except as noted  
11 below, shall not exceed ..... 8 1/2 feet.

12 (a) The limitations as to size of vehicles stated in this section shall  
13 not apply to farm tractors or to implements of husbandry, including any  
14 load thereon, or any trailer not wider than the implement of husbandry  
15 used in the transportation of implements of husbandry for agricultural  
16 operations, and including all equipment used in land leveling opera-  
17 tions, when being incidentally operated upon the highway from one (1)  
18 farm operation to another during daylight hours.

19 (b) The limitations as to size of vehicles shall not apply to farmers or  
20 their designated agents, including without limitation, equipment deal-  
21 ers transporting implements of husbandry and equipment listed in para-  
22 graph (a) of this subsection for the purpose of:

23 (i) The repair or maintenance of such implements of husbandry and  
24 equipment when traveling to or from a farm to a repair or mainte-  
25 nance facility during daylight hours; or

26 (ii) The purchase, ~~or~~ sale, lease or rental of such implements of  
27 husbandry and equipment when traveling to or from a farm to a deal-  
28 ership, auction house or other facility during daylight hours.

29 (c) Notwithstanding the exemption from width limitation for farm trac-  
30 tors included in paragraph (a) of this subsection, the total outside  
31 width of any farm tractor being transported on the interstate system in  
32 this state, except as permitted by section 49-1004, Idaho Code, shall  
33 not exceed ..... 9 feet.

34 (d) A farm tractor or implement of husbandry, when being incidentally  
35 transported upon the highway with a width in excess of the limits of  
36 paragraphs (a) and (c) of this subsection, must display one (1) red or  
37 fluorescent orange flag a minimum of twelve (12) by twelve (12) inches  
38 on the outermost left projection of the tractor or implement being  
39 transported.

40 (2) The height of a vehicle, including the load thereon, shall not ex-  
41 ceed ..... 14 feet.

42 (3) The length of a vehicle, or vehicle combination, except as noted be-  
43 low shall not exceed:

44 (a) When a single motor vehicle ..... 45 feet.

45 (b) When a trailer or semitrailer, except as noted below ..... 48 feet.

46 1. Semitrailers operating on routes determined by the board to  
47 have severe curvature, deficient width and/or heavy traffic con-  
48 ditions shall be limited to an overall combination length not to  
49 exceed ..... 65 feet.

1           2. The length of a trailer tongue, or the length of the tongue of a  
2 converter gear used to convert a semitrailer to a trailer, shall be  
3 excluded from the calculation of a trailer length.

4           3. Semitrailers operating on routes which are a part of the na-  
5 tional network as set forth in 23 CFR 658, on routes providing ac-  
6 cess between the national network and terminals and facilities for  
7 food, fuel, repairs and rest which are located within one (1) road  
8 mile of the national network and state highways as set forth by  
9 policy and approved by the transportation board shall not exceed a  
10 length of ..... 53 feet.

11       (c) When a motor vehicle and one (1) or more trailers, except as noted in  
12 subsection (3) (b), (3) (d) and (3) (e) of this section ..... 75 feet.

13       (d) When a combination of semitrailer and trailer, or of two (2) semi-  
14 trailers the length in such combination, including the connecting  
15 tongue and excluding the truck tractor except as noted below .. 61 feet.

16           When the combination of semitrailer and trailer or of two (2) semi-  
17 trailers including the connecting tongues exceeds sixty-one (61) feet,  
18 the length of such combination including the truck tractor .... 75 feet.

19       (e) When a combination of a semitrailer and trailer, or of two (2) semi-  
20 trailers operating on routes on the national network as set forth in 23  
21 CFR 658, and on routes providing access between the national network and  
22 terminals and facilities for food, fuel, repairs and rest which are lo-  
23 cated within one (1) road mile of the national network, the length, in-  
24 cluding the connecting tongue and excluding the truck tractor, shall  
25 not exceed ..... 68 feet.

26       (f) When a dromedary tractor with semitrailer, stinger-steered by hav-  
27 ing the kingpin located five (5) feet to the rear of the centroid of the  
28 rear axle(s) ..... 75 feet.

29       (g) When a dromedary combination transporting class 1 explosive mate-  
30 rials and/or any munitions-related security material as specified by  
31 the U.S. department of defense in compliance with 49 CFR 177.835, not  
32 meeting the stinger-steer requirement as defined in subsection (3) (f)  
33 of this section, up to ..... 75 feet.

34       (h) When a dromedary tractor with semitrailer, not meeting the  
35 stinger-steer requirement as defined in subsection (3) (f) of this sec-  
36 tion ..... 65 feet.

37       (i) When a boat transporter, stinger-steered as defined in subsec-  
38 tion (3) (f) of this section, excluding front and rear overhang of load .  
39 75 feet.

40       (j) When an auto transporter, stinger-steered as defined in subsection  
41 (3) (f) of this section, excluding front and rear overhang of load .....  
42 ..... 80 feet.

43       (k) When an auto transporter or boat transporter, not meeting the  
44 stinger-steer requirement as defined in subsection (3) (f) of this sec-  
45 tion, excluding front and rear overhang of load ..... 65 feet.

46       (l) When a truck tractor with stinger-steered pole trailer or log  
47 dolly, connected by a reach or pole, or a combination used for trans-  
48 porting long loads such as poles, pipes, logs or structural members  
49 generally capable of sustaining themselves as beams between supporting  
50 bunks or connections ..... 75 feet.

- 1 (4) The overhang or extension of a load shall not extend:
- 2 (a) Beyond the front of a vehicle, more than ..... 4 feet.
- 3 (b) Beyond the end of a vehicle, more than ..... 10 feet.
- 4 (c) Beyond the left fender of a passenger vehicle, more than ... 0 feet.
- 5 (d) Beyond the right fender of a passenger vehicle, more than .....
- 6 ..... 6 inches.
- 7 (e) To the front of a boat transporter, more than ..... 3 feet.
- 8 (f) To the rear of a boat transporter, more than ..... 4 feet.
- 9 (g) To the front of an auto transporter, more than ..... 4 feet.
- 10 (h) To the rear of an auto transporter, more than ..... 6 feet.
- 11 (5) Noncargo-carrying devices necessary for the safe and efficient op-
- 12 eration of the vehicle, as determined by the board, shall not be included in
- 13 measurement for length.
- 14 (6) No combination shall include more than three (3) units except when a
- 15 saddlemount combination and the overall length allowed is:
- 16 (a) On the national network ..... 97 feet.
- 17 (b) Other than the national network ..... 75 feet.
- 18 (7) Vehicle combinations consisting of not more than four (4) vehicle
- 19 units with an overall length in excess of the limits of subsection (3) of this
- 20 section and with an overall combination length not to exceed one hundred fif-
- 21 teen (115) feet, may be operated by permit on routes designated for such op-
- 22 erations by the public highway agency having jurisdiction over that highway
- 23 system, subject to the following restrictions as to lengths of cargo-carry-
- 24 ing units:
- 25 (a) Truck tractor and two (2) trailing units ..... 95 feet.
- 26 (b) Truck tractor and three (3) trailing units ..... 95 feet.
- 27 (c) Truck and two (2) trailing units ..... 98 feet.

28 SECTION 3. An emergency existing therefor, which emergency is hereby  
 29 declared to exist, this act shall be in full force and effect on and after its  
 30 passage and approval.