

## Amendment to the Permit Rules for the Movement of Oversize And Overweight Vehicles on the State Highway System

### Overweight Forestry Equipment

In 2021, the 93<sup>rd</sup> General Assembly of the State of Arkansas enacted Act 451 during the Regular Session which amended the law concerning issuance of permits for certain overweight vehicles. Act 451 authorized the issuance of a new permit valid for one year authorizing the movement of a truck tractor and single semi-trailer combination with five axles hauling forestry equipment that exceeds the maximum gross weight as provided in § 27-35-203, but, do not exceed 20,000 pounds for a single axle, or 46,000 pounds for a tandem axle, and a total gross weight of 104,000 pounds.

Due to the enactment of Act 451, an amendment to the existing *Permit Rules for the Movement of Oversize and Overweight Vehicles on the State Highway System* is needed. The proposed Rule 21 is a new rule which sets forth the requirements for issuance of an annual permit for the movement of overweight forestry equipment.

This change in the law is to provide an alternative to single trip permits or six-day permits for owners and operators of forestry equipment when gross vehicle weight exceeds the allowable limits. The timber industry requested an annual permit be developed, allowing them to move their equipment from one jobsite to the next as conditions and scheduling warranted, as opposed to obtaining a permit for each move. Since single trip and six-day permits are typically requested in advance, the forestry industry found it difficult to obtain permits in a timely manner when deep in the woods where they had limited to no cellular service. In addition, there were times when a permit had been issued, and the equipment would make it to the new location, and it was determined that conditions were such that forestry operations could not be performed. At that point, it would be incumbent on them to obtain yet another permit, creating delays and increasing expense

To establish the annual permits required by Act 451, Department staff met with the bill sponsors as well as representatives of the timber industry on multiple occasions and developed the attached rules. The parties involved in these meetings have identified five “Timber Zones” for the purpose of maximizing movement of the permitted vehicles while minimizing their impact. Under these rules, the permit holder is required to familiarize themselves with weight restricted highways and bridges. Additionally, the permits can be revoked for failing to comply with the terms of the permit.

Upon adoption of this Minute Order, these rules will be promulgated in accordance with State law to implement this change.

# Amendment to the Permit Rules for the Movement of Oversize and Overweight Vehicles on the State Highway System

## Rule 21 – PERMITS FOR OVERWEIGHT VEHICLES CARRYING FORESTRY EQUIPMENT

### **A. INTRODUCTION**

Pursuant to Arkansas Code Annotated § 27-35-210(r), the Commission may issue a permit valid for one (1) year authorizing the movement of a truck tractor and single semi-trailer combination with of five (5) axles hauling forestry equipment that exceeds the maximum gross weight as provided in § 27-35-203 but do not exceed (1) twenty thousand pounds (20,000 lbs.) for a single axle, or forty-six thousand pounds (46,000 lbs.) for a tandem axle, and (2) a total gross weight of one hundred four thousand pounds (104,000 lbs.). A truck tractor and semi-trailer combination issued such a permit shall not exceed the height, length, or width restrictions set out in Chapter 35 of Title 27 of the Arkansas Code, or as set out in these rules, except as authorized by law.

### **B. APPLICATION INFORMATION**

1. All permits issued pursuant to this Rule shall be considered Annual Permits.
2. Any application for an Annual Permit pursuant to this Rule shall be for a specific Timber Zone as identified in (E)(2). At the time of the initial application an additional contiguous Zone may be requested and will be permitted in accordance with section (C)(2).
3. A permit application shall include identifying information for a specific power unit, and for up to five identified trailers, provided the number of axles and axle spacings remain the same when towing the various trailers. Examples of identifying information includes, but is not limited to, vehicle identification numbers or serial numbers.

### **C. BOND/FEE INFORMATION**

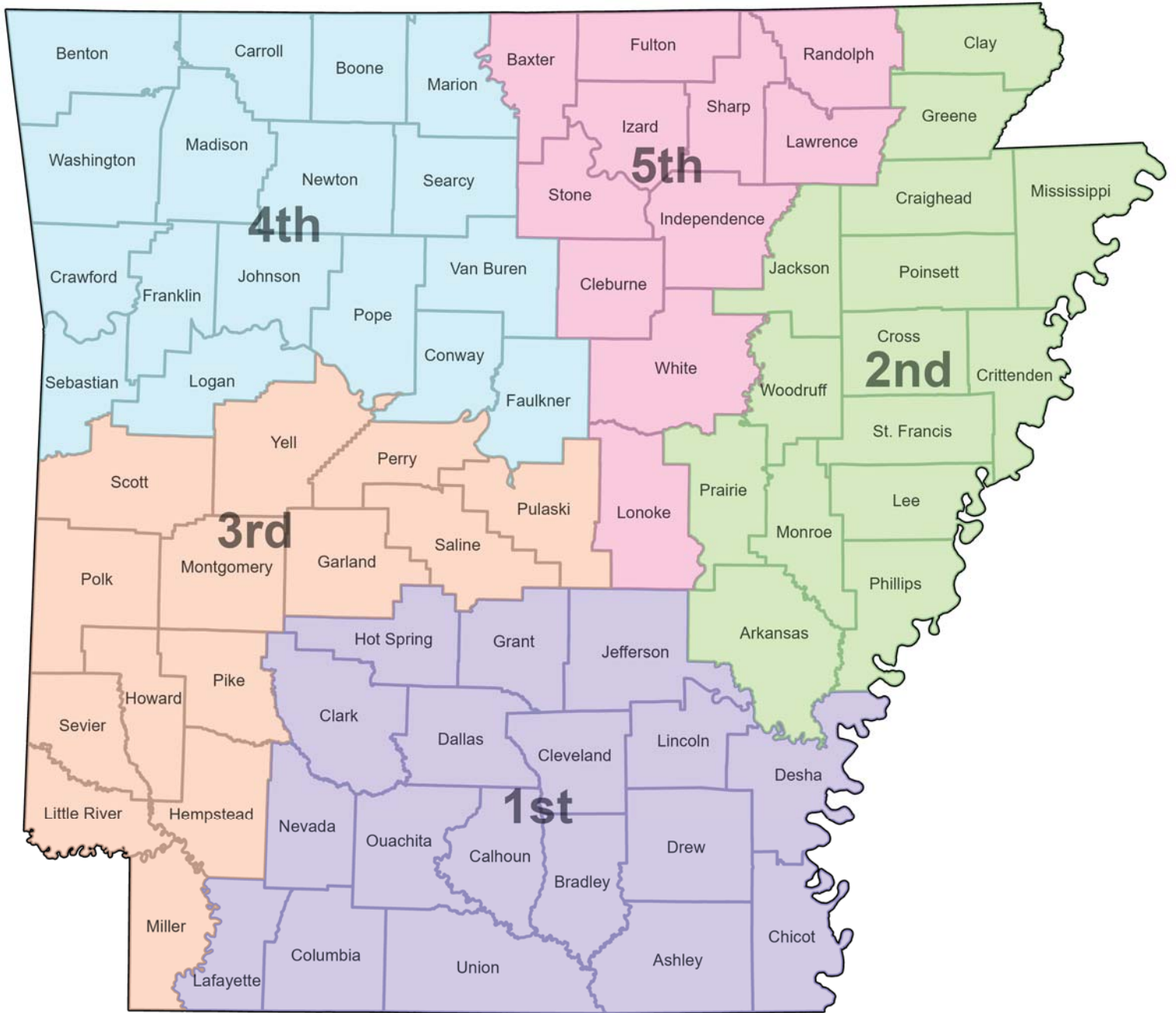
1. No bond is required.
2. The fee for a permit to move overweight forestry equipment in a single Zone under Rule 21 shall be two hundred and fifty dollars (\$250.00). An additional contiguous Zone may be permitted for an additional one hundred and twenty-five dollars (\$125.00) when requested in the initial permit application.

## **D. ADDITIONAL PERMIT INFORMATION**

1. During operation of the permitted vehicle on state highways pursuant to this Rule, each driver is required to be 21 years of age, and to maintain within the permitted vehicle their current DOT Medical Certification, if applicable;
2. When planning routes from site to site, permittees should consult [idrivearkansas.com](http://idrivearkansas.com), and travel only upon routes without weight restrictions for either roads or bridges. Specifically:
  - a. No travel on weight restricted bridges;
  - b. No travel on weight restricted highways except as provided in subsection (d);
  - c. It is the responsibility of each permit holder to check [idrivearkansas.com](http://idrivearkansas.com) before traveling to identify weight restricted roads and bridges; and
  - d. Permitted vehicles that have an origin or final destination on a weight restricted highway may travel on those weight restricted highways on their origin or final destination for loads within the permit limits.

## **E. DEFINITIONS**

1. "Forestry Equipment" means non-divisible equipment, implements, accessories, and contrivances used directly and principally in the cutting or removal of timber or other sold wood forest products. Forestry Equipment also includes equipment used to construct, maintain, or install infrastructure necessary to and associated with the logging operation.
2. "Timber Zone" means the following zones by county, as illustrated on Attachment "A":
  - a. Zone 1 - Ashley, Bradley, Calhoun, Chicot, Clark, Cleveland, Columbia, Dallas, Desha, Drew, Grant, Hot Spring, Jefferson, Lafayette, Lincoln, Nevada, Ouachita, and Union.
  - b. Zone 2 - Arkansas, Clay, Craighead, Crittenden, Cross, Greene, Jackson, Lee, Mississippi, Monroe, Phillips, Poinsett, Prairie, St. Francis, and Woodruff.
  - c. Zone 3 - Garland, Hempstead, Howard, Little River, Miller, Montgomery, Perry, Pike, Polk, Pulaski, Saline, Scott, Sevier, and Yell.
  - d. Zone 4 - Benton, Boone, Carroll, Crawford, Conway, Faulkner, Franklin, Johnson, Logan, Maddison, Marion, Newton, Pope, Searcy, Sebastian, Van Buren, and Washington.
  - e. Zone 5 - Baxter, Cleburne, Fulton, Independence, Izard, Lawrence, Lonoke, Randolph, Sharp, Stone, and White.



# Overweight Forestry Equipment Timber Zones Attachment "A"

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1674

5 By: Representative Wardlaw  
6 By: Senator Gilmore  
7

## For An Act To Be Entitled

9 AN ACT TO AUTHORIZE THE ISSUANCE OF A SPECIAL PERMIT  
10 BY THE STATE HIGHWAY COMMISSION TO TRANSPORT FORESTRY  
11 EQUIPMENT; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 TO AUTHORIZE THE ISSUANCE OF A SPECIAL  
16 PERMIT BY THE STATE HIGHWAY COMMISSION TO  
17 TRANSPORT FORESTRY EQUIPMENT.  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. Arkansas Code § 27-35-210, concerning the issuance of  
23 permits for special cargoes, is amended to add an additional subsection to  
24 read as follows:

25 (r)(1) Upon application, the commission may issue a special permit  
26 valid for one (1) year for the movement of a truck tractor and single  
27 semitrailer combination with five (5) axles for the hauling of forestry  
28 equipment in excess of the maximum gross weight as provided in § 27-35-203  
29 but not more than:

30 (A) Twenty thousand pounds (20,000 lbs.) for a single  
31 axle, or forty-six thousand pounds (46,000 lbs.) for a tandem axle; and

32 (B) One hundred four thousand pounds (104,000 lbs.) of  
33 total gross weight.

34 (2) The fee for the special permit shall not exceed two hundred  
35 fifty dollars (\$250).

36 (3) The Arkansas Department of Transportation shall adopt rules



1 necessary to implement this subsection, including without limitation the  
2 criteria required to qualify for the issuance of a special permit.

3  
4 SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. The Arkansas  
5 Department of Transportation shall adopt the rules required by § 27-35-  
6 210(r)(3) within one (1) year of the effective date of this act.

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9 **APPROVED: 3/24/21**

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