

1 State of Arkansas

2 83rd General Assembly

3 Regular Session, 2001

A Bill

HOUSE BILL 1464

4
5 By: Representative Jones

For An Act To Be Entitled

9 AN ACT TO ESTABLISH REGULATIONS FOR THE MOVING OF
10 HOUSES AND OTHER STRUCTURES BY QUALIFIED HOUSE OR
11 STRUCTURAL MOVERS UPON THE PUBLIC HIGHWAYS OF THIS
12 STATE; AND FOR OTHER PURPOSES.

Subtitle

15 AN ACT TO ESTABLISH REGULATIONS FOR THE
16 MOVING OF HOUSES AND OTHER STRUCTURES BY
17 QUALIFIED HOUSE OR STRUCTURAL MOVERS
18 UPON THE PUBLIC HIGHWAYS OF THIS STATE.

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

23 SECTION 1. Arkansas Code 27-35-301 is amended to read as follows:
24 27-35-301. Definitions.

25 As used in this subchapter, unless the context otherwise requires:

26 (1) "Manufactured home unit" means a structure constructed for use as a
27 dwelling, office, or classroom which is more than eight feet (8') in width or
28 sixty feet (60') in length and is capable of being moved upon the highways
29 when combined with a pulling vehicle;

30 (2) "Department" means the Arkansas State Highway and Transportation
31 Department;

32 (3) "Insurance" means a policy of liability insurance, the limits of
33 which are one hundred thousand dollars (\$100,000) for the first bodily injury
34 or death, three hundred thousand dollars (\$300,000) for bodily injury or death
35 for each accident, and one hundred thousand dollars (\$100,000) for property
36 damage resulting from the accident;

(4) "Special permit" means a written permission to move manufactured home units interstate and intrastate on the highways of this state;

(5) "Overlength" means any manufactured home unit in excess of sixty feet (60') in length;

(6) "Overwidth" means any manufactured home unit in excess of eight feet (8') in width;

(7) "Structures" means any object that requires specialized moving equipment to move;

~~(7)~~(8) "Traveled way" means the portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes; and

~~(8)~~(9) "Width" means the largest overall width of a manufactured home in the traveling mode, including bay windows, roof projections, overhangs, or eaves under which there is no interior space.

SECTION 2. Arkansas Code 27-35-309 is amended to read as follows:
27-35-309. Transportation of houses and other structures.

(a)(1) Qualified house or structural movers in this state who have met the financial responsibility requirements of the laws of this state and regulations of the Arkansas State Highway and Transportation Department shall be authorized to move, upon the public highways of this state, houses and other structures up to and including twenty-eight feet, six inches (28' 6") in width, exclusive of roof overhang, upon obtaining a permit as required by law.

(2)(A) Prior to issuance of a permit, house or structural movers shall obtain written agreements from all utility companies involved if the overall height exceeds eighteen feet (18').

(B) Utility companies shall provide utility company personnel to accompany the move of the structure if:

(i) The utility company has overhead facilities on the moving route that will be affected by the move; and

(ii) The utility company determines assistance is needed.

(C) House or structural movers shall send requests to utility companies by mail, fax, or e-mail. The utility company shall process the request and respond within seventy-two (72) hours by mail, fax, or e-mail.

(b)(1) ~~Where an emergency is shown to exist, houses~~ Houses and other structures having a width in excess of twenty-eight feet, six inches (28' 6"),

1 excluding roof overhang, may be moved upon the public highways of this state
 2 by obtaining ~~an emergency~~ a special permit approved by the ~~district engineer~~
 3 ~~of the department~~ Arkansas Highway Department.

4 (2) Factors to be considered in approval of ~~such emergency~~ the
 5 special permit shall include, ~~but not be limited to~~:

- 6 (A) Maximum overall width;
- 7 (B) Distance to travel;
- 8 (C) Condition of the highway; and
- 9 (D) The volume or type of traffic.

10 (c)(1) The State Highway Commission may issue such special regulations
 11 for the movement of houses and other structures on the highways as the
 12 commission ~~may deem~~ deems necessary for the protection of the public safety.

13 (2)(A) The rules and regulations of the commission, with respect
 14 to the movement of overwidth, overheight, or overlength loads upon the
 15 highways of this state shall be equally applicable to the movement of houses
 16 and other structures upon city streets and county roads ~~in~~ of this state.

17 (B) Municipalities and counties, respectively, may make and
 18 enforce other rules and regulations regarding the movement of houses and other
 19 structures on city streets and on county roads as they ~~shall~~ deem appropriate.

20 (d) The provisions of this section ~~shall be~~ are supplemental to the
 21 existing laws of this state pertaining to the moving of houses and other
 22 structures upon the public highways of this state and shall repeal only laws,
 23 or parts of laws, specifically in conflict with this section.