

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Highway Commission

Department Arkansas Department of Transportation

Contact Gill Rogers E-mail gill.rogers@ardot.gov Phone 501.569.2108

Statutory Authority for Promulgating Rules Arkansas Code Annotated § 27-35-210(q)

Rule Title: Permits for Overweight Vehicles Carrying Agronomic or Horticultural Products

Intended Effective Date

(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other _____
(Must be more than 10 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

August 8, 2021

September 7, 2021

November 19, 2021

July 28, 2021

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Gill Rogers

gill.rogers@ardot.gov

November 30, 2021

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

 Signature
501.569.2108 Phone Number
gill.rogers@ardot.gov E-mail Address
Governmental Relations Officer Title
November 30, 2021 Date

Permit Rules for the Movement of Oversize and Overweight Vehicles On the State Highway System

Rule 19 – PERMITS FOR OVERWEIGHT VEHICLES CARRYING AGRONOMIC OR HORTICULTURAL PRODUCTS

A. INTRODUCTION

Pursuant to Arkansas Code Annotated § 27-35-210(q), the Commission may issue a permit valid for one (1) year authorizing the movement of a truck tractor and semi-trailer combination with a minimum of five (5) axles hauling agronomic or horticultural crops in their natural state that exceed the maximum gross weight as provided in § 27-35-203 but do not exceed a total gross weight of one hundred thousand pounds (100,000 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.

B. APPLICATION INFORMATION

1. All permits issued pursuant to this Rule shall be considered Annual Route Permits. Each permit may apply for up to **five (5)** different routes.
2. Any application for an Annual Route Permit pursuant to this Rule shall be accompanied by a specific point of origin and destination for each route.
3. In addition to the Application Information Required in Rule 2 B, each request for an annual permit shall be accompanied by proof of a North American Standard Level I Inspection with no critical violations noted for the specific power unit and all towed units to be permitted.

C. BOND/FEE INFORMATION

1. No bond is required.
2. The fee for a permit to move overweight agronomic and horticultural products under Rule 19 shall be ~~one thousand~~ eight hundred dollars (~~\$1000~~ 800.00).

D. ADDITIONAL PERMIT INFORMATION

1. During operation of the permitted vehicle on state highways pursuant to this Rule, each vehicle/trailer combination is required to carry proof of a North American Standard Level I Inspection;
2. 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;

3. Upon application for an Annual Route Permit under this Rule as set out in 19(B), a permit technician will review the origin and destination information provided, and attempt to identify the shortest route from the origin to the destination within the following parameters:

a. ABSOLUTELY NO TRAVEL ON THE DWIGHT D. EISENHOWER SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS;

b. No travel on weight restricted bridges;

c. No travel on weight restricted highways except as provided in subsection (d);

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.

4. A permit may be issued for a combined tractor/trailer, or a tractor with up to **five (5)** identified trailers, provided the number of axles and axle spacings remain the same when towing the various trailers.

E. DEFINITIONS

1. “Agronomic crops” means the species in each of the following plant groupings belonging to the domain of agronomy: cereal or grain crops; grain legumes or pulses and oilseed crops for food, feed or industrial use; pasture and forage crops; fiber crops; sugar crops; and starchy root and tuber crops.

2. “Horticultural crops” means vegetable crops, fruit crops and edible nuts, other ornamental crops, and nursery crops. In addition, the aromatic crops and the medicinal crops are included.

3. “Natural state” means unfinished or unprocessed agronomic or horticultural crops originating in Arkansas from the first point of severance to a point in the state at which they first undergo any finishing, processing, preparation for processing, conversion, or transformation.

4. Agricultural and horticultural crops do not include timber or forestry products in any form.