



## **Transportation Permit Conditions**

Revised: August 2006

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### **GENERAL CONDITIONS**

The following conditions shall apply to all Transportation Permits:

**1. Responsibility of Permittee**

The permittee shall be knowledgeable and in compliance with all applicable California conditions, requirements, and laws for the use of the highway system and in particular movement of extralegal vehicles and/or loads.

**2. Possession of Permit**

This permit shall be carried in the vehicle to which it refers at all times while the vehicle is within the highway limits (California Vehicle Code (CVC) Section 35783).

**3. Void Permits**

This permit is null and void and hereby declared non-existent if:

- a. **ANY PORTION, PART, OR SECTION IS ILLEGIBLE**
- b. If used before or after the date and/or times indicated
- c. If any portion, part, or section has been altered or if any attempt to alter is apparent
- d. If used to represent proper authority for carrying a load and/or moving a vehicle, which is not specifically described on the face of the permit
- e. If used to represent proper authority for carrying a load and/or moving a vehicle by any company not specifically named on the permit
- f. If presented without the accompaniments specifically named on the face of the permit. Accompaniments must be within the driver's reach when seat belted in the driver's seat

**4. Permittee Agreement**

Acceptance of this permit constitutes an agreement by the permittee to observe and comply with all of the general and specific conditions on the face of the permit and its accompaniments.

**5. Verification**

The use of this permit is prima facie evidence that the driver has checked the load and/or vehicle, knows it to be within the limits as set forth hereon, and has verified the routing accuracy. The vehicle and/or load authorized under this permit are subject to inspection by representatives of the City of Gilroy.

**6. Overhead Clearance**

When height of load exceeds legal limit, it becomes the responsibility of the permittee to check all underpasses, overcrossings, bridges, overhead wires or other structures for impaired vertical clearance and to arrange clearance or request alternate routing before commencing travel.

**7. Liabilities**

The permittee is responsible for all liability for injury to or death of person or damage to property, which may occur through any act or omission of either the permittee or the City of Gilroy arising from the issuance of this permit. In the event any claim, suit, or action is brought against the City of Gilroy, its officers, employees, or agents thereof by reason of or in connection with any such act or omission, permittee shall defend, indemnify, and hold harmless the City, its officers, employees, or agents from such claim, suit, or action.

## **8. Repair of Damage**

In accepting this permit, the permittee agrees to repair at his/her own expense and to the satisfaction of the City Engineer, any damage to highway appurtenances or structures resulting from travel under this permit. Notwithstanding, work and/or repair may be done by City of Gilroy forces at the option of the City Engineer, the cost to be borne by the permittee. In the event of damage to City highway facilities such as bridges, traffic signals, light standards, and other appurtenances, a written report must be filed with the City of Gilroy within 72 hours after such damage has been done. Failure to make this report will be considered cause for cancellation of all permit privileges pending a satisfactory arrangement with the City for repair or replacement of the damaged facility.

## **9. Collision Reporting**

Collisions occurring while operating under permit and requiring a report to the Department of Motor Vehicles under CVC Section 16000 shall also be reported to the City of Gilroy. A copy of the permit and collision report shall be mailed within 30 days of the date of the collision to City of Gilroy, Attention: Risk Management, 7351 Rosanna Street, Gilroy, CA 95020. Failure to mail these copies will be considered cause for cancellation of all permit privileges.

## **10. Reducible Loads**

- a. This permit is issued for the movement of an "Extralegal Load" as defined in CVC 320.5 when loaded at its least dimensions.
- b. This permit is automatically canceled if the permitted dimensions and weight can be reduced to legal limits by repositioning and/or practical removal of a part, portion, or unit therefrom.
- c. This permit does not authorize extralegal weight if the load can be repositioned to stay within legal axle or axle group weights authorized in CVC 35551 or 35551.5. If the load cannot be repositioned, the weights shown on the permit are authorized.
- d. Other items may be hauled in addition to the permitted item provided they do not exceed the dimensions of the vehicle or permitted item (whichever is greater) and the loaded vehicle is of legal axle and gross weights.
- e. Overheight permits shall not be issued for items transported on a conventional flat deck trailer unless the deck is needed to support a long fragile load or a long load that would cause unbalanced axle group weights.
- f. An extra legal self-propelled fixed load vehicle may tow a legal "Vehicle" with the following conditions:
  - The towed vehicle does not transfer weight to the towing vehicle
  - Maximum vehicle combination length 65' 0"
  - The self-propelled fixed load will not be close coupled to the towed trailer
  - The total gross weight imposed by the towed vehicles will not exceed 20,000 lbs.

"Vehicles as defined in the California Vehicle Code (CVC) 670.

"Trailer" as defined in the California Vehicle Code (CVC) 630.

## **11. Moving in Inclement Weather**

Movement shall not occur in snow, fog, rain, or wind when visibility is restricted to less than 1,000 feet (304.8 meters). Movement is prohibited when road surfaces are hazardous due to rain, ice, snow, or frost or when use of tire chains is mandatory. In addition, manufactured housing shall not move when the velocity of the wind is such that it causes the vehicle being towed to whip or swerve from side-to-side or fail to follow substantially in the path of the towing vehicle.

Any collision caused by excessive wind or weather conditions shall be considered a prima facie violation of this condition.

## **12. Lane Use**

When practical, the vehicle shall be kept in the far right lane of the highway and shall not encroach on highway shoulders except where necessary to allow trailing traffic to pass.

**13. Scales and Inspection Facilities**

Every driver of an extralegal vehicle or permitted load when operating on a state highway shall be subject to CVC 2813 and shall stop at all operational scales and inspection facilities.

**14. Moving in Convoy**

Movement in convoy shall not be permitted unless specified on the face of this permit.

**15. Towing Disabled Permit Vehicles**

Disabled extralegal vehicles or extralegal combinations of vehicles, whose movement is authorized by a transportation permit, or any disabled legal vehicle or legal combination of vehicles, which because of damage has incurred distortion in width or height thereby causing an excess in legal dimensions, may only be moved at the direction of a peace officer. Disabled overweight permit vehicles/loads shall only be authorized movement by a peace officer to a point where the highway has been safely cleared. Movement of the permit vehicle/load beyond this point shall be completed under the authority of a City, County, or State transportation permit, whichever is applicable. Single trip permits for towing permit vehicles shall require reduction of the disabled combinations to the least dimension possible.

**16. Tires**

Tires on permitted vehicles shall comply with the California Code of Regulations Title 13, commencing with Section 1085 of Article 14. Permitted axle or axle group weights shall not exceed the rated capacity marked on the tire sidewall.

**17. Warning Signs and Flags**

All loads/vehicles over 8'-6" in width, 80 feet in length, or more than 10 feet of overhang shall display warning signs. Signs shall be posted on the front and rear of the vehicle or on the front of the lead vehicle and the rear of the back trailer with multi-vehicle combinations. Signs shall have black letters on a yellow background and comply with Section 502.9 of the California Department of Transportation (Caltrans) "Transportation Permit Manual." Flags shall comply with Section 25104 of the CVC.

**18. Movement during Darkness**

"Darkness" is defined in Section 280 of the CVC as being "...any time from one-half hour after sunset to one-half hour before sunrise...." Reference to "sunset" and/or "sunrise" on the permit includes this one-half hour grace period before and after sunrise and sunset.

**SPECIAL CONDITIONS FOR...**

**Loads and/or Vehicles Escorted by Pilot Car(s)**

The following special conditions shall apply to all loads and/or vehicles escorted by pilot cars(s):

**19. Responsibilities**

- Pilot cars maintain communications with the escorted load via two-way radio communication device.
- Pilot cars maintain a safe distance from the escorted vehicle to allow both passing and warning for other traffic.
- Pilot cars accompany the escorted vehicles over all operation California Highway Patrol (CHP) scale and inspection facilities.

## 20. Location

If one pilot car is required, the pilot car precedes the escorted vehicle on two (one lane in each direction) or three-lane conventional roadways. When a pilot car is required for rear overhang (i.e. more than 25' 0"), the pilot car will follow the escorted vehicle on all routes. The pilot car follows the escorted vehicle on conventional highways having four or more lanes, divided highways, and freeways.

- If two (2) pilot cars are required, one pilot car precedes and the other follows the escorted vehicle.
- Pilot cars remain right of the centerline of the roadway at all times.

## 21. Equipment

Failure to comply with all regulations under law renders the vehicle and/or load out of service until all necessary repairs or additional equipment is obtained to meet said requirements. Regulations include be are not limited to the following:

- Identification placards comply with California Vehicle Code (CVC) Section 27904
- Warning signs comply with CVC Section 27904.5 and 35783.5
- Warning lights comply with CVC Section 25270
- Warning flags comply with CVC Section 28100
- Vertical clearances measuring devices comply with CVC 28102 and 35252
- Additional requirements, as outlined in CVC 28101

## 22. Restrictions

- It is unauthorized for a pilot car to stop, pre-empt, or impede opposing traffic.
- It is unauthorized for a pilot car to tow another vehicle while escorting a load unless it is specifically stated on the face of the transportation permit.
- It is unauthorized for pilot cars to escort more than one vehicle and/or load at one time unless specified on the face of the transportation permit.
- It is unauthorized to display STOP/SLOW sign paddles from the window of a moving vehicle.

## SPECIAL CONDITIONS FOR...

### Manufactured Housing

The following special conditions shall apply to all permits authorizing travel for a "Park Trailer," as defined in Section 18010 of the Health and Safety Code, or a "Manufactured Home," as defined in Section 387 of the California Vehicle Code:

## 23. General

- a. The applicant certifies that he or she is in compliance with all applicable statutes and specifically with Section 35790 (e) of the California Vehicle Code (CVC), which states in part, "Permits for the movement of manufactured homes under this section shall not be issued except to transporters or licensed manufacturers and dealers...."
- b. Movement in convoy shall not be permitted unless specified on the face of the transportation permit.
- c. Units open on one side shall be covered by plywood, hard board, or other rigid material. Flexible material may be used in lieu of rigid material, suitable plastics, or other. Billowing or flapping plastic or flexible side covering in excess of 6 inches in any one place is not acceptable and **renders the permit void** until repaired.
- d. Units open on both sides, such as those used for temporary schools, warehouses, offices, etc., may be moved empty with no side covering.

#### 24. Towing

- a. For towing units of 12 feet in width or less: tow vehicle shall be a truck tractor with dual rear wheels and an unladen weight of not less than 6,500 pounds, as defined in CVC Sections 655 and 660 respectively.
- b. For towing units greater than 12 feet in width: tow vehicle shall be a truck tractor with dual rear wheels and an unladen weight of not less than 9,500 pounds, as defined in CVC Sections 655 and 660 respectively.

### **SPECIAL CONDITIONS FOR...**

#### **Manufactured Housing In Excess of 14 feet Wide**

The following special conditions shall apply to all permits authorizing travel for a manufactured home as defined in Section 18007 of the Health and Safety Code, which is in excess of 14 feet in width:

#### **25. The attached permit is null and void if there is not complete compliance with any of the following conditions:**

- a. All wheels have service brakes in good operating order and in compliance with the stopping distance requirements of CVC Section 26454.
- b. Breakaway breaks are installed and in good operating order consistent with CVC Sections 26304 and 35790.1.
- c. The weight imposed upon any single axle does not exceed 6,000 pounds.
- d. The weight imposed upon any single tire does not exceed 3,000 pounds or the manufacturer's rating (whichever is the lesser of the two values).
- e. All tires have a minimum of 2/32 of an inch tread depth, as determined by tire tread wear indicators, and are free of defect.
- f. The weight imposed upon the hitch, drawbar, suspension, axle, wheel, or other load-bearing component does not exceed the manufacturer's rating and/or published standards for the component or item.
- g. The referenced unit has been inspected for compliance by the drive(s) operating under authority of the permit.
- h. The driver(s) are familiar with the permitted route and have previously traversed the route so as to have first hand knowledge of all overhead obstructions as well as possible areas of conflict with adjacent or oncoming traffic.
- i. Where traffic control must be exercised to negotiate the permitted route, law enforcement assistance has been formally negotiated and arranged under written contract.
- j. The driver(s) have discussed and reached understanding with all pilot car operators toward their obligations and requirements.
- k. Permits and/or formal authorization for roadways under state, county, and/or local jurisdictions shall be carried with this permit and presented to any law enforcement officer or representative of the City of Gilroy upon request.
- l. The driver(s) meet all requirements for Commercial Vehicle Operation in California.
- m. The towing vehicle is a truck tractor and when in combination with the unit is capable of meeting the stopping distance requirements of CVC Section 26454.