

TITLE 13. LAW AND PUBLIC SAFETY
CHAPTER 18. EXECUTIVE AND ADMINISTRATIVE SERVICE
SUBCHAPTER 1. PERMITS FOR OVERDIMENSIONAL OR OVERWEIGHT VEHICLES

13:18-1.1 Scope

- (a) This Subchapter 1 replaces the following regulations previously adopted:
1. Subchapter 1 (Special Permits for Overdimensional Vehicles) of this Chapter;
 2. Subchapter 2 (Permits in Book Form) of this Chapter;
 3. Subchapter 3 (Special Permits for Overweight Vehicles) of this Chapter;
 4. Subchapter 13 (Dimensional Restrictions) of Chapter 20 (Enforcement Service).

13:18-1.2 Requirement of permit

(a) Except as provided in (c) below, a permit is required for each one-way trip of an oversize or overweight vehicle.

(b) In the event the vehicle is both oversize and overweight, two permits are required for each one-way trip.

(c) An annual ocean borne containerized cargo multiple trip permit may be issued for a tractor semitrailer combination engaged in the transportation of sealed containers of the type commonly used for the conveyance of freight transportation in international ocean going commerce as follows:

1. Sealed containers transported under an annual ocean borne containerized cargo multiple trip permit shall bear the seal of the United States Custom Service, the seal of another governmental agency or the seal of a shipper;
2. The combined gross vehicle weight of any vehicle or combination of vehicles, including load or content, shall not exceed 90,000 pounds, and the per axle weight shall not exceed 38,000 pounds for any one tandem axle unit in any tractor semitrailer combination. Additionally, vehicles shall conform with the axle limitations in N.J.S.A. 39:3-84 and the maximum tire load limit in N.J.A.C. 13:18-1.9(a)2;
3. The original multiple trip permit as issued by the Motor Vehicle Commission shall be carried in the tractor semitrailer combination whenever the trip requires such a permit. Photocopies or other reproductions of a permit shall specifically not be acceptable in lieu of the original permit. In the absence of the physical possession of the original permit, the trip shall be deemed as having been made without a valid permit;
4. Annual multiple trip permits shall not be valid for the transportation of oversized or overdimensional loads; and
5. Making timely application for the issuance or reissuance of an annual multiple trip permit shall be the sole responsibility of the person(s) who desires to have or utilize such permits. The Motor Vehicle Commission shall not be responsible for mailing ocean borne containerized cargo multiple trip permit renewal forms to persons whose permits are about to expire.

13:18-1.3 Period of permit validity

(a) A permit shall be valid for a period of three days, except that an annual multiple trip permit issued pursuant to N.J.A.C. 13:18-1.2(c) shall be valid for a period not exceeding 365 days, and except that a permit issued for an overweight vehicle having a combined gross vehicle weight of any vehicle or combination of vehicles, including load or content, greater than 150,000 pounds or more shall be valid for a period of five days.

(b) In the event the one-way trip cannot be completed within the valid life of the permit due to hazardous road conditions or vehicle breakdown, a one-day extension may be granted provided that the request is made to the Motor Vehicle Commission before the permit expires.

13:18-1.4 Reservation of Commission's rights

The Motor Vehicle Commission reserves the right to designate the routes of travel, speed limits, exact day and time of operation, or to impose any other restrictions which may be necessary to minimize traffic delays or safety hazards.

13:18-1.5 Fees

(a) The base fee for a permit shall be \$ 10.00. The fee for an annual permit issued pursuant to N.J.A.C. 13:18-1.2(c) shall be \$ 100.00.

(b) There shall be an additional fee of \$ 1.00 for each foot or fractional portion thereof that the dimensions of any vehicle or combination of vehicles as that term is defined in N.J.S.A. 39:3-84a, including load or contents or of any part or portion thereof, exceed 14 feet in width. There shall be an additional fee of \$ 1.00 for each foot or fractional portion thereof that the dimensions of any combination of vehicles as that term is defined in N.J.S.A. 39:3-84a, including load or contents or of any part or portion thereof, exceed 63 feet in length. There shall be an additional fee of \$ 1.00 for each foot or fractional portion thereof that the dimensions of any house-type trailer and its towing vehicle or any house-type semitrailer and its towing vehicle exceed 70 feet in length.

(c) There shall be an additional fee of \$ 5.00 for each 2,000 pounds or fractional portion thereof that the weight of the vehicle, including load, exceeds either the axle or gross weight limits--whichever is greater--set forth in Title 39 of the Revised Statutes.

(d) No fee shall be imposed for a permit issued to a vehicle owned or operated by the United States, the State, any government or local government subdivision, agency or instrumentality thereof.

13:18-1.6 Liability for damage; application requirements; insurance

(a) Any person driving any vehicle, object or contrivance subject to and in excess of statutory weight limitations and permit requirements upon any highway or highway structure, whether temporary or permanent, shall be liable for all damage which the highway or highway structure may sustain as a result of any such operation, driving or moving of such vehicle, object or contrivance.

1. Such damage may be recovered in a civil action brought by the authorities in control of such highway or highway structure.

2. The fact that the vehicle, object, or contrivance causing the damage was being operated, driven or moved within the authorized size and weight limitations or permitted by a special permit as provided by law, shall not be accepted as a defense to any action brought as provided in this subsection if damage is caused to highways or structures posted for weight limits less than those set forth by statute.

3. Whenever the driver is not the owner of such vehicle, object or contrivance, but is so operating, driving or moving with the express or implied permission of the owner, then the owner and the driver shall be jointly and severally liable for any damage.

(b) An application for a permit or book of permits shall not be accepted unless the applicant has filed in the Motor Vehicle Commission a certificate of insurance in the following minimum limits:

1. \$100,000 for bodily injury or death to any one person in any one occurrence;
2. \$300,000 for bodily injury or death to two or more persons in any one occurrence;
3. \$100,000 for damage to or destruction of property in any one occurrence.

(c) Said certificate shall contain a provision that there will be 10-day prior notice to the Motor Vehicle Commission in the event of cancellation or termination of the insurance.

13:18-1.7 Exceptions; insurance certificate requirement

The filing of an insurance certificate shall not be required in the case of an oversize permit issued for the operation of a private utility trailer, house-type trailer, or semitrailer. In such cases the provisions of the Compulsory Motor Vehicle Insurance Law (N.J.S.A. 39:6B-1 et seq.) and the Security-Responsibility Law (N.J.S.A. 39:6-23 et seq.) will apply.

13:18-1.8 Permits generally

(a) No permit shall be valid:

1. For the operation of a vehicle or combination of vehicles transporting a load that can be dismembered, dismantled, or divided in such a manner so that the weight and dimensional limitations prescribed in Title 39 of the Revised Statutes are not exceeded, except for sealed containers of the type commonly used for the conveyance of freight transportation in international oceangoing commerce, bearing the seal of the United States Custom Service, the seal of another governmental agency, or the seal of the shipper, where the per-axle weight limitation does not exceed 38,000 pounds for one tandem axle unit only in a tractor/ semitrailer combination;

2. On any toll road;

3. Unless there is compliance with all applicable requirements of this subchapter and pertinent statutory provisions.

13:18-1.9 Overweight permits

(a) An overweight permit shall not be valid:

1. For the operation of a vehicle registered or required to be registered in New Jersey unless the vehicle is registered in this State at the maximum registration weight permitted under N.J.S.A. 39:3-20.

2. When the gross weight of the vehicle or combination of vehicles, including load, exceeds 800 pounds per inch in width of tires on all wheels, or when the load is distributed so as to impose a weight of more than 800 pounds per inch in width of tire on any one wheel.

(b) Overweight vehicles for which permits have been issued and which are incapable of being operated safely at a maximum speed of 40 miles per hour shall be prohibited from operating on the highways during hours when lighted lamps are required, or when visibility is limited to a distance of less than 500 feet, or when hazardous road conditions exist.

13:18-1.10 Invalidity of oversize permits

(a) An oversize permit shall not be valid for the operation of a vehicle or combination of vehicles on any highway where clear space available for use by passing traffic is less than ten feet, including roadway and improved shoulder.

(b) An oversize permit shall not be valid for the operation of a vehicle or combination of vehicles after 12:00 Noon on Saturdays, or at any time on Sundays and the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day. If the holiday falls on a Sunday, the operation shall not be permitted on the following Monday. If the holiday falls on a Saturday, the operation shall not be permitted on the preceding Friday.

(c) An oversize permit shall not be valid for the operation of a vehicle or combination of vehicles from a half-hour after sunset to a half-hour before sunrise, or when visibility is limited to a distance of less than 500 feet, or when hazardous road conditions exist.

(d) The Chief Administrator may grant a written waiver of the holiday, weekend and/or the nighttime restrictions under the minimum situations in (d)1 through 3 below. Any request for a waiver must accompany the permit application.

1. If it is determined that traffic congestion would be reduced by the waiver;
2. If the permit applicant can justify a business hardship caused by the restrictions; or
3. If an emergency condition exists.

13:18-1.11 Escort vehicle requirements

(a) One escort vehicle shall be required when the width, including load, exceeds 14 feet and/or when the length exceeds 100 feet.

(b) Two escort vehicles shall be required when the width, including load, exceeds 16 feet and/or when the length exceeds 120 feet.

(c) When the height, including load, exceeds 14 feet the provisions of N.J.S.A. 39:4-28 will apply.

(d) When one escort vehicle is required, it shall precede the escorted vehicles on highways having less than four traffic lanes and shall follow the escorted vehicles on highways having four or more traffic lanes.

(e) When two escort vehicles are required, one shall precede the escorted vehicles and one shall follow the escorted vehicles.

(f) The preceding escort vehicle shall maintain a distance of from 200 feet minimum to 500 feet maximum from the lead vehicle of the escorted combination of vehicles.

(g) The following escort vehicle shall maintain a distance of from 100 feet minimum to 250 feet maximum from the rearmost vehicle of the escorted combination of vehicles.

13:18-1.12 Warning signs

(a) The minimum size of a warning sign shall be six feet wide by one foot high.

(b) The term "WIDE LOAD" or "OVERSIZE LOAD" shall be displayed on the sign in black letters of 10 inches minimum height on a yellow background.

(c) When two escort vehicles are required, a warning sign shall be displayed on the front of the preceding escort vehicle and on the rear of the following escort vehicle.

(d) When only one escort vehicle is required, a warning sign shall be displayed on the rear of the rearmost vehicle in the escorted combination and on the front of the escort vehicle if it is preceding, or on the front of the lead vehicle of the escorted combination and on the rear of the escort vehicle if it is following.

(e) When no escort vehicles are required, warning signs shall be displayed on the front and rear of the oversize vehicle combination.

13:18-1.13 Warning flags

(a) A warning flag shall be red in color and its minimum size shall be 18 inches square.

(b) Warning flags shall be displayed on the two front corners of the preceding escort vehicle.

(c) Warning flags shall be displayed on the two rear corners of the following escort vehicle.

(d) Warning flags shall be placed at the four corners of an oversize vehicle.

(e) When a vehicle, whether oversize or not, is transporting a load which projects beyond the sides of the vehicle the warning flags shall be placed at the four corners of the load rather than the vehicle.

(f) If the load projects only beyond the rear of the transporting vehicle, two flags shall be placed on the two rear corners of the load.

(g) If the projecting load is round or some other shape without distinguishable corners, a warning flag shall be placed at the outermost extremity of the load on each side and/or to the rear of the vehicle.

13:18-1.14 Headlamps and taillamps

Low beam headlamps and red taillamps shall be illuminated on all escort vehicles, the towing vehicle and the towed vehicle.

13:18-1.15 Oversize private utility or house-type trailer or semitrailer

(a) Except as set forth in (f) below, a permit shall not be valid for the operation of any private utility or house-type trailer or semitrailer, on its own wheels, with a width of more than 14 feet.

(b) Any such vehicle whose width exceeds 14 feet shall be transported on a commercial-type low-bed trailer, semitrailer or properly registered dolly wheels.

(c) The towing vehicle shall be a truck, truck tractor or road tractor equipped with dual wheels on the drive axle and a heavy-duty towing hitch.

(d) If the trailer or semitrailer is not more than 10 feet wide, the towing vehicle shall have a capacity of 3/4 ton or more, and if the trailer or semitrailer is more than 10 feet wide, the towing vehicle capacity shall be 1 1/2 tons or more.

(e) A private utility or house-type trailer or semitrailer in excess of 12 feet in width, or its towing vehicle, shall be equipped with and have in operation two sway control devices between the towing vehicle and the towed vehicle.

(f) Notwithstanding (a) above, a permit shall be valid for the operation of a house-type trailer or semitrailer with an outside width of no more than 16 feet if the vehicle is a manufactured home on a transportation system that is designed in accordance with the "Manufactured Home Construction and Safety Standards," 24 CFR Part 3280.901, promulgated by the United States Department of Housing and Urban Development, as amended and supplemented. A manufactured home with an outside width of more than 16 feet shall be transported on a commercial-type low-bed trailer, semitrailer or properly registered dolly wheels.

13:18-1.16 Book permits

(a) Any person, firm or corporation may prepurchase permits in multiples of ten. Such permits are hereinafter referred to as "book" permits.

(b) The base fees for book permits are payable at the time of purchase. Additional fees due upon use of a permit may be charged against escrow funds deposited with the Motor Vehicle Commission by the permittee or may be remitted to the Motor Vehicle Commission together with a carbon copy of the permit provided for in (c) below.

(c) Two copies of the blank book permit will be provided to the purchaser. The permit shall be prepared for use by typewriter only and with an exact carbon copy. The permit shall be void if there are any omissions, additions, corrections, alterations or erasures. The carbon copy shall be mailed to the Motor Vehicle Commission on the day the permit is typed. The postmark on the transmitting envelope shall be considered conclusive evidence of the mailing date.

(d) Book permits are not transferable and may be used only by the original purchaser.

(e) Every book permit shall be usable only in the 12-month period from July 1 to June 30 during which it was purchased. The base fee for any book permit not used on or before June 30 shall be forfeited.

(f) Book permits shall be valid only when the dimensions of the vehicle combination, including load, do not exceed 16 feet in width and/or 120 feet in length provided that additional fees due for lengths in excess of 70 feet are paid in accordance with the provisions of (b) above.

(g) Book permits shall not be valid for operation of overweight vehicles.

(h) A book permit shall be valid for one day only. No extension will be granted if the permit is not used on the day designated on the permit.

(i) The privilege to prepurchase book permits may be withdrawn from any person, firm or corporation who or which fails to comply with the conditions for their use prescribed in this subchapter.