

**TITLE 18                   TRANSPORTATION AND HIGHWAYS**  
**CHAPTER 19               MOTOR VEHICLE PROCEDURES, LICENSES, PERMITS**  
**PART 8                     SIZE AND WEIGHT OF VEHICLES AND LOADS**

**18.19.8.1       ISSUING AGENCY:** Department of Public Safety.  
[18.19.8.1 NMAC - Rp, 18.19.8.1 NMAC, 2-12-2016]

**18.19.8.2       SCOPE:** This rule applies to every person or entity involved with the movement on the highways of this state of vehicles, combinations of vehicles or loads that, individually or together, exceed size or weight limitations specified in Sections 66-7-401 through 66-7-416 NMSA 1978 and to all persons charged with enforcing provisions of the Motor Vehicle Code.  
[18.19.8.2 NMAC - Rp, 18.19.8.2 NMAC, 2-12-2016]

**18.19.8.3       STATUTORY AUTHORITY:** Section 9-19-6 NMSA 1978; Sections 66-7-401 through 66-7-416 NMSA 1978.  
[18.19.8.3 NMAC - Rp, 18.19.8.3 NMAC, 2-12-2016]

**18.19.8.4       DURATION:** Permanent.  
[18.19.8.4 NMAC - Rp, 18.19.8.4 NMAC, 2-12-2016]

**18.19.8.5       EFFECTIVE DATE:** February 12, 2016.  
[18.19.8.5 NMAC - Rp, 18.19.8.5 NMAC, 2-12-2016]

**18.19.8.6       OBJECTIVE:** The objective of this rule is to interpret and implement provisions of the Motor Vehicle Code relating to the movement of oversize and overweight vehicles on the highways of this state.  
[18.19.8.6 NMAC - Rp, 18.19.8.6 NMAC, 2-12-2016]

**18.19.8.7       DEFINITIONS:** As used in this rule:

A.    **“Accumulated traffic”** means a build-up of six or more vehicles, other than escort vehicles, or any vehicle being detained for more than ten minutes behind a vehicle or load required to be escorted; provided that, if the escorted vehicle or load is traveling consistently at a speed within five miles per hour of the maximum legal speed for the highway being traveled upon, the term means a build-up of eight or more vehicles, other than escort vehicles, or any vehicle being detained for more than ten minutes;

B.    **“Applicant”** means a person or entity applying for a special permit;

C.    **“Continuous movement”** means movement during all hours, day or night, on any day of the week except on a holiday; provided that “continuous movement” does not include movement during inclement weather, traffic hazards or other occurrences that affect the safe movement of vehicles on a highway;

D.    **“Counter-flow”** means the movement of or obstruction by a vehicle, combination, structure or load upon a roadway designated for traffic flowing in the opposite direction;

E.    **“Daylight movement”** means movement 30 minutes before sunrise until 30 minutes after sunset on any day of the week, except on a holiday; provided that “daylight

movement” does not include movement during inclement weather, traffic hazards or other occurrences that affect the safe movement of vehicles on a highway;

F. **“Department”** means the department of public safety;

G. **“Height”** means a measurement from the uppermost point of the vehicle, combination of vehicles or load to the roadbed;

H. **“Highway”** or **“street”** means every way or place generally open to the use of the public as a matter of right for the purpose of vehicular travel, even though it may be temporarily closed or restricted for the purpose of construction, maintenance, repair or reconstruction;

I. **“Holiday”** means 12:01 am until 11:59 pm on the calendar day of any of the following holidays:

- (1) New year's day;
- (2) Memorial day;
- (3) Independence day;
- (4) Labor day;
- (5) Thanksgiving day;
- (6) Christmas day; and
- (7) any other holiday that may be designated by the department;

J. **“Inclement weather”** means a natural occurrence that may create dangerous driving conditions and includes any of the following:

- (1) snow;
- (2) ice;
- (3) fog;
- (4) rain;
- (5) dust;
- (6) a weather condition that limits visibility to less than 1000 feet, or approximately two-tenths of one mile;
- (7) for oversize vehicles, combinations or loads, wind speeds of twenty-five miles per hour or more as determined by the National Weather Service, nearest airport, New Mexico port of entry or government controlled weather station; or
- (8) a weather condition that is determined by the department, the department of transportation or a law enforcement official to create a safety hazard;

K. **“Irreducible load”** means a vehicle or load exceeding size or weight limitations that cannot reasonably be reduced to legal limits and that, if separated into multiple or smaller loads or vehicles, would:

- (1) compromise the intended use of the vehicle or load, rendering it unable to perform the function for which it was intended;
- (2) destroy the value of the vehicle or load, making it unusable for its intended purpose; or
- (3) require more than eight work hours to dismantle using appropriate equipment;

L. **“Length”** means a measurement from the foremost point to the rearmost point of a vehicle, combination of vehicles or load;

M. **“Manufactured home”** means a movable or portable housing structure that exceeds either a width of eight feet or a length of forty feet, constructed to be towed on its own

chassis and designed to be installed with or without a permanent foundation for human occupancy;

N. **"Movement"** or **"move"** means the movement of an oversize or overweight vehicle, combination or load on a highway of this state requiring a special permit;

O. **"Oversize"** or **"overweight"** means exceeding a maximum dimension or weight specified in Sections 66-7-401 through 66-7-416 NMSA 1978;

P. **"Permittee"** means a person or entity that has been issued a special permit to move a specific vehicle, combination or load;

Q. **"Route survey"** means actual physical measurements conducted by an applicant or an applicant's designee of the width and height of the load or vehicle to be moved compared with actual physical measurements of the width and height of structures and property to be cleared by the load or vehicle throughout the entirety of the proposed route to be traveled;

R. **"Special permit"** means a written permit issued by the department that authorizes a permittee to move an oversize or overweight vehicle, combination or load on a highway in this state;

S. **"Utility service vehicle"** means a vehicle used in the furtherance of repairing, maintaining, or operating any structure or other physical facility necessary for the delivery of public utility services, including the furnishing of electric, gas, water, sanitary sewer, telephone, television cable or community antenna service; and

T. **"Width"** means a measurement from the extreme outermost point of one side of the vehicle or combination of vehicles or load to the extreme outermost point of the opposite side of the vehicle, combination of vehicles or load.

[18.19.8.7 NMAC - Rp, 18.19.8.7 NMAC, 2-12-2016]

**18.19.8.8 SPECIAL PERMIT REQUIRED:** Unless specifically exempted by law, a vehicle, combination of vehicles or a load that exceeds a maximum size or weight limitation established by Sections 66-7-401 through 66-7-416 NMSA 1978 shall not move on a public highway or street without a valid special permit issued by the department.

[18.19.8.8 NMAC - Rp, 18.19.8.10 NMAC, 2-12-2016]

**18.19.8.9 SPECIAL PERMIT FOR IRREDUCIBLE LOADS - EXCEPTIONS:**

A. Except as otherwise provided in this section, a special permit shall be issued only for an irreducible load. An applicant shall demonstrate that the load to be moved cannot reasonably be dismantled, reduced or disassembled. Reductions shall be made whenever possible, even if use of additional vehicles becomes necessary.

B. The following reducible loads may be issued a special permit:

(1) vehicle or combination of vehicles with a gross weight not exceeding 96,000 pounds within twelve miles of a port of entry on the border with Mexico, and within the area described in Section 66-7-413 NMSA 1978 for the port of entry at Santa Teresa, as provided in Section 66-7-413 NMSA 1978;

(2) an over-width vehicle or load used to transport loads of hay, as provided in Section 66-7-413.1 NMSA 1978, for a distance up to fifty miles;

(3) liquid hauling tank vehicle, as provided in 66-7-413.4 NMSA 1978;

(4) agricultural products, as provided in Section 66-7-413.7 NMSA 1978;

(5) specialized haul vehicles, as provided in Section 66-7-413.8 NMSA 1978;

or

(6) emergency response vehicles, including those loaded with salt, sand, chemicals or a combination and being used for the purpose of spreading the material on highways that are or may become slick or icy.

C. The department may issue special permits for casks designed for the transport of spent nuclear materials and for military vehicles transporting marked military equipment or material.

D. When an integral part of a machine or other equipment is removable, and the load without that part is oversize or overweight, the department may allow that part to be included in the permitted load; provided that the inclusion of the removable part does not increase the dimensions of the load.

[18.19.8.9 NMAC - Rp, 18.19.8.12 NMAC, 2-12-2016]

#### **18.19.8.10 APPLICATION FOR A SPECIAL PERMIT:**

A. Only a person or entity that owns and operates the transporting vehicle or that operates the transporting vehicle under a lease agreement may apply for a special permit.

B. An applicant for a special permit shall be in compliance with and shall ensure that the transporting vehicle and the specific vehicle, combination or load to be moved is in compliance with motor vehicle registration laws, tax laws and regulations and any applicable public regulation commission rules and requirements.

C. An applicant for a special permit shall:

- (1) indicate the type of special permit requested;
- (2) provide contact information for the person or entity requesting the permit;
- (3) specifically identify the vehicle, combination or load to be moved;
- (4) provide the width, length and height of the vehicle, combination or load and identify the size and location of any overhangs;
- (5) provide the gross vehicle weight;
- (6) provide all axle information requested, including number and spacing of axles, number and type of tires on each axle and the weight on each axle;
- (7) describe the type of load being moved and the type of vehicle;
- (8) identify the points of origin and destination;
- (9) describe the route of travel;
- (10) indicate whether a route survey has been conducted and provide a copy of the route survey, if requested;
- (11) indicate whether certified escort vehicle or vehicles will accompany the move, if required;
- (12) if required, demonstrate that a feasibility study of the proposed movement has been made or that an engineering analysis or investigation of the route to be traveled has been completed;
- (13) provide proof of insurance coverage in accordance with New Mexico's financial responsibility laws and requirements of the public regulation commission; and
- (14) provide other information as requested by the department.

D. An applicant for a special permit shall obtain any required maps, restricted roads, structures or bridges required by the department for the move. Required maps and other documents are available by electronic link on the special permit application.

[18.19.8.10 NMAC - Rp, 18.19.8.14 NMAC, 2-12-2016]

**18.19.8.11 PROOF OF FINANCIAL RESPONSIBILITY:**

A. A person applying for a special permit shall submit to the department proof of financial responsibility as required by New Mexico law.

B. An applicant shall submit a certificate of insurance issued by an insurance carrier authorized to transact business in this state in accordance with public regulation commission requirements. The certificate of insurance shall indicate the following minimum coverage:

(1) bodily injury liability in the amounts of \$50,000.00 for each person and \$100,000.00 for each accident; and

(2) property damage liability in the amount of \$25,000 for each accident.

C. A certificate of insurance shall identify:

(1) the vehicle covered by year, make, type, capacity, license number and serial number or indicate that the vehicle is included under an all owned, non-owned and hired vehicle clause;

(2) the effective dates of coverage; and

(3) the name and address of the insured.

D. The department may accept other evidence of financial responsibility that shows compliance with the certification, operating authority and insurance requirements of the public regulation commission; provided that the minimum liability coverage required by this section is met.

E. An applicant or permittee shall notify the department in writing of any material change or cancellation of insurance coverage at least ten days prior to the effective date of such change or cancellation. The department shall void any outstanding special permits if insurance is canceled and not replaced before the expiration date noted on the special permit.

F. If the required insurance coverage is not on file with the department, the special permit application will be held in abeyance until satisfactory proof of coverage is provided.

[18.19.8.11 NMAC - Rp, 18.19.8.52 NMAC, 2-12-2016]

**18.19.8.12 NON-TRANSFERABLE:** A special permit is specific to a vehicle, combination or load and is not transferable from carrier to carrier or vehicle to vehicle.

[18.19.8.12 NMAC - Rp, 18.19.8.21 NMAC, 2-12-2016]

**18.19.8.13 CARRIED IN VEHICLE:** A special permit shall be carried in the vehicle to which it applies, along with any required surveys, maps or lists of structures, and be presented for inspection to any peace officer, authorized employee of the department or an escort vehicle driver who is escorting the vehicle. The special permit and any other required document may be carried on an electronic device and presented in electronic form as long as it is legible.

[18.19.8.13 NMAC - Rp, 18.19.8.20 NMAC, 2-12-2016]

**18.19.8.14 COMPLIANCE WITH OTHER LAWS:** Any movement under a special permit shall comply with all applicable laws, ordinances and regulations. A special permit does not release a permittee from requirements of federal, state or local laws that may apply to the vehicle, the driver or the movement of the vehicle.

[18.19.8.14 NMAC - Rp, 18.19.8.22 NMAC, 2-12-2016]

**18.19.8.15 EXCEPTIONS STATED IN SPECIAL PERMIT:** A permittee and an escort vehicle driver shall comply with all applicable provisions of this rule. Any exception or variation is valid only if specifically stated in the special permit.

[18.19.8.15 NMAC - N, 2-12-2016]

**18.19.8.16 SURETY BOND MAY BE REQUIRED:** If requested by the department or by a municipality, an applicant shall execute and deliver with the department or municipality a surety bond, cash equivalent or other security satisfactory to the department or municipality in an amount sufficient to cover any damages anticipated to road surfaces, bridges, culverts, structures or appurtenances that may be caused by the proposed movement. The amount of the security shall be determined by the department or municipality following an analysis of the proposed move and the roadways and structures along its route.

[18.19.8.16 NMAC - Rp, 18.19.8.15 NMAC, 2-12-2016]

**18.19.8.17 PERMITTEE LIABLE FOR PROPERTY DAMAGE AND PERSONAL INJURY:** The granting of a special permit shall not be construed to relieve a permittee of any responsibility or liability under motor vehicle or other laws. A permittee assumes all responsibility for injury to persons or damage to public or private property, including injury to the driver and damage to the driver's property or the load being transported, caused directly or indirectly by the movement of the vehicle, combination or load. A permittee shall hold the state harmless from all suits, claims, damages or proceedings of any kind and shall indemnify the state for any claim that the state may be required to pay arising from damage or injury caused directly or indirectly by the movement.

[18.19.8.17 NMAC - Rp, 18.19.8.25 NMAC, 2-12-2016]

**18.19.8.18 SPECIAL PERMIT NOT GUARANTEE OF INFRASTRUCTURE:**

Issuance of a special permit is not a guarantee of the sufficiency or clearance of any highway or structure included in the authorized route of the move. It is an unreasonable use of any bridge or structure to operate a vehicle, load, tractor or engine not in accordance with the provisions of the New Mexico Motor Vehicle Code.

[18.19.8.18 NMAC - Rp, 18.19.8.26 NMAC, 2-12-2016]

**18.19.8.19 PRELIMINARY APPROVAL FOR A SPECIAL PERMIT:** A person may request from the department preliminary approval of a proposed movement of an oversize or overweight vehicle, combination or load. Sufficient data shall be submitted to allow the department to evaluate the proposed move. If it is determined that the proposed move is feasible, the mover will be notified that a special permit can be issued upon notification to the department and payment of the proper fee. The department may retract its preliminary approval if circumstances change.

[18.19.8.19 NMAC - Rp, 18.19.8.51 NMAC, 2-12-2016]

**18.19.8.20 ENTRY INTO NEW MEXICO:**

A. An oversize or overweight vehicle, combination or load shall have a special permit issued by the department before entry into this state. Any required escort vehicle shall be certified by the department before entry into this state.

B. If an escort vehicle is not certified before entry, the escort vehicle and the escorted vehicle or load shall stop outside the state. The escort vehicle driver shall turn off or remove all exterior lighting and equipment, remove or cover any signs and remove the amber lights and flags. The escort vehicle shall then drive to the nearest port of entry where the vehicle and equipment can be checked and verified for certification. After the escort vehicle has been certified, it shall drive back, without display of lighting, signs, flags or equipment, to where the escorted load has stopped outside the state. All required lighting, equipment, flags and signs shall then be repositioned on the escort vehicle, and the permitted load and escort vehicle shall enter the state.

C. A special permit may be obtained by submitting an electronic application over the internet at [www.mtdpermits.dps.state.nm.us](http://www.mtdpermits.dps.state.nm.us).

[18.19.8.20 NMAC - Rp, 18.19.8.13 NMAC, 2-12-2016]

#### **18.19.8.21 BEFORE COMMENCEMENT OF MOVE - AMENDED SPECIAL PERMIT:**

A. Prior to starting the move, a permittee shall:

- (1) review the special permit for accuracy of information contained in the special permit;
- (2) ensure that any required survey, maps or lists of structures are included with the special permit;
- (3) fully understand all the conditions and restrictions contained in the special permit;
- (4) know the route to be traveled; and
- (5) be aware, as reasonably possible, of any special circumstances that may be encountered along the route.

B. If a permittee finds that the special permit does not cover the entire move or that it is incorrect, the permittee shall contact the department and request the necessary changes or amendments to the special permit. The permittee shall not commence the move until such changes have been made and a correct or amended special permit has been issued. A special permit that contains incorrect information is void.

C. The department may, depending upon circumstances, issue a supplemental special permit or amend an existing special permit to address a situation that did not exist or was not anticipated at the time of issuance of the original special permit. In such cases, additional documentation may be required by the department to support the issuance of a supplemental special permit or the amendment of an existing special permit.

[18.19.8.21 NMAC - Rp, 18.19.8.19 NMAC, 2-12-2016]

#### **18.19.8.22 MOVEMENT LIMITED TO CERTAIN HIGHWAYS:**

A. A special permit authorizes the movement of a vehicle, combination or load only on the highways designated in the special permit as the route of travel. Permission from local authorities may be required if a portion of the move is to be made over local streets.

B. Unless otherwise indicated on a special permit, movement may not be made over a bridge posted for a specific load limit that is less than the permitted load.

[18.19.8.22 NMAC - Rp, 18.19.8.23 NMAC, 2-12-2016]

**18.19.8.23 MOVEMENT RESTRICTED TO SINGLE TRAFFIC LANE - FLOW OF TRAFFIC:**

A. Insofar as practical, movement shall be confined to a single traffic lane and shall not unnecessarily obstruct the flow of traffic or the roadway. Other traffic shall be given the right-of-way whenever possible.

B. The driver of a permitted vehicle shall remove the vehicle from the roadway when necessary to allow accumulated traffic to pass or when so directed by a peace officer. The driver shall observe the speed specified in the special permit, maintain a proper interval between vehicles and provide vehicles an opportunity to pass to avoid creating traffic congestion.  
[18.19.8.23 NMAC - Rp, 18.19.8.24 NMAC, 2-12-2016]

**18.19.8.24 DAYLIGHT MOVEMENT:**

A. Unless continuous movement is specifically allowed on a special permit, there shall be no movement thirty minutes after sunset until thirty minutes before sunrise.

B. There shall be no movement during inclement weather or on holidays.

C. The department may grant an exception, considering, among other factors:

- (1) the size or weight of the vehicle, combination or load;
- (2) the route to be traveled;
- (3) safety to the motoring public;
- (4) advice of the department of transportation and law enforcement officials;

and

- (5) any other consequence of allowing the move during those times.

[18.19.8.24 NMAC - Rp, 18.19.8.34 NMAC, 2-12-2016]

**18.19.8.25 CONTINUOUS MOVEMENT:**

A. A special permit that allows for continuous movement may be issued for a vehicle, combination or load that does not exceed:

- (1) a width of ten feet;
- (2) a height of fourteen feet six inches;
- (3) a length of one hundred twenty feet; or
- (4) a weight of one hundred forty thousand pounds.

B. Lighting requirements shall be in accordance with the Code of Federal Regulations, Title 49, Section 393.11, and all lights shall meet a five hundred foot visibility requirement. In addition, for an over-width or over-length vehicle, combination or load, at least one rotating, flashing, strobe or LED amber light at the rear of the vehicle and two rotating, flashing, strobe or LED amber lights on the power unit are required.

C. Continuous movement is allowed only if specifically stated on the special permit and does not include movement on holidays or during inclement weather.

D. Additional conditions and requirements may be imposed by the department, including requiring additional equipment or imposing restrictions applicable to specific roads and highways.

[18.19.8.25 NMAC - Rp, 18 19.8.32 NMAC, 2-12-2016]

**18.19.8.26 MOVEMENT DURING HEAVY TRAFFIC:**

A. Unless otherwise specified in a special permit, movement on weekdays between the hours of 7 a.m. and 9 a.m. and between the hours of 4 p.m. and 6 p.m. is prohibited on:



- (1) interstate highways, U.S. highways and state roads within the city limits of Santa Fe and Las Cruces;
- (2) Interstate 25 between Santa Fe and Los Lunas and within the city limits of Los Lunas;
- (3) U.S. 285 between Santa Fe and Espanola and within the city limits of Espanola; and
- (4) Interstate 10 from mile marker 139 to mile marker 145, and Interstate 25 from mile marker 0 to mile marker 9, in the Las Cruces area.

B. Unless otherwise specified in a special permit, movement on weekdays between the hours of 7 a.m. and 9 a.m. and between the hours of 4 p.m. and 7 p.m. is prohibited on interstate highways, U.S. highways and state roads within the city limits of Albuquerque and Rio Rancho.

C. The department may restrict movement during heavy traffic in other locations or time periods.

[18.19.8.26 NMAC - N, 2-12-2016]

**18.19.8.27 MOVEMENT OVER BRIDGES:** Two or more permitted vehicles, combinations or loads shall not traverse a bridge or other structure at the same time.

[18.19.8.27 NMAC - N, 2-12-2016]

**18.19.8.28 CERTAIN VIOLATIONS RENDER SPECIAL PERMIT VOID:**

- A. A special permit is null and void if any of the following violations occur:
- (1) commencing a move under a special permit that contains incorrect information, unless amendments to the permit have been issued by the department correcting the information;
  - (2) the movement is made on a highway or street other than those specifically noted on the special permit, unless necessary to detour around construction zones or to avoid obstructions;
  - (3) movement is made on a highway or street that is closed;
  - (4) use of a bridge or structure not authorized by the special permit;
  - (5) size or weight limitations specified in the special permit are exceeded;
  - (6) improper identification or substitution of a vehicle, combination or load;
  - (7) the special permit, route survey, bridge map, list of structures or other required document is not in possession of or carried electronically by the driver during the move;
  - (8) the permittee is not the owner or lessee of the permitted vehicle;
  - (9) speeds specified in the special permit are not observed;
  - (10) special provisions contained in the special permit to protect highways and structures are not observed;
  - (11) the application for the special permit or the special permit contains misrepresentations;
  - (12) the special permit has been altered, is fraudulent or is used for a fraudulent or unauthorized purpose;
  - (13) absence or cessation of a required escort vehicle during the movement;
  - (14) insurance coverage is canceled, expired, insufficient or otherwise does not meet the requirements of law or this rule; or

(15) failure to comply with any condition or restriction specified in the special permit.

B. Violation of a special permit may be cause for suspension or cancellation of all special permit privileges of the permittee. Based on the severity of the violation, the department may cancel any or all special permits issued to the permittee for current or future movements and may suspend the permittee's right to apply for special permits in the future.

C. The effect of a void special permit is the same as if no special permit had been issued, and the violator, in addition to any other violations, may be subject to prosecution pursuant to the provisions of Sections 66-7-413, 66-7-413.2 and 66-7-416 NMSA 1978. No refund shall be made or credit given for fees paid for a special permit that is rendered void. A special permit issued after a violation does not nullify the violation.

[18.19.8.28 NMAC - Rp, 18.19.8.28 NMAC, 2-12-2016]

**18.19.8.29 SECURING A NEW SPECIAL PERMIT FOLLOWING A VOIDED**

**SPECIAL PERMIT:** A special permit that is void shall be surrendered, upon demand, to a peace officer or authorized department personnel. A new special permit is required before movement move can be resumed. The issuance of a new special permit will be withheld until all conditions that caused the voiding and seizure of the original permit have been corrected to meet the requirements imposed by the department for the move.

[18.19.8.29 NMAC - Rp, 18.19.8.30 NMAC, 2-12-2016]

**18.19.8.30 ROUTE SURVEY MAY BE REQUIRED:**

A. Based on the dimensions of a vehicle, combination or load or the route requested, the department may require that a route survey be conducted and submitted to the department prior to issuance of a special permit. When a route survey is required, it shall be carried in the permitted vehicle at all times during the move.

B. A route survey is valid for a period of fourteen days but is subject to change by the department at any time depending on circumstances, including inclement weather, highway construction, utility work, roadway design, and traffic patterns.

C. The department may extend the validity period of a route survey at its discretion for carriers engaged in moving the same dimensions or in moving similar loads where there are no structural clearance issues.

D. A route survey shall be in a written form approved by the department.

[18.19.8.30 NMAC - N, 2-12-2016]

**18.19.8.31 TOWING UNIT WHEELBASE AND MIRRORS:**

A. Except for a unit used to move manufactured homes, a towing unit shall have an overall wheelbase of at least ninety-nine inches and shall be of sufficient capacity that the transporting or pulling of an oversize or overweight vehicle or load will not create any unnecessary hazard to the motoring public.

B. A towing unit shall be equipped with two outside rear view mirrors, one on each side, that provide a field of view to the driver of the road on both sides of the load and beyond the rear of the load.

C. A towing unit shall comply with all other safety requirements, equipment and restrictions applicable to the movement of the unit with the vehicle, combination and load being towed.

[18.19.8.31 NMAC - Rp, 18.19.8.39 NMAC, 2-12-2016]

**18.19.8.32   LOADING REQUIREMENTS:**

A.   No vehicle or combination shall be driven or moved unless it is constructed, loaded, secured or covered so as to prevent any of its load from dropping, sifting, leaking or otherwise escaping. A load and any covering shall be securely fastened so as to prevent the covering or the load from becoming loose, detached or in any manner hazardous to other users of the highway.

B.   Consistent with safety considerations, oversize objects shall be positioned in a manner that:

- (1)   minimizes the number of dimensions exceeding the legal limit; and
- (2)   does not result in exceeding the maximum legal gross weight or axle

weight.

C.   A load having two dimensions that exceed the limitations for width, height or length shall be loaded in a manner that minimizes the overall combination of dimensions.

D.   Positioning of an object in a manner that causes a load to be oversize, but that in another position would remain within the legal limits, is considered a reducible arrangement and a special permit shall not be issued in such cases.

E.   Consideration shall be given to the weight and balance of a load to assure stability of the load and safety of the move.

[18.19.8.32 NMAC - Rp, 18.19.8.40 NMAC, 2-12-2016]

**18.19.8.33   FLAGS REQUIRED:**

A.   An oversize vehicle, combination or load shall be properly flagged at all times.

B.   Flags shall be red, florescent red or florescent orange and square or rectangular measuring no less than eighteen inches on any one side.

C.   For single vehicles flags shall be placed as follows:

(1)   front and rear: fastened to each corner of the vehicle at the widest points of the vehicle;

(2)   side: fastened to mark any extremity of size when wider than the front or rear of the vehicle; and

(3)   overhangs: for front overhangs that exceed the vehicle by three feet or more and for rear overhangs that exceed the vehicle by four feet or more, the extreme point of overhang shall be marked with a flag on each corner of the overhang; provided that when the overhang width is less than two feet, it may be marked with only one flag.

D.   For combination vehicles, flags shall be placed as follows:

(1)   front: fastened to each front corner of the power unit vehicle at the widest points of the vehicle;

(2)   at the four corners of the trailer or load, whichever is greater in width: fastened to each front corner of the trailer or load at the forward-most part of the trailer or load and fastened to each rear corner of the trailer or load at the rear-most part of the trailer or load;

(3)   sides: fastened to mark any extremity of size if wider than the front or rear of the trailer or load; and

(4)   overhangs: for front overhangs that exceed the front of the vehicle combination by two feet or more and for rear overhangs that exceed the rear of the vehicle combination by four feet or more, the extreme point of overhang shall be marked with a flag on

each corner of the overhang; provided that when the overhang width is less than two feet, it may be marked with only one flag.

[18.19.8.33 NMAC - Rp, 18.19.8.41 NMAC, 2-12-2016]

**18.19.8.34 OVERSIZE SIGNS REQUIRED:**

A. Oversize signs shall be properly affixed on the front and rear of all oversize vehicles, combinations or loads. The signs shall read "OVERSIZE", "OVERWIDTH", "OVERLENGTH" or "OVERHEIGHT". An "OVERSIZE" sign may be used to designate an over-width, over-length or over-height vehicle or load.

B. The signs shall be at least five feet wide by twelve inches high with a bright yellow background and black lettering. The letters shall be at least one inch wide by ten inches high.

C. The front sign shall be placed on the front of the foremost vehicle or on top of the cab of the power unit in the foremost position. The front sign shall be mounted or affixed in a position that is visible to motorists and that does not interfere with the clearance lights located on the top of the power unit vehicle in accordance with lighting requirements for commercial vehicles.

D. The rear sign shall be placed on either the rear of the load or the rear of the rearmost vehicle as long as it is clearly visible to motorists and does not obscure any required equipment or license plates.

[18.19.8.34 NMAC - Rp, 18.19.8.42 NMAC, 2-12-2016]

**18.19.8.35 OVERWIDTH MEASUREMENT -BLOCKING OF ATTACHMENTS:**

A. The overall width of a vehicle, combination or load includes any projections, lashing, chains, cables, load binders, or any object or device that constitutes the extreme width unless such devices are used exclusively to secure the load and do not exceed three inches on either side.

B. When an overwide load includes a bulldozer or construction equipment with a blade or other attachments, such attachments shall be completely lowered and angled as much as possible to minimize the width and shall be secured to the vehicle.

[18.19.8.35 NMAC - Rp, 18.19.8.43 NMAC, 2-12-2016]

**18.19.8.36 OVERHEIGHT VEHICLES OR COMBINATIONS:**

A. Special permits may be issued for vehicles, combinations or loads in excess of the statutory limit for heights of fourteen feet. When the substitution of a different type of trailer would make the vehicle or load fourteen feet or less in height, then the load shall be considered reducible and such substitution shall be made.

B. If a special permit is requested for a height greater than fourteen feet but less than fifteen feet six inches, the applicant shall check the desired route for clearance of overhead structures such as traffic signals, wires, utility lines, bridges and overpasses.

C. If a special permit is requested for a height of fifteen feet six inches or greater, a route survey is required. The applicant shall check the desired route and conduct a route survey for clearance of overhead structures such as traffic signals, wires, utility lines, bridges and overpasses.

D. Certification in writing from utility companies is required for a vehicle or load that exceeds a height of eighteen feet. No person, other than the utility owner, shall move, lift or in any fashion displace an overhead wire.

E. Movements that will not clear highway construction, wires, utility lines, bridges, overpasses or other overhead structures shall be rerouted. Use of off-ramps or frontage roads to clear overhead and other obstacles is permitted, provided overall traffic flow is not adversely affected and traffic safety is not jeopardized.

F. A permittee shall protect all overhead wires, structures and roadside property. Any damage to these or to the roadway, pavement, road guards or shoulders shall be restored at the sole expense of the permittee.

G. The department may require a flagman or an escort to check all overhead clearances during a move. Such requirement shall be stated on the special permit.  
[18.19.8.36 NMAC - Rp, 18.19.8.45 NMAC, 2-12-2016]

**18.19.8.37 OVERLENGTH VEHICLES OR COMBINATIONS:**

A. A single vehicle, including front and rear overhang, shall not exceed forty feet in length except by special permit.

B. A combination, including front and rear overhang, shall not exceed sixty-five feet in length except by special permit. A special permit may be issued for a combination that cannot be readily disassembled or dismantled.

C. Overlength special permits shall be denied when:  
(1) pipe, when welded together, is in excess of eighty feet in length; or  
(2) crane or tower booms, when bolted or pinned, are in excess of forty feet in length.

[18.19.8.37 NMAC - Rp, 18.19.8.46 NMAC, 2-12-2016]

**18.19.8.38 ACCESS TO FACILITIES FOR OVERLENGTH COMBINATIONS:** In accordance with safety considerations and any county or municipal restrictions, a truck tractor semitrailer combination or a truck tractor semitrailer-trailer combination that exceeds an overall length of sixty-five feet pursuant to the provisions of Subsection D of Section 66-7-404 NMSA 1978 may travel a distance not to exceed twenty miles from the designated highway for:

- A. access to facilities offering food, fuel, repairs and rest;
- B. access to terminals for the purpose of loading or unloading; or
- C. delivery of the load or partial load.

[18.19.8.38 NMAC - Rp, 18.19.8.9 NMAC, 2-12-2016]

**18.19.8.39 SPECIAL PERMIT REQUIRED FOR PROJECTING LOADS:**

A. A special permit is required for a projecting load that extends:  
(1) more than three feet beyond the foremost part of a vehicle or the foremost part of the front vehicle of a vehicle combination; or  
(2) more than seven feet beyond the rearmost part of a vehicle or the rearmost part of the rear vehicle of a vehicle combination.

B. This section applies even if the overall length of the vehicle, combination or load would not require a special permit for movement.

C. A projecting load or overhang shall not cause excessive axle weight that would diminish the effectiveness of the steering axle or axles and shall not constitute a hazard.

D. When the substitution of an articulated vehicle for a single vehicle would make the load a smaller dimension, then the load shall be considered reducible and such substitution shall be made.

E. The department may require an escort as a condition of issuing a special permit for movements with a projecting load.

[18.19.8.39 NMAC - Rp, 18.19.8.47 NMAC, 2-12-2016]

**18.19.8.40 ENGINEERING ANALYSIS FOR VEHICLES OR LOADS IN EXCESS OF 170,000 POUNDS:**

A. An application for a special permit for a vehicle, combination or load with a gross weight in excess of 170,000 pounds shall be forwarded to the department of transportation for approval.

B. No special permit shall be issued for a vehicle, combination or load with a gross weight in excess of 170,000 pounds unless an engineering analysis has been conducted for the proposed route and the move has been approved by the department of transportation.

C. An engineering analysis shall determine if the roads on the proposed route, including any bridges, culverts, overpasses and other structures, are adequate and capable of handling the overweight movement. The analysis may require specific restrictions to be imposed on the movement, such as requiring the overweight vehicle, combination or load to significantly reduce its speed at certain structures, requiring a different route or requiring other maneuvers.

D. Data required from the applicant for an engineering analysis includes:

- (1) tire sizes;
- (2) axle loads;
- (3) axle spacings;
- (4) desired route to be traveled;
- (5) clearance documents if movement is overheight or overwide; and
- (6) any additional information requested by the department or the department

of transportation.

E. Unless an applicant submits an engineering analysis of the route to be traveled that is satisfactory to the department of transportation, the department of transportation shall perform its own analysis. The department of transportation may assess a fee for the cost of performing the analysis and such a fee shall be charged to the applicant as an added cost to the permit fee.

F. Once an engineering analysis has been conducted and the movement approved by the department of transportation, the department may issue a special permit upon payment of the proper fee.

[18.19.8.40 NMAC - Rp, 18.19.8.48 NMAC, 18.19.8.240 NMAC, 18.19.8.241 NMAC, 2-12-2016]

18.19.8.41 through 18.19.8.49 **[RESERVED]**

**18.19.8.50 SINGLE-TRIP SPECIAL PERMIT:** Special permits for single-trip movements are issued for a single, one-way movement. A single-trip special permit is valid for five days.

[18.19.8.50 NMAC - Rp, 18.19.8.82 NMAC, 2-12-2016]

**18.19.8.51 MULTIPLE-TRIP SPECIAL PERMIT:**

A. A multiple-trip special permit allows the movement of a specific vehicle, combination or load multiple times in a specific area of the state consisting of four contiguous counties and three interstates. A multiple-trip special permit is valid up to one year from the date of issue or until the end of the coverage period noted on the applicant's certificate of insurance, whichever is earlier. An expiration date will be noted on the permit.

B. A multiple-trip special permit is specific for a particular vehicle or combination of vehicles and a particular load. It is not valid for any other vehicle or combination or any other type of load. Use of a multiple-trip special permit by other than the vehicle or combination for which it was issued or for a different type of load renders the multiple-trip special permit void.

C. A multiple-trip special permit may be issued for a vehicle, combination or load up to the following maximum size and weight limitations:

(1) a width of fourteen feet, a height of fifteen feet and a maximum overall length of one hundred twenty feet that may include a front overhang up to fifteen feet and a rear overhang up to twenty-five feet; and

(2) a weight of no more than 140,000 pounds; provided that the vehicle, combination or load has the proper number of axles and spacing between each axle to carry the weight.

D. When a multiple-trip special permit allows for excessive weight, the permittee will be furnished with locations of restricted structures in the area of operation.

E. Conditions or restrictions associated with a multiple-trip special permit, including specific routes, route surveys, bridge maps and restricted structures, are an integral part of the special permit and shall be attached to the permit at all times. Required documents, conditions and restrictions may be carried electronically. Violation of any condition or restriction renders the multiple-trip special permit void.

G. Multiple-trip special permits may be issued for daylight movement or for continuous movement.

H. The provisions of this section apply to all multiple-trip special permits, unless specifically provided otherwise.

[18.19.8.51 NMAC - Rp, 18.19.8.80 NMAC, 2-12-2016]

#### **18.19.8.52 WRECKER SERVICE - MULTIPLE-TRIP SPECIAL PERMIT:**

A. A multiple-trip special permit may be issued to a wrecker service, commensurate with the class of service authorized. A commercial motor carrier that operates wreckers for towing its own vehicles may also apply for this multiple-trip special permit.

B. A multiple-trip special permit for a wrecker service authorizes continuous movement and movement on holidays and during inclement weather on an emergency basis. The multiple-trip special permit may exclude movement over certain highways or structures.

C. The maximum width allowed when towing vehicles under a multi-trip special permit is twelve feet, including towing on a dolly. This limit includes the width of the towed vehicle plus all load binders or other equipment required to tie or hold the unit together.

D. The maximum height allowed when towing vehicles under a multi-trip special permit is fourteen feet. If damage to the wrecked or disabled vehicle causes protruding pieces that cannot be reasonably removed before towing, a height up to fifteen feet is allowed.

E. A disabled or wrecked vehicle that exceeds the maximum width or height provided in this section shall not be moved under a multiple-trip special permit. A single-trip

special permit shall be obtained for the movement. The department may require an escort as a condition of the single-trip special permit.

F. In addition to any other restrictions, the following apply to a wrecker service operating under a multiple-trip special permit:

- (1) the towing of one motor vehicle and one trailer in combination is allowed;
- (2) a second trailer of a three-unit combination may be towed in combination to the nearest point of safety where it shall be disconnected from the combination being towed;
- (3) movement during inclement weather is restricted to movement from the site of disablement or crash to the nearest point of safety;
- (4) when towing a single vehicle or combination of vehicles, the driver shall comply with all safety regulations with respect to both the equipment and the driver;
- (5) when towing a single vehicle or a combination of vehicles, the wrecker vehicle and the towed vehicle or combination shall be properly flagged and equipped with oversize load signs and any other required warning devices;
- (6) unless the towed vehicle or combination has been issued a valid oversize or overweight special permit, the combined weight of the wrecker and the towed vehicle or combination shall not exceed the weight of the wrecker plus 86,400 pounds and the overall length shall not exceed 125 feet.
- (7) if the towed vehicle or combination has been issued a valid oversize or overweight special permit and the combined length of the vehicle or combination plus the length of the wrecker exceeds 125 feet or the combined weight of the towed vehicle or combination and the wrecker exceeds the weight of the wrecker plus 86,400 pounds, the vehicle or combination may be towed only to the nearest point of safety. Towing such a vehicle or combination beyond the nearest point of safety requires a single-trip special permit to be issued based on the combined length and weight of the wrecker and the towed vehicle or combination.

G. This section does not authorize trespass on private property.

H. The provisions of this section apply to all classes of wreckers and wrecker services.

I. As used in this section:

(1) "movement on an emergency basis" means the towing from a highway or right-of-way of a wrecked or disabled vehicle that cannot be moved under its own power, when such movement is necessary for the safety and convenience of the public, or when directed by a police officer. Unless other laws or regulations provide otherwise, "movement on an emergency basis" includes the movement of the vehicle from the site of the crash or disablement to the vehicle owner's premises, a repair facility or a storage facility operated by the wrecker service; and

(2) "nearest point of safety" is the closest area where the vehicle or combination can be temporarily parked clear of any motor vehicle traffic and at least thirty feet from the outer edge of the nearest traffic lane of any road or highway at the closest point. Private land shall not be used as the nearest point of safety without permission of the owner.

[18.19.8.52 NMAC - Rp, 18.19.8.49 NMAC, 18.19.8.81 NMAC, 2-12-2016]

### **18.19.8.53 OILFIELD EQUIPMENT TRANSPORT VEHICLE - MULTIPLE-TRIP SPECIAL PERMIT:**



A. A multiple-trip special permit may be issued for an oilfield equipment transport vehicle, combination or load used exclusively for hauling equipment or materials used in the production of oil or gas.

B. A multiple-trip special permit for an oilfield equipment transport vehicle includes all the requirements, conditions and restrictions applicable to multiple-trip special permits, except that this permit may be issued for the following dimensions:

- (1) a maximum width of twenty-two feet;
- (2) a maximum height of twenty feet; and
- (3) a maximum length of 110 feet.

C. An oilfield equipment transport vehicle issued a multi-trip special permit shall abide by all other requirements and restrictions provided by law and in this rule.

[18.19.8.53 NMAC - N, 2-12-2016]

**18.19.8.54 UTILITY SERVICE VEHICLE - MULTIPLE-TRIP SPECIAL PERMIT:**

A multiple-trip special permit for a utility service vehicle authorizes continuous movement and movement on holidays and during inclement weather on an emergency basis. The multiple-trip special permit may exclude movement over certain highways or structures. Under certain circumstances, a single-trip special permit may be issued for movement not allowed under the multi-trip special permit.

[18.19.8.54 NMAC - N, 2-12-2016]

**18.19.8.55 SPECIALIZED HAUL VEHICLE - MULTIPLE-TRIP SPECIAL PERMIT:**

A. A multiple-trip special permit may be issued for a specialized haul vehicle pursuant to Section 66-7-413.8 NMSA 1978; provided that the weight of any one axle or wheel does not exceed the limits established by Section 66-7-409 NMSA 1978 for gross weight imposed on the highway.

B. A multiple-trip special permit for a specialized haul vehicle may be obtained for a fee of four hundred dollars (\$400) for movement in four contiguous counties and three interstates. Additional counties may be added to the special permit for a fee of one hundred dollars (\$100) per county.

C. A multiple-trip special permit for a specialized haul vehicle includes all the requirements, conditions and restrictions applicable to multiple-trip special permits and otherwise provided by law and in this rule, except that:

- (1) an applicant shall not be required to demonstrate that the load is irreducible;

and

(2) Section 18.19.8.26 restricting movement during heavy traffic shall not apply to this special permit.

[18.19.8.55 NMAC - N, 2-12-2016]

**18.19.8.56 TRACTOR SEMITRAILER MULTIPLE-TRIP SPECIAL PERMIT:**

A multiple-trip special permit may be issued for a truck tractor semitrailer or a truck tractor semitrailer-trailer combination for statewide movement. All other requirements, conditions and restrictions for multiple-trip special permits and otherwise provided by law and in this rule apply to this special permit.

[18.19.8.56 NMAC - N, 2-12-2016]

**18.19.8.57 OTHER MULTIPLE-TRIP SPECIAL PERMITS:** A multiple-trip special permit may be issued for:

- A. a liquid hauling tank vehicle as provided in Section 66-7-413.4 NMSA 1978;
- B. an agricultural product transport vehicle as provided in Section 66-7-413.7 NMSA 1978; or
- C. other vehicles, combinations or loads as determined by the department.

[18.19.8.57 NMAC - N, 2-12-2016]

**18.19.8.58 SPECIAL PERMITS IN CASES OF EMERGENCY:**

- A. In clear cases of emergency and when it is not possible to follow normal procedures for obtaining a special permit, a special permit may be issued outside of business hours.
- B. During business hours, normal procedures shall be followed. If an emergency arises outside of business hours, an applicant for a special permit shall access the department's website and follow instructions for obtaining the special permit.
- C. As used in this section, "business hours" means Monday through Friday from 8:00 a.m. to 5 p.m.

[18.19.8.58 NMAC - Rp, 18.19.8.38 NMAC, 2-12-2016]

**18.19.8.59 SPECIAL PERMIT TO A GOVERNMENTAL ENTITY:** A governmental entity, whether federal, state or local, is required to obtain a special permit before moving a vehicle, combination or load that exceeds legal limits. The governmental entity shall comply with all conditions and restrictions on the permit. No fee shall be charged for the issuance of a special permit to a governmental entity; provided that this fee waiver does not apply to a private contractor moving the vehicle, combination or load on behalf of the governmental entity.

[18.19.8.59 NMAC - Rp, 18.19.8.37 NMAC, 2-12-2016]

**18.19.8.60 SPECIAL PERMIT FOR CONSTRUCTION EQUIPMENT:** The exception provided in Subsection B of Section 66-7-401 NMSA 1978 for road machinery engaged in highway construction or maintenance applies only to movement at a construction site. When road machinery or construction equipment is otherwise being moved, the provisions of Sections 66-7-401 through 66-7-416 NMSA 1978 and this rule apply.

[18.19.8.60 NMAC - Rp, 18.19.8.8 NMAC, 2-12-2016]

**18.19.8.61 IMPLEMENTS OF HUSBANDRY AND SPECIAL MOBILE EQUIPMENT:** Special mobile equipment and implements of husbandry, as defined in the Motor Vehicle Code, shall not be issued special permits for the transportation of oversize vehicles or loads.

[18.19.8.61 NMAC - N, 2-12-2016]

**18.19.8.62 MOVEMENT OF A HOUSE, BUILDING OR SIMILAR STRUCTURE:**

- A. A special permit is required for movement of a house, building or similar structure that exceeds statutory size or weight limitations. Movement of such a structure with a width in excess of thirty feet shall be approved by the department of transportation.

B. Porches or protruding sections are considered reducible and shall be removed to reduce the dimensions of the structure. Loose boards, bricks and similar items shall also be removed for safety.

C. A house, building or similar structure shall be moved in the following manner:  
(1) mounted on house-moving dollies equipped with pneumatic tires and towed by a truck or truck tractor;

(2) loaded on a truck, semi-trailer or trailer and transported under the same requirements as the movement of oversize or overweight vehicles and loads; or

(3) by other means approved by the department.

D. A house, building or similar structure shall not be:

(1) pulled or towed by a farm tractor; or

(2) mounted on skids.

E. Vehicles used in moving a house, building or similar structure shall conform to all safety standards prescribed by law. Dollies and tires shall be in good condition and a sufficient number shall be used to carry the weight of the structure. A truck or tractor shall be in good condition and shall have the capacity and power to control the movement of the building or structure.

[18.19.8.62 NMAC - Rp, 18.19.8.50 NMAC, 2-12-2016]

#### **18.19.8.63 MOVEMENT OF MANUFACTURED HOME - TAX RELEASE REQUIRED:**

A. An applicant for a special permit to move a manufactured home shall provide the department with a tax release document from the appropriate county assessor or treasurer if the origin of the movement of the home is in a county of this state. The tax release document shall contain:

(1) a full description of the manufactured home, including name of the manufacturer, model, license number and identification number;

(2) a description of the exact location where the manufactured home is being moved from, including street address, city and county;

(3) a description of the exact location where the manufactured home is being moved to, including street address, city and county;

(4) the name of the registered owner of the manufactured home;

(5) a statement by the county assessor, treasurer or an authorized delegate that all applicable property taxes have been paid or there is no liability for the current and previous years;

(6) the date the release was issued; and

(7) the signature of the assessor, treasurer or an authorized delegate of the assessor or treasurer.

B. The provisions of this section do not apply if the movement of the manufactured home originates from the lot or business location of a manufactured home dealer and the home was part of the dealer's inventory prior to the sale.

C. The provisions of this section apply to movement of a manufactured home from a non-dealer owner to a manufactured home dealer.

[18.19.8.63 NMAC - Rp, 18.19.8.200 NMAC, 2-12-2016]

**18.19.8.64 DAYLIGHT MOVEMENT ONLY FOR MANUFACTURED HOMES:**

Movement of a manufactured home shall occur only during daylight hours on any day of the week that is not a holiday. No movement shall occur during inclement weather.

[18.19.8.64 NMAC - Rp, 18.19.8.33 NMAC, 18.19.8.205 NMAC, 2-12-2016]

**18.19.8.65 REQUIRED EQUIPMENT WHEN MOVING A MANUFACTURED HOME:**

A. A towing unit involved in the movement of an oversized manufactured home shall have a wheelbase of at least ninety-nine inches, a minimum of four tires on each drive axle and a gross vehicle weight rating of:

- (1) 6,000 pounds or more if the width of the manufactured home is ten feet or less;
- (2) 8,000 pounds or more if the width of the manufactured home is greater than ten feet but not greater than twelve feet; or
- (3) 9,000 pounds or more if the width of the manufactured home is greater than twelve feet.

B. A yellow sign at least five feet wide by twelve inches high reading "WIDE LOAD" or "OVERSIZE LOAD" with black letters at least ten inches high and one inch in thickness shall be displayed on the front of the towing unit and on the rear of the manufactured home.

C. A square or rectangular red or fluorescent orange flag, no less than eighteen inches on any side is required at each corner of the manufactured home and at each front corner of the towing vehicle.

D. The towing unit shall be equipped with two roof-mounted rotating, flashing, strobe or LED amber warning lights at the vehicle width or at a width not to exceed eight feet. At least one amber warning light shall be affixed to the rear of the manufactured home. The amber warning lights shall be of sufficient intensity to be seen at a distance of five hundred feet in bright sunlight.

E. The manufactured home shall be equipped with brake, turn signal and tail lights that are connected to the lighting system of the towing unit in order to warn approaching motorists of any braking or turning of the unit.

F. The towing unit shall be equipped with two outside rear view mirrors, one on each side, that provide a field of view to the driver of the road on both sides of the load and beyond the rear of the load.

[18.19.8.65 NMAC - Rp, 18.19.8.206 NMAC, 2-12-2016]

**18.19.8.66 LARGE MANUFACTURED HOMES - DOLLIES, SKIDS OR HOUSE MOVING EQUIPMENT REQUIRED:**

A manufactured home that exceeds eighteen feet in width or fifteen feet ten inches in height shall be moved on house moving equipment, skids or dollies. Movement of such a home without the required house moving equipment, skids or dollies is not permitted. Awnings, doorknobs or other fixtures extending beyond the body of an overwidth unit shall be included in the overall width measurement.

[18.19.8.66 NMAC - Rp, 18.19.8.201 NMAC, 2-12-2016]

18.19.8.67 through 18.19.8.79 [RESERVED]

**18.19.8.80 ESCORTS - PURPOSE AND REQUIREMENT:**

A. The purpose of an escort vehicle is to enhance the safety of moving an oversize vehicle or load over the highways, to reduce delays and inconveniences to the normal flow of traffic and to alert the motoring public to the presence or approach of an oversize vehicle or load.

B. The department, after evaluating the dimensions of a vehicle, combination or load and the route to be traveled, may require that one or more escort vehicles accompany the movement or part of the movement or may require that police escorts accompany the movement. [18.19.8.80 NMAC - Rp, 18.19.8.100 NMAC, 2-12-2016]

**18.19.8.81 ESCORT REQUIRED FOR CERTAIN OVERWIDTH VEHICLES:** Escort vehicles are required for the movement of all widths at or exceeding fourteen feet, and may be required for widths less than fourteen feet depending on the routes to be traveled and in accordance with established widths for certain highways identified in the escort vehicle map developed and maintained by the department of transportation. The escort vehicle map is available by electronic link on the special permit application. [18.19.8.81 NMAC - Rp, 18.19.8.108 NMAC, 2-12-2016]

**18.19.8.82 ESCORT REQUIRED FOR CERTAIN OVERLENGTH VEHICLES:** Escort vehicles are required for the movement of a vehicle, combination or load that exceeds ninety feet in length. The movement of such a vehicle, combination or load may be restricted to certain highways as designated on the special permit. Determination of the required number of escort vehicles shall be made by the department based on the route to be traveled and other relevant considerations. [18.19.8.82 NMAC - Rp, 18.19.8.109 NMAC, 2-12-2016]

**18.19.8.83 ESCORT REQUIRED FOR CERTAIN OVERHEIGHT VEHICLES:** An escort vehicle or a person other than the driver of the permitted vehicle may be required to accompany the movement of a vehicle, combination or load that exceeds a height of sixteen feet. The escort or additional person shall make immediate height clearance verifications at each overhead clearance prior to the over-height vehicle moving through the clearance. The requirement for an additional escort or person will be stated on the special permit. [18.19.8.83 NMAC - Rp, 18.19.8.110 NMAC, 2-12-2016]

**18.19.8.84 POLICE ESCORTS:**

A. In the discretion of the department, police escorts may be required for movement of structures or loads with a width of twenty feet or more. The department may also require police escorts for movement on certain roads or for movement that, in the judgment of the department, may adversely affect traffic, create undue hazards, require counter-flow or in any manner jeopardize the safety of the motoring public.

B. An applicant for a special permit that requires a police escort shall cooperate with the department on the timing of the move and be prepared for special conditions or other factors that may delay the move.

C. The department may coordinate police escorts for the move and may charge a fee for the coordination and provision of police escorts. In certain circumstances, the applicant may be required to coordinate with municipal police for escort services.

D. If a route requiring a police escort moves through a municipality, the applicant shall obtain permission from and make arrangements with the municipality for the move, including obtaining any required permit. A special permit shall not be issued until the department is assured that the applicant has made satisfactory arrangements with the municipality.

E. If a move is entirely within a municipality, a permittee may use a police escort provided by the municipality. However, a special permit shall not be issued until the department is assured that the applicant has arranged with local police for assistance.

[18.19.8.84 NMAC - Rp, 18.19.8.101 NMAC, 18.19.8.102 NMAC, 2-12-2016]

**18.19.8.85 PERMITTEE TO PROVIDE CERTIFIED ESCORT VEHICLES:** Unless a police escort is required, a permittee shall furnish New Mexico certified escort vehicles as required by the department and specified on the face of the special permit. An escort vehicle map is available by electronic link on the special permit application.

[18.19.8.85 NMAC - Rp, 18.19.8.100 NMAC, 2-12-1016]

**18.19.8.86 ESCORT VEHICLE CERTIFICATION:** Only a vehicle certified by the department may operate as an escort vehicle. The vehicle and all required equipment shall be inspected by the department. Upon a satisfactory inspection, an escort vehicle certification will be issued for that vehicle for a period of one year or until insurance coverage expires, whichever occurs first. An escort vehicle shall undergo inspection on an annual basis.

[18.19.8.86 NMAC - Rp, 18.19.8.103 NMAC, 2-12-2016]

**18.19.8.87 ESCORT VEHICLE REQUIREMENTS:**

A. The wheelbase of an escort vehicle shall be at least one hundred inches. Unless otherwise approved by the department upon written application, an escort vehicle shall not exceed a ton and one-half capacity as rated by the manufacturer.

B. An escort vehicle shall be registered in accordance with New Mexico's motor vehicle laws and insured in accordance with New Mexico's financial responsibility laws; provided that minimum coverage shall be:

(1) bodily injury liability in the amounts of \$50,000.00 for each person and \$100,000.00 for each accident; and

(2) property damage liability in the amount of \$25,000 for each accident.

C. An escort vehicle shall comply with all requirements imposed by the public regulation commission for escort vehicles.

D. An escort vehicle operated by an escort vehicle service company shall display the name, city, and state of the company on both sides of the vehicle. This information may be displayed using removable, magnetic signs.

E. An escort vehicle shall not display any sign, insignia, device or emblem that is similar in size, shape or color to any police insignia or badge.

F. An the escort vehicle shall not tow a vehicle or trailer and shall not be loaded in a manner that obstructs the driver's vision in any direction.

[18.19.8.87 NMAC - Rp, 18.19.8.103 NMAC, 2-12-2016]

**18.19.8.88 ESCORT VEHICLE EQUIPMENT:**

A. An escort vehicle shall have two rotating, flashing, strobe or LED amber lights on top of the vehicle at the vehicle width or at a width not to exceed eight feet. The amber lights shall be of sufficient intensity to be visible at a distance of at least five hundred feet in normal sunlight.

B. An escort vehicle shall display a bright yellow sign at least five feet wide by twelve inches high with black lettering reading "OVERSIZE LOAD". The letters shall be at least one inch thick by ten inches high.

C. An escort vehicle shall be equipped with two red or florescent orange flags when escorting a load. The flags shall be square or rectangular and no less than twelve inches on any one side.

D. The required flags and sign shall be mounted on the front bumper of a front escort vehicle, on the rear bumper of a rear escort vehicle, or on the roof of the front or rear escort vehicle, whichever position provides the greatest visibility for the motoring public.

E. An escort vehicle and the escorted oversize vehicle shall be equipped with two-way radios for direct communication between the two vehicles at all times.

F. An escort vehicle shall be equipped with at least one fire extinguisher of minimum size, with a capacity of two and one-half pounds carbon dioxide or dry chemical type, or an extinguisher of another type having equivalent or better extinguishing capacities. Extinguishers shall be mounted so as to be readily accessible for use.

G. An escort vehicle shall have on board at all times the safety equipment specified in Section 66-3-849 NMSA 1978 relating to flares and other warning devices.

H. An escort vehicle shall have on board all the equipment required for flagmen, as provided in Section 18.19.8.99 of this rule.

I. An escort vehicle shall be equipped with two outside rear view mirrors, one on the driver side and one on passenger side of the vehicle.

J. An escort vehicle shall carry at all times the escort vehicle map developed and maintained by the department of transportation.

[18.19.8.88 NMAC - Rp, 18.19.8.103 NMAC, 2-12-1016]

**18.19.8.89 INSPECTION UPON DEMAND:** An escort vehicle is subject to inspection by a peace officer or authorized department personnel at any time. The escort vehicle certification, escort vehicle map, required equipment, documentation of vehicle registration and insurance and any documents required by the public regulation commission shall be made available for inspection on demand.

[18.19.8.89 NMAC - Rp, 18.19.8.103 NMAC, 2-12-2016]

**18.19.8.90 ESCORT VEHICLE DRIVER REQUIREMENTS:**

A. A driver of an escort vehicle shall be at least eighteen years of age and licensed in accordance with the licensing requirements for escort vehicle drivers in the jurisdiction where the driver resides.

B. At all times during a move, an escort vehicle driver shall carry a current driver's license, the escort vehicle certification issued by the department, an escort vehicle map and any document required by the public regulation commission.

C. Escort vehicle drivers do not have police powers and shall not issue citations, attempt arrest or operate the escort vehicle as an emergency vehicle.

D. While performing escort vehicle services, an escort driver shall not:

- (1) wear a uniform of a color or design similar to uniforms worn by law enforcement officers; or
- (2) display any badge, shield or emblem of a type similar to police badges or emblems.

E. A person employed by the department shall not act as a driver of a private escort vehicle.

[18.19.8.90 NMAC - Rp, 18.19.8.104 NMAC, 2-12-2016]

**18.19.8.91 DUTIES OF ESCORT DRIVER BEFORE MOVEMENT BEGINS:** Before commencement of a move, an escort vehicle driver shall:

- A. meet with the driver of the oversize vehicle or load to discuss the various aspects of the move;
- B. review the route specified in the special permit and ensure that directions are understood by everyone involved in the move;
- C. determine the position of the escort vehicle or vehicles throughout the route;
- D. review the special permit for any special requirements, restrictions or instructions; and
- E. ensure that all mandatory equipment is in proper working condition and that warning devices are in place.

[18.19.8.91 NMAC - Rp, 18.19.8.105 NMAC, 2-12-2016]

**18.19.8.92 DUTIES OF ESCORT DRIVER DURING THE MOVE:**

- A. Escort vehicle drivers are responsible for controlling the movement of the escorted oversize vehicle in a manner that maximizes the safety of the motoring public and provides for a safe flow of traffic in the immediate area of the move.
- B. Escort vehicle drivers and the oversize vehicle driver shall act as a team to ensure that safety of the motoring public is sustained. The escort vehicle shall operate as a warning vehicle to other motorists of the oversize vehicle.
- C. An escort vehicle driver shall comply with all escort requirements, restrictions and instructions noted on the special permit issued to the escorted oversize vehicle and shall assist the driver of the oversize vehicle to comply with all applicable traffic laws and with all conditions and restrictions noted on the special permit.
- D. No movement shall be made during inclement weather. Movement shall be made only on the route designated in the special permit. The escort vehicle and the escorted oversize vehicle shall obey all traffic laws, signs and signals and shall comply with the speed limit indicated on the special permit.
- E. Responsibilities of a front escort vehicle driver include:
  - (1) warning oncoming traffic of the presence of an oversize vehicle or load;
  - (2) maintaining communication with the driver of the oversize vehicle or load by using two-way radio to warn of hazards, obstructions, pedestrians or other potential problems that may affect the safe movement of the oversize vehicle or load or the motoring public;
  - (3) ensuring that the oversize vehicle or load is following the route prescribed on the special permit;
  - (4) assisting the driver of the oversize vehicle or load in locating safe places to allow the oversize vehicle or load and escort vehicles to clear the roadway so traffic following the oversize vehicle or load can safely pass; and



(5) warning motorists to stop at narrow structures and other roadway restrictions to permit safe passage of the oversize vehicle or load through the obstruction.

F. Responsibilities of a rear escort vehicle driver include:

(1) warning traffic approaching from the rear of the presence of an oversize vehicle or load ahead;

(2) maintaining communication with the driver of the oversize vehicle or load by using two-way radio to notify the oversize vehicle driver of flat tires, objects coming loose from the vehicle or load or other occurrences of which the driver may not be aware;

(3) notifying the front escort driver, when applicable, and the oversize vehicle or load driver of traffic buildup and other delays to the normal flow of traffic;

(4) notifying the oversize vehicle or load driver of motorists attempting to pass the vehicle or load; and

(5) warning motorists to stop at narrow structures and other roadway restrictions to permit safe passage of the oversize vehicle or load through the obstruction.

G. A single escort shall travel to the rear of the oversize vehicle on multi-lane highways and in the front of the oversize vehicle on two-lane highways. The oversize vehicle shall travel as near the right side of the roadway as is safely possible to ensure that traffic can pass safely. The escort and oversize vehicle shall not infringe upon the opposite-bound lane unless necessary to avoid obstacles in the path of the movement.

H. Front and rear escort drivers shall maintain a distance between their vehicles and the oversize vehicle or load consistent with the safe operation of the movement. Depending on highway and traffic conditions, a distance of 300 to 1000 feet is usually appropriate. In urban areas and at narrow bridges, shorter distances are usually desirable. In rural areas or on narrow, winding or hilly roads, a front escort vehicle should travel well ahead of the oversize vehicle or load to warn oncoming traffic of the oversize vehicle and a rear escort vehicle should travel well behind the oversize vehicle or load to warn motorists following the load well in advance of any roadway restrictions.

I. An escort vehicle driver shall use the vehicle's emergency flashers when stopped or slowing down at a traffic hazard or when traveling at a speed of less than 30 miles per hour. The emergency flashers shall not be used when driving at a speed of 30 miles per hour or more.

J. An oversize vehicle shall not park on the traveled portion of a highway unless absolutely necessary or in case of an extraordinary emergency. Any time an oversize vehicle is parked on a traveled portion of a highway, it shall be adequately protected by flares, flags, flagmen or other appropriate emergency warning devices.

[18.19.8.92 NMAC - Rp, 18.19.8.105 NMAC, 18.19.8.107 NMAC, 2-12-2016]

### **18.19.8.93 PASSING AND INTERSECTIONS:**

A. A rear escort vehicle driver shall not prevent a motorist from passing the oversize vehicle but shall inform the driver of the oversize vehicle by two-way radio that a motorist is attempting to pass so appropriate precautions can be taken. Advance warning is especially important when large trucks are attempting to pass the oversize vehicle.

B. When it is necessary for the oversize vehicle to pass other vehicles or to make a wide turn, the rear escort vehicle shall clearly signal an intention to pass or turn and move into the passing or turning lane well before the oversize vehicle initiates the maneuver. The rear escort driver shall stay in the passing or turning lane until the oversize vehicle completes the pass or turn.

C. If a front escort vehicle passes through an intersection and the oversize vehicle is required to stop for a red light, the escort driver shall stop as soon as possible on the right side of the road and not resume travel until the oversize vehicle approaches the required distance. When an escort driver following an oversize vehicle is required to stop at a traffic light after the oversize vehicle has passed through the intersection, the oversize vehicle driver shall continue its movement and the rear escort driver shall resume a normal following distance after the driver has proceeded through the intersection.

[18.19.8.93 NMAC - Rp, 18.19.8.105 NMAC, 2-12-2016]

**18.19.8.94 ACCUMULATED TRAFFIC, UNFORESEEN HAZARDS OR OBSTRUCTIONS:**

A. An escort vehicle driver shall assist the oversize vehicle in locating a suitable area where the oversize vehicle and escort vehicle or vehicles can be completely and safely removed from the roadway and safely reenter the roadway. The oversize and escort vehicles shall be removed from the travelled portion of the roadway to a safe and suitable area in the following circumstances:

- (1) to allow accumulated traffic to pass, when the accumulated traffic is due to the oversize vehicle;
- (2) during periods of inclement weather; or
- (3) when mechanical or other problems occur.

B. An escorted oversize vehicle approaching an unforeseen obstruction or hazard shall park off the roadway, where possible, and the escort vehicle shall proceed past the obstruction or hazard if it is safe to do so. The oversize vehicle shall traverse the obstruction or hazard only after the escort vehicle driver has either verified that it is safe to proceed or has safely stopped oncoming traffic and provided clearance to proceed.

C. The following procedure shall be used to stop oncoming traffic when necessary and safe to do so:

- (1) the escort vehicle shall advance to a point where two-way traffic can be maintained;
- (2) the escort vehicle driver shall dismount and serve as a flagman, using a paddle sign to stop traffic at that location;
- (3) once there is clearance for the oversize vehicle, the oversize vehicle driver shall be notified to proceed; and
- (4) when the oversize vehicle reaches the location where traffic has stopped and two-way traffic can be maintained, it shall halt and allow accumulated traffic to clear from both directions with assistance by the dismounted escort vehicle driver or flagman.

D. Traffic shall not be detained longer than ten minutes except under extraordinary circumstances.

E. The flagging requirements, equipment and methods provided in Section 18.19.8.99 of this rule shall be followed when slowing down, stopping or otherwise directing traffic.

[18.19.8.94 NMAC - Rp, 18.19.8.105 NMAC, 18.19.8.107 NMAC, 2-12-2016]

**18.19.8.95 COLLISIONS:**

A. In case of a collision involving an oversize or escort vehicle, or involving other vehicles when the collision impedes or prohibits the continued movement of the oversize vehicle, the escort vehicle driver shall:

- (1) pull completely off the roadway, if possible;
- (2) turn on the amber lights and vehicle emergency flashers;
- (3) warn approaching traffic of the accident;
- (4) obtain assistance as soon as possible by contacting police or other emergency services and by requesting the next person who stops to contact emergency services;
- (5) turn off the ignition of wrecked vehicles to reduce fire hazard and keep smokers away from area;
- (6) not move injured persons unless they are in immediate danger such as in a burning vehicle;
- (7) search the area for victims thrown from vehicles; and
- (8) when emergency or other trained personnel arrive, provide a brief summary of the incident and provide assistance as requested.

B. A driver of an escort vehicle shall not leave the scene of a collision until authorized to do so by law enforcement personnel.

[18.19.8.95 NMAC - Rp, 18.19.8.106 NMAC, 2-12-1016]

**18.19.8.96 CESSATION OF ESCORT SERVICES:**

A. When an escort operation is completed, the escort driver shall turn off all exterior escort equipment lights, remove or cover the oversize load sign and remove the amber lights and flags. Failure to comply with this requirement shall render the escort vehicle certification void, and the escort vehicle driver shall immediately surrender the escort vehicle certification to a police officer or authorized department personnel upon request.

B. If an escort driver determines that the escorted oversize vehicle driver is not, or will not, comply with a provision of the special permit or is otherwise operating in a manner that creates a hazardous or dangerous situation, the escort driver shall notify the oversize vehicle or load driver of the escort driver's intent to cease providing escort services.

C. If, for any reason, an escort vehicle driver ceases to provide escort services before the move is completed:

- (1) movement of the escorted vehicle shall stop;
- (2) the escort driver shall immediately notify the department; and
- (3) the special permit is rendered void.

[18.19.8.96 NMAC - Rp, 18.19.8.105 NMAC, 2-12-1016]

**18.19.8.97 POLICE MAY RESTRICT MOVEMENT:** Law enforcement officers may direct or escort an oversize vehicle or load off the roadway to a place of safety to allow accumulated traffic to pass or for other safety considerations.

[18.19.8.97 NMAC - Rp, 18.19.8.111 NMAC, 2-12-1016]

**18.19.8.98 ESCORT VEHICLE REQUIRED FOR EACH ESCORTED LOAD:** An oversize vehicle, combination or load that requires an escort shall have one or more dedicated escort vehicles as required in the special permit. An escort vehicle shall not escort more than one oversize vehicle or load at any one time.

[18.19.8.98 NMAC - Rp, 18.19.8.112 NMAC, 2-12-1016]

**18.19.8.99 FLAGMEN:**

A. Flagmen are required on all loads twenty feet wide or wider or whenever otherwise required by the special permit. Flagmen shall not be used in lieu of an escort vehicle. A dismounted driver of an escort vehicle shall serve as a flagman as necessary during the movement of an escorted oversize vehicle or load.

B. A flagman shall be at least 18 years of age and an employee or agent of the permittee or an escort vehicle service.

C. A flagman shall wear an orange or red safety jacket and an orange or red hard hat or bump cap. A flagman shall be equipped with a paddle sign.

D. A paddle sign shall be constructed of rigid durable material and consist of a handle at least eight inches long attached to an octagon sign the shape of a standard street stop sign. Each of the eight sides of the octagon sign shall be at least fourteen inches, point to point. One side of the sign shall have a red background with white letters, one and one-half inches thick, reading "STOP". The other side shall have a yellow or orange background with black letters, one and one half inches thick, reading "CAUTION". The handle shall be affixed to the sign in such a manner that the word on the sign is displayed to motorists when the sign is held up to view.

E. A flagman shall use a paddle sign to direct traffic at all locations where traffic may be obstructed, or when necessary to infringe on the oppositely-bound traffic lane because of breakdown, pulling onto or off the pavement, or avoiding obstacles in the path of movement.

F. A flagman shall use a paddle sign to warn traffic of an approaching oversize vehicle at danger points, such as narrow bridges or sharp corners, where the oversize vehicle will travel.

G. Flagmen shall position themselves far enough in advance of a problem area so that approaching traffic is allowed sufficient distance to reduce speed and come to a stop. Depending upon approach speed and physical conditions at the site, a distance of 200 to 300 feet is usually adequate. In urban areas, a shorter distance may be appropriate.

H. Flagmen shall face traffic on the edge of the shoulder of the road just outside of the traffic lane and shall always stand where they are visible by approaching motorists.

I. When warning or stopping traffic, the paddle sign shall be kept in a horizontal position in the path of the vehicle. The free arm shall be raised with the palm of the hand toward approaching traffic.

J. To slow traffic, but not stop it, the flagman shall extend the paddle sign into the traffic lane. The paddle sign shall be lowered before traffic is completely stopped.

K. The paddle sign shall not be used to signal traffic to move ahead. When signaling traffic to move ahead, a flagman shall lower the paddle sign behind his body and signal with the free hand, using a sweeping motion in the direction traffic is to move.

L. The paddle sign shall not to be waved. Signals from a flagman shall be clear and distinct.

M. If time permits and when possible, a flagman shall inform motorists of the reason for the delay.

[18.19.8.99 NMAC - Rp, 18.19.8.113 NMAC, 2-12-2016]