



Chapter 25 Operations, Wheeled Vehicles

Vehicle Size, Weight & Permit Regulations

Comprehensive
Includes New Regulations Effective December 30, 2010

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Chapter 25 Operations, Wheeled Vehicles

Article

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Article 1 Motor Vehicles: Size and Weight

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17 AAC 25.010. Prohibited Vehicles and Loads

Repealed.

History: Eff. 6/25/69, Register 30; am 9/3/72, Register 43; am 3/22/81, Register 77; am 11/16/83, Register 88; am 9/1/84, Register 91; repealed 8/13/95, Register 135

17 AAC 25.011. Prohibited Vehicles and Loads

Except under a permit issued under this chapter, or a traffic control plan approved, as part of a construction contract, by the department within the limits of a highway construction project, a vehicle, including load, that exceeds the size or weight limitations set out in this chapter, 17 AAC 28, or 17 AAC 35 may not be driven or moved upon the state highway system. A vehicle that is owned by the state and operated by a department employee acting within the scope of departmental employment is not subject to the provisions of this chapter.

History: Eff. 8/13/95, Register 135; am 10/7/2001, Register 160; am 12/31/2006, Register 180

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

17 AAC 25.012. Legal Vehicle Size

- (a) The width of a vehicle, including load, may not exceed 102 inches. Equipment may extend no more than three inches beyond the 102-inch width limitation on each side of the vehicle if the equipment is attached to the vehicle. However, the following items are not subject to the maximum width requirements of this subsection:
 - (1) rear view mirrors;
 - (2) turn signal lamps;

- (3) handholds for entry into or egress from the cab;
 - (4) splash and spray suppressant devices;
 - (5) load-induced tire bulge;
 - (6) recreational vehicle awnings in the retracted position;
 - (7) manufacturer-installed appurtenances, including alternating-current (AC) power outlets and exhaust fans.
- (b) A vehicle, including load, may not exceed a height of 15 feet, except that a vehicle operating between the Fox Weigh Station and Prudhoe Bay on the Dalton and Elliott Highways may have a height, including load, of 17 feet.
- (c) The following maximum lengths may not be exceeded on National Highway System (NHS) routes listed in the department's publication entitled *State of Alaska, National Highway System Maps*, dated April 2006, and adopted by reference:
- (1) the length of a power vehicle may not exceed 45 feet;
 - (2) repealed 12/31/2006;
 - (3) the cargo-carrying length of a trailer may not exceed 53 feet;
 - (4) the overall length of a combination of vehicles, consisting of a truck and one cargo-carrying vehicle or a truck tractor and two cargo-carrying vehicles, may not exceed 75 feet; however, a combination of a truck tractor and one cargo-carrying vehicle is not subject to an overall length limit;
 - (5) long combination vehicles (LCVs) may not exceed the maximum lengths set out in 17 AAC 25.014;
 - (6) a load or equipment may not overhang or extend more than:
 - (A) three feet beyond the front bumper of the vehicle; or
 - (B) four feet beyond the rear of the vehicle.
- (d) The following maximum lengths may not be exceeded on the state highway system, other than routes described in (c) of this section:
- (1) the length of a power vehicle may not exceed 45 feet;

- (2) the cargo-carrying length of a semitrailer or trailer may not exceed 53 feet;
- (3) the overall length of a combination of vehicles, consisting of a truck and one cargo-carrying vehicle or a truck tractor and one or two cargo-carrying vehicles, may not exceed 75 feet;
- (4) a load or equipment may not overhang or extend more than:
 - (A) three feet beyond the front bumper of the vehicle; or
 - (B) four feet beyond the rear of the vehicle.
- (e) Semitrailers in combination on all routes may not exceed 53 feet in length and combinations may not have more than two cargo-carrying vehicles in the combination.
- (f) Vehicles within the limitations set out in (c) of this section may move to and from routes specified in (c) of this section to access or return from terminals or facilities for fuel, servicing, delivering or receiving cargo, or food and rest for the vehicle operator. A vehicle must use the most direct interconnecting truck route wherever possible when moving to or from the specified routes. Vehicle movement off the state highway system is subject to local ordinance. A vehicle moving to or from specified routes may not travel further than a five-mile distance from these routes, except if using roads identified in 17 AAC 25.014(f)(1) - (7).

History: Eff. 8/13/95, Register 135; am 10/7/2001, Register 160; am 11/16/2004, Register 172; am 12/31/2006, Register 180; am 4/09/2009, Register 190; am 12/30/2010, Register 196

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

Editor's note: A copy of the publication entitled *State of Alaska, National Highway System Maps*, adopted by reference in 17 AAC 25.012, is available for inspection at the offices of the Department of Transportation and Public Facilities, Division of Measurement Standards and Commercial Vehicle Enforcement, Huffman Business Park, Suite 2, Building M, 11900 Industry Way, Anchorage, AK 99515-3512. A copy may also be obtained at http://www.dot.state.ak.us/stwdplng/mapping/dataproducts/NHS_MapSet2006final.pdf.

17 AAC 25.013. Legal Vehicle Weight

- (a) Except as provided in 17 AAC 25.335, the weight of a vehicle or combination of vehicles, including load and equipment, operated or moved on the state highway

system may not exceed a limit set out in this section. If more than one weight limit applies, the most restrictive limitation will be used to determine the maximum allowable weight, as follows:

- (1) the weight on a tire located on a steering axle of a power vehicle may not exceed 600 pounds per linear inch of tire width based upon the tire manufacturer's rating of nominal tire width;
- (2) the weight on any other tire may not exceed 550 pounds per linear inch of tire tread width based upon the tire manufacturer's rating of nominal tire width;
- (3) the weight on any axle may not exceed the manufacturer's rating;
- (4) except as provided in (5) of this subsection, for a vehicle or combination of vehicles, including load and equipment, the weight on axles or axle groups may not exceed, and the distance between axles may not be less than, the following:

	Weight (Pounds)	Distance
Single Axle	20,000	8'1" Minimum spacing*
2-Axle Group	38,000	3'6" Minimum spacing
3-Axle Group	42,000	3'6" Minimum spacing
4-Axle Group	50,000	3'6" Minimum spacing

* Any axle spaced less than 8 feet and 1 inch from any other axle, measured between the centers of the nearest axles, is considered as part of an axle group. In multi-axle groups, all axles must carry at least 6,000 pounds if the axle group weight is more than 50 percent of the legal group weight. Lift axles or variable suspension axles are allowed in the drive axle group of the power vehicle, but may not be used for calculation of legal allowable vehicle gross weight.

- (5) if the combination is a truck-tractor and single semitrailer combination where the length of the semitrailer is 48 feet or more, the weight on a three-axle group on the semitrailer may not exceed, and the distance between the axles may not be less than the following:

Weight (pounds)	Distance
42,000	3'6" minimum spacing
43,500	5' minimum spacing
45,000	6' minimum spacing

(6) the maximum gross vehicle weight for a vehicle or vehicle combination may not exceed that weight determined from the following formulas:

(A) maximum gross vehicle weight for a vehicle with lift axles in the drive axle group may not be greater than the weight determined under the following formula:

$$W = 500 \left[\frac{LN}{N - 1} + 12N + 36 \right]$$

Where:

W = the maximum gross vehicle weight to the nearest 500 pounds;

L = the distance in whole feet, measured between the centers of the extreme axles for the vehicle or the vehicle combination; a measurement including a fractional portion of a foot is stated as the next higher whole number; and

N = the number of axles on the vehicle or vehicle combination and does not include lift axles in the drive axle group of a power vehicle;

(B) the maximum gross vehicle weight for a vehicle with no lift axles in the drive axle groups may not be greater than the weight determined under the following formula:

$$W = 500 \left[\frac{LN}{N - 1} + 12N + 36 \right] + 3,000$$

Where:

W = the maximum gross vehicle weight to the nearest 500 pounds;

L = the distance in whole feet, measured between the centers of extreme axles for the vehicle or vehicle combination; a measurement including a fractional portion of a foot is stated as the next higher whole number; and

N = the number of axles on the vehicle or vehicle combination.

(b) In a combination of a power vehicle and two or more cargo-carrying vehicles consisting of trailers or semitrailers, the heavier cargo-carrying vehicle must be placed immediately behind the power vehicle when one cargo-carrying vehicle is more than 5,000 pounds heavier than any other cargo-carrying vehicle in the combination. The weight of the power vehicle and the first cargo-carrying vehicle

- in a combination with two or more cargo-carrying vehicles may not exceed the weight allowable in this section for a power vehicle and single cargo-carrying vehicle with the same axle configuration and of equal length, calculated without regard to the weight of the following cargo-carrying vehicles in the combination.
- (c) The weight carried by individual axle groups before or after pintle hooks or other connecting devices in vehicle combinations may not exceed the standards for axle group weights set out in this section.
 - (d) Between October 1 and March 31, shifting of legal axle weights set out in (a)(2) of this section is allowed for one, two, and three drive axle groupings on power vehicles traveling on the Steese, Elliott, Dalton, and Richardson Highways between North Pole and Prudhoe Bay, or between North Pole and MP 30 of the Steese Highway. The shifted weight on these drive axle groupings may not exceed 2,000 pounds per axle. The legal allowable gross weight on a vehicle or combination of vehicles may not exceed the maximum weight as determined by methods set out in this section. An overweight permit is not required for shifting additional weight to the drive axle group during the period defined. Traction weight shifting is not allowed for a power vehicle traveling under an overweight permit. Vehicle combinations operating with traction-weight shifting on the power vehicle will be allowed reasonable right of access to and from the Steese, Elliott, and Dalton Highways, when traveling between Fairbanks and Prudhoe Bay, to reach or return from terminals and facilities for food, fuel, and rest, if the vehicle uses the most direct truck route whenever possible and moves no farther than five miles from the most direct route between North Pole and Fox. All movement within organized municipalities and boroughs is subject to local ordinances in addition to the requirements of this chapter.
 - (e) Except when an emergency requires immediate action, if the department determines that a highway may be damaged by a vehicle's weight, weight restrictions may be imposed after appropriate notice has been given to the public. When weight restrictions are imposed, they will be stated as a percentage of the legal allowable axle weights and applied to the maximum axle loading specified in this section. The weight on steering axles may not be restricted below 100 percent of the legal allowable axle weight. Unless approved by the department, a permit issued under 17 AAC 25.320 allowing overweight vehicles does not satisfy the requirements of this chapter in order to travel on weight-restricted highways during the period when weight restrictions are imposed.
 - (f) For purposes of this section, "pounds per inch of tire width" is determined by dividing the sum of the tire width in inches for tires mounted on an axle group into the weight carried on that axle group in pounds.
 - (g) A vehicle subject to the provisions of this section that uses an auxiliary power unit or an idle reduction technology unit in order to promote reduction of fuel use and emissions because of engine idling, may be allowed up to an additional 400

pounds total in power unit axle weights, gross vehicle weights, or bridge formula weight limits. Certification of the weight of the auxiliary power unit must be available to law enforcement officers if the vehicle is found in violation of applicable weight laws. The additional weight allowed may not exceed 400 pounds or the weight certified, whichever is less. To be eligible for this exception, the operator of the vehicle must be able to prove by

- (1) written certification, the weight of the auxiliary power unit or idle reduction technology unit; and
- (2) demonstration or certification, that the auxiliary power unit or idle reduction technology unit is fully functional at all times.

History: Eff. 8/13/95, Register 135; am 10/7/2001, Register 160; am 12/31/2006, Register 180; am 4/9/2009, Register 190; am 12/30/2010, Register 196

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

17 AAC 25.014. Allowable Long Combination Vehicle Length on Certain Routes

- (a) A long combination vehicle (LCV) with a cargo-carrying length that does not exceed 95 feet, measured from the front of the first cargo-carrying vehicle to the rear of the last cargo-carrying vehicle or load, including the connecting device, may operate upon the routes listed below, if individual trailers or semi-trailers in an LCV do not exceed 48 feet in cargo-carrying length, and if overall length does not exceed 120 feet:
 - (1) the Sterling, Seward and Glenn Highways, Alaska Route 1 (AK-1), from Homer to the junction with the Palmer-Wasilla Highway in Palmer;
 - (2) the Tok Cutoff, AK-1, from the junction with the Richardson Highway, Alaska Route 4 (AK-4), in Gakona Junction to the junction with the Alaska Highway, Alaska Route 2 (AK-2), in Tok;
 - (3) the Alaska Highway, AK-2, from the Canadian border to the junction with the Richardson Highway, AK-4, in Delta Junction;
 - (4) the Seward, Glenn, and Parks Highways, AK-1 and Alaska Route 3 (AK-3), from the Potter Weigh Station in Anchorage to the junction with the Parks Highway, AK-3, to the junction with the Richardson Highway, AK-2, in Fairbanks via the Mitchell Expressway; for purposes of this paragraph, the lead trailer in a truck tractor, two-trailer LCV may have a cargo carrying length of 53 feet, if the total cargo carrying length,

including the connecting device, does not exceed 95 feet and if overall length does not exceed 120 feet;

- (5) the Richardson Highway, AK-4 and AK-2, from the Alaska Marine Highway System ferry terminal in Valdez to the junction with the Mitchell Expressway, AK-3, in Fairbanks;
 - (6) the Seward Highway, Alaska Route 9 (AK-9), from the junction with the Sterling Highway, AK-1, to Seward.
 - (7) the Kenai Spur Highway, from the junction with the Sterling Highway, AK-1, to Nikishka Dock.
- (b) A long combination vehicle, consisting of a truck and one cargo-carrying vehicle whose overall length does not exceed 90 feet may operate upon the:
- (1) Seward and Glenn Highways, AK-1, from the Potter Weigh Station in Anchorage to the junction with the Palmer-Wasilla Highway in Palmer;
 - (2) Parks Highway, AK-3, from the junction with the Glenn Highway, AK-1, to the junction with the Richardson Highway, AK-2, in Fairbanks via the Mitchell Expressway; and
 - (3) Richardson and Alaska Highways, AK-2, from the junction with Gaffney Road in Fairbanks to Milepost 1412 of the Alaska Highway, near Delta Junction.
- (c) A long combination vehicle, consisting of a truck and one cargo-carrying vehicle, a truck-tractor and one cargo-carrying vehicle, or a truck-tractor and two cargo-carrying vehicles, whose overall length does not exceed 95 feet may operate upon the:
- (1) Haines Highway, Alaska Route 7 (AK-7), from the Alaska Marine Highway System ferry terminal in Haines to the Canadian border;
 - (2) Glenn Highway, AK-1, from the junction with the Palmer-Wasilla Highway in Palmer to the junction with the Richardson Highway, AK-4, in Glennallen;
 - (3) North Slope Haul Road between Fairbanks and Prudhoe Bay, consisting of the:
 - (A) Richardson Highway, Steese Expressway, and Elliot Highway, AK-2, from the junction with the Mitchell Expressway, AK-3, in Fairbanks to the junction with the Dalton Highway, Alaska Route 11 (AK-11); and

- (B) Dalton Highway, AK-11, from the junction with the Elliot Highway, AK-2, to Prudhoe Bay; and
 - 4) Klondike Highway, Alaska Route 98 (AK-98), from the Alaska Marine Highway System ferry terminal in Skagway to the Canadian border.
- (d) A long combination vehicle configured in a truck-tractor and a triple cargo-carrying vehicle combination may operate only on the Glenn and Parks Highways, AK-1 and AK-3, between Anchorage and Fairbanks during the period from May 1 through September 30 of each year by permit issued under this chapter, with notice provided by the applicant to municipalities along the route, if:
- (1) each combination, including load, does not exceed 120 feet in overall length;
 - (2) each individual vehicle in the combination does not exceed 28.5 feet in length;
 - (3) the power vehicle engine power rating is not less than 400 horsepower; and
 - (4) except on the steering axle, each axle has four mounted tires or wide-base single tires.
- (e) During movements, a long combination vehicle must:
- (1) stop operations during inclement weather conditions; and
 - (2) display an "oversize" or "long load" sign at the rear of the vehicle combination.
- (f) A vehicle that meets the requirements of this section may move to or from routes specified in (a) - (d) of this section to access or return from terminals or facilities for fuel, servicing, delivering or receiving cargo, or food and rest for the vehicle's operator. A vehicle must use the most direct interconnecting truck route wherever possible when moving to or from the specified routes. Vehicle movement off the state highway system is subject to local ordinance. A vehicle moving to or from specified routes may not travel further than a five-mile distance from these routes, except if using the following roads:
- (1) Johnson Road, where it intersects AK-2 near Delta Junction;
 - (2) Kalifornsky Beach Road;
 - (3) repealed 12/31/2006;

- (4) Bridge Access Road, connecting Kalifornsky Beach Road and the Kenai Spur Road;
- (5) Dayville Road;
- (6) the Steese Highway, Alaska Route 6 (AK-6), from the junction with the Elliot Highway, AK-2, in Fox to Milepost 30;
- (7) a road other than one listed in (1) - (6) of this subsection, if the department determines that the:
 - (A) road will accommodate the necessary movement;
 - (B) necessity for the use will exist for more than 30 days; and
 - (C) frequency of the transits makes the issuance of overlength vehicle permits under this chapter impractical.
- (g) A vehicle authorized to operate under this section must operate with its headlights illuminated at all times.
- (h) Except as provided in this section, a long combination vehicle may not operate on any route on the state highway system without a permit issued by the department.

History: Eff. 8/13/95, Register 135; am 10/7/2001, Register 160; am 11/16/2004, Register 172; am 12/31/2006, Register 180; am 4/9/2009, Register 190

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

17 AAC 25.015. Specialized Equipment

- (a) A rotating drum transit mix concrete truck with a booster axle or a lift axle or both may operate on the state highway system for the movement of specialty manufactured products or other loads if the gross weight of the vehicle and the axle weights are not greater than the standards set out in 17 AAC 25.013. Weight adjustment controls for the booster axle and the lift axle must be located outside the driver's compartment and not within reach of the driver while the truck is in motion. The up-and-down position control that controls the booster axle and the lift axle must be a single control, and may be located in the cab of the vehicle. The lift axle must be in the down position and engaged to carry a minimum of 6,000 pounds to be counted as a tridem axle group.

- (b) A saddlemount combination with an overall length not exceeding 97 feet may operate on the state highway system and may include one full mount in the combination. The saddlemount combination must be in compliance with 23 C.F.R. 658.13, revised as of April 1, 2007 and adopted by reference.
- (c) An automobile carrier may operate on the state highway system under the requirements of 23 C.F.R. 658.13, revised as of April 1, 2009 and adopted by reference.
- (d) A boat transporter may operate on the state highway system under the requirements of 23 C.F.R. 658.13, revised as of April 1, 2009 and adopted by reference.
- (e) A dry bulk tank products hauler may be used for the movement of products on the state highway system. Weight shifting may occur, if the legal gross weight of the vehicle is not exceeded and the weight shifted does not exceed 2,000 pounds per axle.
- (f) A jeep may be used if authorized in a permit issued under 17 AAC 25.320.

History: Eff. 8/13/95, Register 135; am 10/7/2001, Register 160; am 12/31/2006, Register 180; am 4/9/2009, Register 190; am 12/30/2010, Register 196

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

17 AAC 25.016. Authorized Experimental Uses

Repealed.

History: Eff. 8/13/95, Register 135; repealed 10/7/2001, Register 160

17 AAC 25.017. Supplemental Axles

- (a) Unless a vehicle is authorized to use supplemental axles under a permit issued under 17 AAC 25.320, supplemental axles may be used on vehicles operating on the state highway system only as provided in this section. Supplemental axles must have a manufacturer's rating equal to the weight being carried on the axle, but no less than 10,000 pounds on the axle.
- (b) Supplemental axles may only be used on trailers and rotating drum transit mix concrete trucks for legal gross vehicle weight calculations. The weight adjustment

controls for supplemental axles must be located outside the driver's compartment and not within reach of the driver while the vehicle is in motion. A rotating drum transit mix concrete truck with a lift axle must comply with 17 AAC 25.015(a). The up-and-down position controls for liftable belly axles may be located in the driver's compartment on bulk tank delivery vehicles, but these controls may only be activated when entering or exiting delivery terminals, including service stations. Adjustable air ride suspension systems may be used, if the tires are not lifted off the roadway.

- (c) Repealed 10/7/2001.
- (d) Belly axles may be used on trailers and semitrailers operating on the state highway system. A belly axle on vehicles first placed into service in this state after June 30, 1990 must be self-steering. The department will use the vehicle registration required by AS 28.10 as evidence of the date that the vehicle or trailer was placed in service in this state.
- (e) Repealed 10/7/2001.

History: Eff. 8/13/95, Register 135; am 10/7/2001, Register 160

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

Editor's note: The definition of "supplemental axle", formerly set out in 17 AAC 25.017(e), has been relocated to 17 AAC 25.900.

17 AAC 25.020. Width of Vehicles

Repealed.

History: Eff. 6/25/69, Register 30; am 9/3/72, Register 43; am 3/22/81, Register 77; am 6/19/81, Register 78; am 9/1/84, Register 91; repealed 8/13/95, Register 135

17 AAC 25.030. Height and Length of Vehicles and Loads

Repealed.

History: Eff. 6/25/69, Register 30; am 9/3/72, Register 43; am 11/16/83, Register 88; am 9/1/84, Register 91; am 1/18/86, Register 97; am 9/19/86, Register 99; am 4/11/90, Register 114; am 7/13/91, Register 119; am 4/27/92, Register 122; am 8/23/92, Register 123; am 12/29/93, Register 128; repealed 8/13/95, Register 135

17 AAC 25.032. Weight Distribution Combination Vehicles

Repealed.

History: Eff. 7/11/90, Register 115; repealed 8/13/95, Register 135

17 AAC 25.035. Reasonable Access

Repealed.

History: Eff. 9/1/84, Register 91; am 4/11/90, Register 114; am 7/3/91, Register 119; repealed 8/13/95, Register 135

17 AAC 25.040. Confinement of Loads

Repealed.

History: Eff. 6/25/69, Register 30; am 9/3/72, Register 43; repealed 8/13/95, Register 135

17 AAC 25.050. Trailers and Towed Vehicles

Repealed.

History: Eff. 6/25/69, Register 30; am 9/3/72, Register 43; repealed 10/7/2001, Register 160

17 AAC 25.060. Allowable Gross Weights

Repealed.

History: Eff. 6/25/69, Register 30; am 9/3/72, Register 43; am 9/3/74, Register 51; am 11/19/84, Register 92; am 1/18/86, Register 97; am 9/10/86, Register 100; am 4/28/87, Register 102; am 11/29/87, Register 104; am 4/11/90, Register 114; am 7/11/90, Register 115; repealed 8/13/95, Register 135

17 AAC 25.062. Lift Axles

Repealed 11/29/87.

17 AAC 25.063. Supplemental Axles

Repealed.

History: Eff. 11/29/87, Register 104; am 12/4/89, Register 112; am 4/11/90, Register 114; am 7/11/90, Register 115; repealed 8/13/95, Register 135

17 AAC 25.065. Specialty Vehicles

Repealed.

History: Eff. 1/18/86, Register 97; am 11/29/87, Register 104; am 7/11/90, Register 115; am 7/3/91, Register 119; repealed 8/13/95, Register 135

17 AAC 25.070. Enforcement

Repealed 11/16/83.

17 AAC 25.080. Permits for Excess Size and Weight

Repealed 3/22/81.

17 AAC 25.090. Requirements for Permits

Repealed 11/16/83.

17 AAC 25.100. Road Closures and Restrictions

- (a) The Department of Transportation and Public Facilities may prohibit the operation of vehicles upon any highway or may impose restrictions on any aspect

of vehicle operation on any highway whenever the highway, in the judgment of the commissioner, may be seriously damaged or destroyed by such operation or whenever it is deemed necessary by the commissioner in the interests of safety to the traveling public. The restrictions shall be effective after due notice has been given to the public except in an emergency requiring immediate action.

(b) Except for steering axles, whenever weight restrictions imposed by the commissioner or the commissioner's representative are stated as a percentage of legal allowable weights, the percentage shall be applied to the maximum allowable axle loading of 17 AAC 25.013(a)(3) – (5).

(c) Repealed 8/13/95.

History: Eff. 6/25/69, Register 30; am 9/3/72, Register 43; am 9/3/74, Register 51; am 8/13/95, Register 135; am 12/30/2010, Register 196

Authority: AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 19.10.100, AS 44.42.020, AS 44.42.030

Editor's note: As of Register 77, the reference to the Department of Highways has been corrected to refer to the Department of Transportation and Public Facilities.

17 AAC 25.105. Specially Designated Highways

Repealed.

History: Eff. 9/1/84, Register 91; am 4/11/90, Register 114; repealed 8/13/95, Register 135

17 AAC 25.106. Experimental Uses of the State Highway System

Repealed.

History: Eff. 7/11/90, Register 115; repealed 8/13/95, Register 135

17 AAC 25.107. Overlength Permits on Certain Routes

Repealed.

History: Eff. 1/18/86, Register 97; am 4/11/90, Register 114; repealed 8/13/95, Register 135

17 AAC 25.108. Operating Requirements for Three Cargo-Carrying Units

Repealed.

History: Eff. 4/27/92, Register 122; am 8/23/92, Register 123; repealed 8/13/95, Register 135

17 AAC 25.109. Operating Requirements and Specially Designated Routes for Articulated Buses

Repealed.

History: Eff. 7/3/91, Register 119; repealed 12/29/93, Register 128

17 AAC 25.110. Definitions

Repealed.

History: Eff. 6/25/69, Register 30; am 9/3/72, Register 43; am 6/19/81, Register 78; am 11/16/83, Register 88; am 9/1/84, Register 91; am 1/18/86, Register 97; am 11/29/87, Register 104; am 7/31/91, Register 119; am 4/27/92, Register 122; am 8/23/92, Register 123; repealed 8/13/95, Register 135

17 AAC 25.119. Definitions for 17 AAC 25.011 - 17 AAC 25.119

In 17 AAC 25.011 - 17 AAC 25.119, unless the context requires otherwise, "equipment" means air conditioning units, heating or cooling units, air compressors, winches, bumpers, flexible fender extensions, bolsters, log bunks, binder chains, clearance lights, rub rails, rock guards, mud flaps, pin pockets, door handles, steps, tire chain hangers, backup lights, forks or fork lifting devices, front mounted animal control devices, hydraulic lift gates, headache racks, or mechanical fastening devices.

History: Eff. 11/16/2004, Register 172

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

Article 2 Commercial Motor Vehicles: Safety and Hazardous Materials

Section

- 200. Transportation of hazardous materials, hazardous substances, or hazardous waste.
- 210. Safe operation of commercial motor vehicles.
- 220. Hours of service.
- 230. Commercial motor vehicle inspections.
- 240. Unsafe or defectively equipped commercial motor vehicles.
- 250. Definitions for 17 AAC 25.200 - 17 AAC 25.250.

17 AAC 25.200. Transportation of Hazardous Materials, Hazardous Substances, or Hazardous Waste

- (a) A person driving a commercial motor vehicle, or a company whose business involves the operation of a commercial motor vehicle, upon a highway or vehicular way or area, shall comply with the transportation of hazardous materials, hazardous substances, or hazardous waste regulations adopted by the United States Department of Transportation and contained in the following provisions, as revised as of October 1, 2009 and adopted by reference, except as otherwise provided in (b) of this section:
 - (1) 49 C.F.R. 105.5 (Definitions for 49 C.F.R. Parts 105 - 110);
 - (2) 49 C.F.R. Part 107 (Hazardous Materials Program Procedures);
 - (3) 49 C.F.R. Part 171 (General Information, Regulations, and Definitions);
 - (4) 49 C.F.R. Part 172 (Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements);

- (5) 49 C.F.R. Part 173 (Shippers--General Requirements for Shipments and Packaging);
 - (6) 49 C.F.R. Part 177 (Carriage by Public Highway);
 - (7) 49 C.F.R. Part 178 (Specifications for Packagings);
 - (8) 49 C.F.R. Part 180 (Continuing Qualification and Maintenance of Packagings).
- (b) The federal regulations in 49 C.F.R. that are adopted by reference in (a) of this section are revised as follows:
- (1) 49 C.F.R. 107.1 is revised by replacing "*Administrator* means the Administrator, Pipeline and Hazardous Materials Safety Administration or his or her delegate." with "*Administrator* means the director of the division.";
 - (2) 49 C.F.R. 105.5 and 107.1 are revised by replacing "*Associate Administrator* means the Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration." with "*Associate Administrator* means the director of the division.";
 - (3) repealed 12/31/2006;
 - (4) repealed 12/31/2006;
 - (5) 49 C.F.R. 171.8 is revised by replacing "*DOT or Department* means U.S. Department of Transportation." with "*DOT or Department* means the state Department of Transportation and Public Facilities.";
 - (6) 49 C.F.R. 171.15(a) is revised to specify that the required notice shall also be given to the division;
 - (7) 49 C.F.R. 171.16(b) is revised to specify that the required notice shall also be given to the division;
 - (8) 49 C.F.R. 171.21 is revised by replacing "authorized representative or special agent of the Department of Transportation" with "enforcement officer";
 - (9) 49 C.F.R. 173.3(a) is revised by replacing "of the Department" with "by an enforcement officer".
- (c) A person who intends to transport a hazardous material by motor vehicle containing explosives in Class 1, Divisions 1.1, 1.2, 1.3, as defined in 49 C.F.R. 173.50 and 173.53, on a highway or vehicular way or area shall notify the

division of the intent to transport the material at least 24 hours in advance of transporting the material. Carriers operating under 49 C.F.R. 385.403 must notify the division of the exact date and the approximate time that the material will be transported, the exact route by which the material will be transported, the class and quantity of the material to be transported, and the telephone number of the person who is responsible for the transportation of the material. Hazardous materials listed in Table 1 of 49 C.F.R. 172.504 must be transported on the date and by the route identified in the notice required under this subsection. Notwithstanding 17 AAC 25.800, the division may waive the 24-hour notice requirement.

- (d) If the division concludes, after reviewing a notice of intent to transport under (c) of this section, that the planned transportation of a hazardous material listed in Table 1 of 49 C.F.R. 172.504 presents a danger to the public health, safety, or welfare, the division shall either deny permission to transport the material or require the material to be transported on an alternative date or by an alternative route. A person may not transport a hazardous material listed in Table 1 of 49 C.F.R. 172.504, if the division denies permission to transport. If the division designates an alternative date or route under this subsection, hazardous materials listed in Table 1 of 49 C.F.R. 172.504 must be transported on the date and by the route designated by the division.
- (e) A motor carrier shall immediately contact the department if at any time the motor carrier suspects the motor carrier's shipment of a hazardous material listed in 49 C.F.R. 385.403 is lost, stolen, or otherwise unaccounted for.

History: Eff. 11/16/2004, Register 172; am 12/31/2006, Register 180; am 4/9/2009, Register 190; am 12/30/2010, Register 196

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 19.10.310, AS 19.10.340, AS 19.10.370, AS 19.10.399

Editor's note: The address and telephone number for giving the notice required under 17 AAC 25.200(b)(6) - (7), (c), or (e) is State of Alaska, Department of Transportation and Public Facilities, Division of Measurement Standards and Commercial Vehicle Enforcement, 11900 Industry Way, Building M, Anchorage, AK 99515-3567; telephone: (907) 365-1210.

17 AAC 25.210. Safe Operation of Commercial Motor Vehicles

- (a) A person driving a commercial motor vehicle, or a company whose business involves the operation of a commercial motor vehicle, upon a highway or vehicular way or area, shall comply with the regulations relating to the management, maintenance, operation, or driving of commercial motor vehicles, adopted by the United States Department of Transportation and contained in the following provisions, as revised as of October 1, 2009 and adopted by reference, except as otherwise provided in (b) of this section:

- (1) 49 C.F.R. Part 381 (Waivers, Exemptions, and Pilot Programs);
 - (2) 49 C.F.R. Part 385 (Safety Fitness Procedures);
 - (3) 49 C.F.R. Part 387 (Minimum Levels of Financial Responsibility for Motor Carriers);
 - (4) 49 C.F.R. Part 390 (Federal Motor Carrier Safety Regulations; General);
 - (5) 49 C.F.R. Part 391 (Qualifications of Drivers and Longer Combination Vehicle (LCV) Driver Instructors);
 - (6) 49 C.F.R. Part 392 (Driving of Commercial Motor Vehicles);
 - (7) 49 C.F.R. Part 393 (Parts and Accessories Necessary for Safe Operation);
 - (8) 49 C.F.R. Part 396 (Inspection, Repair, and Maintenance);
 - (9) 49 C.F.R. Part 397 (Transportation of Hazardous Materials; Driving and Parking Rules);
 - (10) 49 C.F.R. Part 399 (Employee Safety and Health Standards).
- (b) The federal regulations in 49 C.F.R. that are adopted by reference in (a) of this section are revised as follows:
- (1) the lead-in language of 49 C.F.R. 387.9 is revised to read: "Intrastate carriers that operate only in this state and that engage in intrastate carriage only shall meet the minimum levels of financial responsibility set out in AS 19.10.300, except that an intrastate carrier described in item (2) from the following schedule of limits shall meet the minimum level of financial responsibility set out in that schedule:";
 - (2) 49 C.F.R. 390.5 is revised by replacing "*Regional Director of Motor Carriers* means the Field Administrator, Federal Motor Carrier Safety Administration, for a given geographical region of the United States." with "*Regional Director of Motor Carriers* means the Field Administrator, Federal Motor Carrier Safety Administration, for a given geographical region of the United States for purposes of carriers engaged in interstate commerce, and means the director of the division for purposes of carriers engaged in intrastate commerce.";
 - (3) 49 C.F.R. 391.11(b)(1) is revised to read: "For intrastate driving, has been issued a license under AS 28.33.100(a)(1) – (3);"
 - (4) 49 C.F.R. 391.11(b)(2) is not adopted for carriers engaged in intrastate commerce;

- (5) 49 C.F.R. 391.41(a) is revised to read: "A person may not drive a motor vehicle in interstate or intrastate commerce unless the person is physically qualified to do so and, except as provided in 49 C.F.R. 391.67, has in the person's actual possession the original, or a photographic copy, of a medical examiner's certificate that the person is physically qualified to drive a motor vehicle. A person, who was a regularly employed driver before April 1, 1992, is qualified to drive a motor vehicle in intrastate commerce, even if that person would not meet the medical standards in this part due to a preexistent physical or medical condition, if an examining physician determines during the biennial medical examination that the existing medical or physical condition, which would otherwise render the person not qualified under 49 C.F.R. Part 391, has not significantly worsened or another nonqualifying medical or physical condition has not manifested.";
- (6) 49 C.F.R. 391.49(a) is revised to read: "A person who is not physically qualified to drive under 49 C.F.R. 391.41(b)(1) or (2) and who was otherwise qualified to drive a commercial motor vehicle on or before April 1, 1992, may drive a commercial motor vehicle in intrastate commerce.";
- (7) 49 C.F.R. 391.61 is changed by replacing "January 1, 1971" with "April 1, 1992" in the section heading and is revised to read: "The provisions of 49 C.F.R. 391.21 (Application for Employment), 49 C.F.R. 391.23 (Investigations and Inquiries), and 49 C.F.R. 391.31 (Road Test), do not apply to a driver, as defined in 49 C.F.R. 390.5, engaged in intrastate commerce who has been a regularly employed driver of a motor carrier for a continuous period that began before April 1, 1992, as long as the driver continues to be a regularly employed driver of a motor carrier. Such a driver is qualified to drive a motor vehicle in intrastate commerce if the driver fulfills the requirements of 49 C.F.R. 391.11(b)(1) and (3) - (9) (General Qualifications of Drivers).";
- (8) 49 C.F.R. 393.3 is revised to read: "Nothing contained in 49 C.F.R. Parts 350 – 399 or another provision of law prohibits the use of additional equipment and accessories that are not inconsistent with or prohibited by 49 C.F.R. Parts 350 - 399 or another provision of law, unless the equipment and accessories decrease the safety of operation of the motor vehicle on which they are used.";
- (9) 49 C.F.R. 393.60(e) is revised to read: "Antennas, transponders, and similar devices may be mounted more than 152 mm (6 inches) below the upper edge of the windshield. These devices must be located outside the area swept by the windshield wipers, and outside the driver's sight lines to the road and highway signs and signals.";

- (10) in 49 C.F.R. 393.90, for buses engaged in intrastate commerce, "the Federal Motor Carrier Safety Administration's regulations" is revised to read "state regulations";
 - (11) 49 C.F.R. 396.9(a) is revised to read: "An enforcement officer may enter upon and perform inspections of motor carriers' vehicles in operation.";
 - (12) 49 C.F.R. 396.9(b) is revised to read: "The *Driver/Vehicle Inspection Report* form or another division-approved form shall be used to record the results of a motor vehicle inspection conducted by an enforcement officer.";
 - (13) 49 C.F.R. 396.9(d)(3) is revised to read: "Within 15 working days following the date of the inspection, the motor carrier shall
 - (A) complete the carrier certification portion of the *Driver/Vehicle Inspection Report* form or other division-approved form used to record the results of the motor vehicle inspection by an enforcement officer that necessary repairs or adjustments have been made; and
 - (B) return the completed form to the division.";
 - (14) 49 C.F.R. 396.23(b) is revised by replacing "Administrator" with "director of the division";
 - (15) 49 C.F.R. 396.25(b) is revised by replacing "applicable Federal standards" with "applicable standards".
- (c) An enforcement officer may request a person driving a commercial motor vehicle that is subject to 49 C.F.R. 387.9, adopted by reference in (a) of this section as revised in (b)(1) of this section, to provide proof of financial responsibility. If the person driving the commercial motor vehicle fails to provide proof of financial responsibility, the enforcement officer may order that movement of a vehicle be stopped under 17 AAC 25.350.
- (d) A motor carrier that conducts operations in intrastate commerce, and only in intrastate commerce, shall file a motor carrier identification report (Form MCS-150) with the FMCSA and receive an intrastate USDOT identification before the motor carrier begins operations. On each self-propelled commercial motor vehicle, as defined in 49 C.F.R. 390.5, adopted by reference in (a) of this section, the motor carrier shall display the identification number, along with the additional information required by 49 C.F.R. 390.21, adopted by reference in (a) of this section.
- (e) For a motor carrier that previously filed a motor carrier identification report required under (d) of this section, the motor carrier shall file an updated motor carrier identification report (Form MCS-150) with the FMCSA as follows:

- (1) except as provided in (2) and (3) of this subsection, the motor carrier shall file an updated report every 24 months;
 - (2) if the next-to-last digit of the identification number issued under (d) of this section is odd, and the next year after the first filing is an odd numbered year, the motor carrier shall file the motor carrier's first updated report 12 months after the initial filing;
 - (3) if the next-to-last digit of the identification number is even, and the next year after the first filing is an even numbered year, the motor carrier shall file the motor carrier's first update 12 months after the initial filing.
- (f) Only the legal name or a single trade name of the motor carrier may be used on a motor carrier identification report required under (d) or (e) of this section.
 - (g) A motor carrier required under (d) or (e) of this section to file a motor carrier identification report shall file that report with the FMCSA electronically, or with the division's commercial vehicle customer service center in person, by facsimile transmission, or by mail.
 - (h) For purposes of (d) and (e) of this section, actual receipt occurs if the division's commercial vehicle customer service center receives a complete motor carrier identification report, on the required form (Form MCS-150-AK), during the center's regular hours of operation. If the date on which the report is due falls on a Saturday, Sunday, or state holiday, the report may be filed the next working day.
 - (i) An enforcement officer may issue a citation for a violation under AS 45.75.380(a)(12) to a motor carrier that fails to file a motor carrier identification report required under (d) or (e) of this section or furnishes misleading information or makes false statements on that report.
 - (j) A person operating a commercial motor vehicle is exempt from the requirements of this section while engaged in intrastate commerce if the person
 - (1) holds a valid commercial fishing license issued under AS 16.05.480, sport fishing operator license issued under AS 16.40.260, sport fishing guide license issued under AS 16.40.270, or permit issued under AS 16.43.140;
 - (2) is operating the vehicle on any roadway in the state, other than a roadway within the Municipality of Anchorage or the City of Fairbanks;
 - (3) is operating the motor vehicle as part of the person's commercial fishing operations;

- (4) is operating a motor vehicle for which the gross vehicle weight, gross vehicle weight rating, gross combined weight, or gross combined weight rating does not equal or exceed 26,001 pounds; and
- (5) is not transporting hazardous materials for which a placard is required under 49 C.F.R. Part 172, adopted by reference in 17 AAC 25.200(a), or operating a vehicle designed or used to transport 16 or more individuals, including the driver.

History: Eff. 11/16/2004, Register 172; am 12/31/2006, Register 180; am 4/9/2009, Register 190; am 12/30/2010, Register 196

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 19.10.310, AS 19.10.340, AS 19.10.370, AS 19.10.399

Editor's note: The address for filing, in person or by mail, a motor carrier identification report required under 17 AAC 25.210(d) - (h) is State of Alaska, Department of Transportation and Public Facilities, Division of Measurement Standards and Commercial Vehicle Enforcement, Commercial Vehicle Customer Service Center, 11900 Industry Way, Building M, Anchorage, AK 99515. The facsimile number for filing a motor carrier identification report is (866) 345-2641, toll-free for filers within the state, 365-1221 for filers within the Anchorage area, or (907) 365-1221 for filers outside the state. The Internet site for electronic filing with the FMCSA is www.fmcsa.dot.gov. The motor carrier identification report form (MCS-150) is available from the Commercial Vehicle Customer Service Center at that address, or can be requested by calling (800) 478-7636 toll-free for callers within the state, 365-1200 for callers within the Anchorage area, or (907) 365-1200 for callers outside the state. The form may also be down-loaded from www.fmcsa.dot.gov, and is also available on the Department of Transportation and Public Facilities website, at <http://www.dot.state.ak.us/mscve>.

17 AAC 25.220. Hours of Service

- (a) A person driving a commercial motor vehicle, or a company whose business involves the operation of a commercial motor vehicle, upon a highway or vehicular way or area, shall comply with the regulations relating to the management, operation, or driving of commercial motor vehicles, adopted by the United States Department of Transportation and contained in the following provisions of 49 C.F.R. Part 395 (Hours of Service of Drivers), as revised as of October 1, 2007 and adopted by reference, except as provided in (b) of this section:
 - (1) 49 C.F.R. 395.1 (Scope of Rules in This Part);
 - (2) 49 C.F.R. 395.2 (Definitions);
 - (3) 49 C.F.R. 395.8 (Driver's Record of Duty Status);
 - (4) 49 C.F.R. 395.13 (Drivers Declared Out of Service);

- (5) 49 C.F.R. 395.15 (Automatic On-board Recording Devices).
- (b) The federal regulations in 49 C.F.R. that are adopted by reference in (a) of this section are revised as follows:
 - (1) the provisions of 49 C.F.R. 395.1 with respect to maximum driving and the definition of "on duty time" in 49 C.F.R. 395.2 do not apply to an incidental driver; for purposes of this paragraph, "incidental driver" means a driver:
 - (A) whose primary employment by a private carrier of property by motor vehicle is in support of the maintenance and operation of pipelines for the movement of natural gas, natural gas liquids, crude oil, and refined petroleum products, and is not as a driver of a commercial motor vehicle;
 - (B) who drives within a 150-mile radius of the point to which the driver reports to duty; and
 - (C) who devotes not more than 50 percent of hours per work schedule to driving a commercial motor vehicle;
 - (2) 49 C.F.R. 395.13(a) is revised to read: "An enforcement officer may declare a driver out of service and notify the motor carrier of the declaration, upon finding at the time and place of examination that the driver has violated the out of service criteria set out in 49 C.F.R. 395.13(b).";
 - (3) 49 C.F.R. 395.13(c)(2) is revised to read: "A motor carrier shall complete the carrier certification portion of *State of Alaska Commercial Vehicle Enforcement Driver/Vehicle Inspection Report* form and deliver the copy of the form either personally or by mail to the division within 15 working days following the date of examination. If the motor carrier mails the form, delivery is considered made on the day it is postmarked.";
 - (4) 49 C.F.R. 395.15(j) is revised by replacing "FMCSA" with "the division".
- (c) A person operating a commercial motor vehicle is exempt from the requirements of this section while engaged in intrastate commerce if the person
 - (1) holds a valid commercial fishing license issued under AS 16.05.480, sport fishing operator license issued under AS 16.40.260, sport fishing guide license issued under AS 16.40.270, or permit issued under AS 16.43.140;

- (2) is operating the vehicle on any roadway in the state, other than a roadway within the Municipality of Anchorage or the City of Fairbanks;
- 3) is operating the motor vehicle as part of the person's commercial fishing operations;
- 4) is operating a motor vehicle for which the gross vehicle weight, gross vehicle weight rating, gross combined weight, or gross combined weight rating does not equal or exceed 26,001 pounds; and
- 5) is not transporting hazardous materials for which a placard is required under 49 C.F.R. Part 172, adopted by reference in 17 AAC 25.200(a), or operating a vehicle designed or used to transport 16 or more individuals, including the driver.

History: Eff. 11/16/2004, Register 172; am 12/31/2006, Register 180; am 4/9/2009, Register 190; am 12/30/2010, Register 196

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 19.10.310, AS 19.10.340, AS 19.10.370, AS 19.10.399

Editor's note: The address for submitting the certification of compliance portion of the *State of Alaska Commercial Vehicle Enforcement Driver/Vehicle Inspection Report* form, as required under 17 AAC 25.220 is State of Alaska, Department of Transportation and Public Facilities, Division of Measurement Standards and Commercial Vehicle Enforcement, 11900 Industry Way, Building M, Anchorage, Alaska 99515-3567.

17 AAC 25.230. Commercial Motor Vehicle Inspections

- (a) An enforcement officer may:
 - (1) require the operator of a commercial motor vehicle to stop the motor vehicle and submit to commercial vehicle safety inspections and tests;
 - (2) inspect and test all components of a commercial motor vehicle, including the interior of the cab, the inside of cargo compartments, and all exterior equipment;
 - (3) remove and reapply cargo compartment sealing devices; and
 - (4) enter upon, inspect, and examine all land, buildings, and equipment of a motor carrier, and inspect and copy all accounts, books, records, memoranda, correspondence, and other documents of that carrier.
- (b) At the request of an enforcement officer, a motor carrier and other person subject to 17 AAC 25.200 - 17 AAC 25.250 shall submit all accounts, books, records,

memoranda, correspondence, and other documents for inspection and copying, and shall make all lands, buildings, and equipment available for examination and inspection.

- (c) An enforcement officer shall accept an inspection conducted in another state to the same extent that that person would accept an inspection in this state if the:
 - (1) inspection conducted in the other state was performed in accordance with standards equivalent to those applied in this state; and
 - (2) operator of the commercial motor vehicle provides evidence satisfactory to the enforcement officer that the inspection was performed in accordance with (1) of this subsection.

History: Eff. 11/16/2004, Register 172

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 19.10.310, AS 19.10.340, AS 19.10.370, AS 19.10.399

17 AAC 25.240. Unsafe or Defectively Equipped Commercial Motor Vehicles

- (a) An enforcement officer may issue a citation to the driver or owner of a commercial motor vehicle that is not in safe mechanical condition or properly equipped as required in AS 28 or in 17 AAC 25.200 - 17 AAC 25.250. A citation issued under this section must specify the section of AS 28 or 17 AAC 25.200 - 17 AAC 25.250 that has been violated and the repair or adjustment to be made, and must require the driver or owner to appear in court after a period of at least five days, holidays and weekends excluded, from the date of the violation.
- (b) The citation issued under (a) of this section requires the driver or owner of the commercial motor vehicle specified in the citation to repair the commercial motor vehicle so that it is in safe condition and its equipment is in proper repair and adjustment. Except as provided in (c) of this section, the citation also requires the owner or driver to secure a certificate of inspection and approval before any further driving or movement on a highway or vehicular way or area.
- (c) A person may not drive or move a commercial motor vehicle after being directed under this section to have it repaired or adjusted, except as may be necessary to return the commercial motor vehicle to the residence or place of business of the owner or driver of the commercial motor vehicle or to a garage, until the commercial motor vehicle and its equipment have been repaired or adjusted as required by the citation. If repair or adjustment of a commercial motor vehicle or its equipment is found necessary upon inspection, the owner or driver of the commercial motor vehicle may obtain the repair or adjustment at a place of that

person's choosing, within a 100-mile radius of the place where the citation issued under (a) of this section was issued, or otherwise at the nearest place of repair.

- (d) If a commercial motor vehicle is, in the reasonable judgment of the person issuing the citation, in a condition that further driving or movement would be hazardous, the person issuing the citation may require that the commercial motor vehicle not be driven or moved under its own power, or that it be driven to the nearest garage or other place of safety. This section does not preclude the impounding of a commercial motor vehicle under AS 19.10.375 or AS 28.05.091.

History: Eff. 11/16/2004, Register 172

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 19.10.310, AS 19.10.340, AS 19.10.370, AS 19.10.399, AS 45.75.131

17 AAC 25.250. Definitions for 17 AAC 25.200 - 17 AAC 25.250

In 17 AAC 25.200 - 17 AAC 25.250, unless the context requires otherwise,

- (1) "commercial motor vehicle" has the meaning given in AS 19.10.399;
- (2) "vehicular way or area" has the meaning given in AS 19.10.399;
- (3) "working day" means a day other than Saturday, Sunday, or a state holiday.

History: Eff. 11/16/2004, Register 172

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 19.10.310, AS 19.10.340, AS 19.10.370, AS 19.10.399

Article 3 Oversize and Overweight Vehicles

Section

310. Weigh stations and traffic stops.
320. Permits for oversize or overweight vehicles.
330. Applications for permits.
335. Weighing allowance.

- 340. Enforcement.
- 350. Stop orders.
- 360. Offloading of vehicles.
- 370. Revocation of permits.
- 375. Appeals.
- 380. Oversize and overweight vehicle permit fees.

17 AAC 25.310. Weigh Stations and Traffic Stops

- (a) A commercial motor vehicle must stop for weighing and vehicle inspection where an official highway sign indicates that a weigh station is in operation or at the direction of an enforcement officer.
- (b) In this section,
 - (1) "commercial motor vehicle" means a motor vehicle of more than 10,000 pounds gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) used in commerce;
 - (2) "gross combination weight rating" has the meaning given that term in AS 19.10.399;
 - (3) "gross vehicle weight rating" has the meaning given that term in AS 19.10.399.

History: Eff. 10/7/2001, Register 160; am 11/16/2004, Register 172

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

17 AAC 25.320. Permits for Oversize or Overweight Vehicles

- (a) The department will issue a permit authorizing the movement of a vehicle or load of a size or weight exceeding the limitations specified in this chapter if the department determines that:
 - (1) the overweight vehicle or load is a non-divisible vehicle or load; or
 - (2) each of the following requirements is met:
 - (A) the state's best interests are served by the permit;
 - (B) the usefulness of the highways traveled is not diminished;

- (C) the safety of other users is not compromised;
 - (D) the traveling public will not be unreasonably inconvenienced.
- (b) As it considers necessary to assure that the requirements listed in (a)(2)(A) - (D) of this section are met, the department will, as conditions for a permit issued under (a)(1) or (a)(2) of this section, establish time limitations for movement, designate routes, limit the number of trips, or otherwise restrict the movement of oversize or overweight vehicles and loads. The movement of permitted oversize or overweight vehicles or loads must comply with the requirements for towing vehicles, pilot cars, warning signs and lights, hours of darkness, and other safety considerations specified in the department's *Administrative Permit Manual: Oversize and Overweight Permits*, revised as of December 2009, and adopted by reference.
- (c) Subject to its determination that the requirements listed in (a)(2)(A) - (D) of this section are met, the department will, in a permit issued under (a)(1) or (a)(2) of this section, authorize movement of an oversize or overweight vehicle or load over an extended period of up to one year. However, in a permit issued under (a)(1) or (a)(2) of this section, the department will not authorize movement over an extended period for any of the following vehicles:
 - (1) vehicles or loads over 10 feet 6 inches wide under 17 AAC 25.012(a);
 - (2) vehicles or loads over 15 feet high, other than vehicles or loads exempt under 17 AAC 25.012(b)(3);
 - (3) vehicles or loads over 17 feet high operating between the Fox Weigh Station and Prudhoe Bay on the Dalton and Elliott Highways;
 - (4) vehicles or loads that exceed legal length under this chapter;
 - (5) vehicles or loads with a rear overhang that exceeds 10 feet;
 - (6) vehicles or loads that exceed 125 percent of legal weight under this chapter.
- (d) Issuance of a permit does not relieve the vehicle operating under the permit from the requirement of 17 AAC 25.310.
- (e) If a vehicle operating under a permit breaks down to a degree that roadside repairs are impractical or impossible, a similar vehicle may be substituted for the vehicle described in the permit if the substitute vehicle is validly registered under AS 28.10 and if the substitution does not materially alter the conditions listed on the original application for the permit. The driver, owner, or lessee shall report a

substitution at the nearest weigh station along the route of travel or to the division's commercial vehicle customer service center.

History: Eff. 10/7/2001, Register 160; am 11/16/2004, Register 172; am 12/31/2006, Register 180; am 12/30/2010, Register 196

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

Editor's note: Copies of the Department of Transportation and Public Facilities' *Administrative Permit Manual: Oversize and Overweight Permits*, adopted by reference in 17 AAC 25.320, are available for inspection at the offices of the Department of Transportation and Public Facilities, Division of Measurement Standards and Commercial Vehicle Enforcement, 11900 Industry Way, Building M, Anchorage, Alaska 99515.

The Department of Transportation and Public Facilities, Division of Measurement Standards and Commercial Vehicle Enforcement, Commercial Vehicle Customer Service Center is located at 11900 Industry Way, Building M, Anchorage, Alaska, telephone: (800) 478-7636 toll-free for callers within the state and outside the Anchorage area; 365-1200 for callers within the Anchorage area; (907) 365-1200 for callers outside the state.

17 AAC 25.330. Applications for Permits

- (a) An application for a permit must specifically describe the vehicle and the load to be moved, the origin, destination, proposed route, date and times of movement, and other items pertinent to the operation of the vehicle under the permit and requested on the application form provided by the division. The application must describe the characteristics of the vehicle or load that create the necessity for the permit and, if the applicant believes that the vehicle or load is a non-divisible vehicle or load, an explanation of the reasons for this belief.
- (b) An application for a permit is a certification by the applicant that the information on the application is correct, that the applicant is a duly authorized representative of the owner or lessee of the vehicle, and that the vehicle driver, owner, and lessee will comply with the conditions and restrictions indicated in the permit.
- (c) As a condition for issuance of a permit, the driver, owner, and lessee of the vehicle for which the permit was issued shall agree to indemnify and hold the state and its officers, agents, and employees harmless from suit, damages, and other claims arising as a result of the movement of the vehicle or load under the permit. If the department determines it to be in the state's best interest, the department will require the posting of a surety bond or other suitable instrument, conditioned upon the satisfaction of liability for injury to persons or damage to property arising as a result of the movement of the vehicle or load under the permit.

History: Eff. 10/7/2001, Register 160

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

Editor's note: As of Register 162 (July 2002), the regulations attorney made a technical revision under AS 44.62.125 (b)(6), to 17 AAC 25.330(c).

17 AAC 25.335. Weighing Allowance

- (a) The department will weigh vehicles in their as-found condition and will grant weight allowances, as described in this section, to the weight limits set out in 17 AAC 25.013. If the as-found condition exceeds the allowances described in this section, the allowance weights will be included in the fine calculations and not subtracted from the violation. An additional allowance of up to 400 pounds will be added to a power unit's axle weights or the allowable gross vehicle weights for trucks or truck tractors equipped with an auxiliary power unit or idle reduction unit if the requirements of 17 AAC 25.013(g) are met.
- (b) The department will observe the following procedures if enforcing the gross weight requirements in 17 AAC 25.013:
 - (1) if the gross weight of the vehicle and load is over the amount allowed in 17 AAC 25.013 and (3) of this subsection by no more than 1,000 pounds, a written violation will be noted on the inspection form, and the vehicle will be allowed to proceed;
 - (2) if the gross weight is over the amount allowed in 17 AAC 25.013 and (3) of this subsection by more than 1,000 pounds, the driver of the vehicle will be issued a citation for the violation and be directed to a location to unload the excess weight from the vehicle;
 - (3) from October 1 through April 30 of each year, in addition to the amount allowed in 17 AAC 25.013, an additional 1,500 pound allowance will be granted for snow and ice build-up, if evidence of that build-up exists; this allowance is the maximum allowance regardless of the make-up of the vehicle combination.
- (c) The following procedures will be observed while enforcing the axle group weight requirements set out in 17 AAC 25.013:
 - (1) if the weight of an axle group on a vehicle is over the amount allowed in 17 AAC 25.013 by no more than 500 pounds,

- (A) an oral warning will be given or a written violation will be noted on the inspection form; and
 - (B) the vehicle will be allowed to proceed;
- (2) if the weight of an axle group on a vehicle is over the amount allowed in 17 AAC 25.013 by more than 500 pounds, but no more than 1,000 pounds, a written violation will be noted on the inspection form, and the vehicle will be allowed to proceed;
 - (3) if the weight of an axle group on a vehicle is over the amount allowed in 17 AAC 25.013 by more than 1,000 pounds, but no more than 2,000 pounds, and can be corrected at the weigh station by shifting the load, a written violation will be noted on the inspection form, the load must be corrected by shifting, and the vehicle will be allowed to proceed;
 - (4) if the weight of an axle group on a vehicle is over the amount allowed in 17 AAC 25.013 by more than 1,000 pounds, but no more than 2,000 pounds, and cannot be corrected at the weigh station by shifting the load, the driver of the vehicle will be issued a citation for the violation and be directed to a location to unload the excess weight from the vehicle;
 - (5) if the weight of an axle group on a vehicle is over the amount allowed in 17 AAC 25.013 by more than 2,000 pounds, the driver of the vehicle will be issued a citation for the violation and be directed to a location to unload the excess weight from the vehicle; however, if the weight of that axle group is over the legally allowed amount by more than 125 percent of the legally allowed amount and cannot be corrected by shifting the load, the vehicle will be parked at the weigh station or enforcement site until the vehicle's weight can be reduced to within the amount allowed in 17 AAC 25.013 or in a permit issued under 17 AAC 25.320.

History: Eff. 10/7/2001, Register 160; am 4/9/2009, Register 190; am 12/30/2010, Register 196

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050, AS 45.75.131

17 AAC 25.340. Enforcement

- (a) If an enforcement officer has reason to believe that a vehicle or load is oversize, is overweight, violates 17 AAC 25.210, or violates a requirement adopted by reference in 17 AAC 25.210, the enforcement officer may require the driver to stop for inspection or for weighing by means of portable scales or at the nearest weigh station.

- (b) A driver of a vehicle may not refuse to stop and submit the vehicle and load to weighing or inspection.
- (c) If the movement of a vehicle or load is authorized by a permit issued under 17 AAC 25.320, upon request by an enforcement officer, the driver shall produce the permit for inspection.
- (d) A permit that has been altered is void upon the alteration.

History: Eff. 10/7/2001, Register 160; am 12/30/2010, Register 196

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050, AS 45.75.131

17 AAC 25.350. Stop Orders

An enforcement officer may order that movement of a vehicle be stopped, if that vehicle violates the safety, size, weight, or load limitations of this chapter or the terms of an oversize or overweight permit issued under 17 AAC 25.320, and if the enforcement officer considers stopping the vehicle's movement necessary to protect the public safety or the highway and its apparatus. If ordered to stop its movement, the driver of the vehicle shall move the vehicle to a location specified by the enforcement officer and arrange to bring the vehicle into compliance with this chapter or the permit within 72 hours. Vehicles abandoned on a highway right-of-way or other public property in excess of 72 hours may be removed at the owner's or lessee's expense.

History: Eff. 10/7/2001, Register 160; am 4/9/2009, Register 190

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030

17 AAC 25.360. Offloading of Vehicles

An enforcement officer may order the removal of a portion of a load if the officer determines that the size or weight of a vehicle or load violates the size, weight, or load limitations of this chapter or the terms of an oversize or overweight permit issued under 17 AAC 25.320 and if the enforcement officer considers removal necessary to protect the public safety or the highway and its apparatus. If ordered to remove a portion of a load, the driver of the vehicle shall move the vehicle to the location specified by the enforcement officer and remove the portion of the load. The vehicle and the load must not interfere with the movement of traffic and must be removed from the highway right-of-way or other public property within 72 hours. The owner or lessee of the vehicle shall bear the expense of unloading and removing the excess load. Loads abandoned on a highway right-of-way or other public property in excess of 72 hours will be removed at the owner's or lessee's expense.

History: Eff. 10/7/2001, Register 160

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030

17 AAC 25.370. Revocation of Permits

The department may revoke a permit based upon a violation of the terms and conditions of its issuance or the alteration of a permit without the department's consent, or for a violation of this chapter.

History: Eff. 10/7/2001, Register 160

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030

17 AAC 25.375. Appeals

- (a) To appeal from an order under 17 AAC 25.350 or 17 AAC 25.360, or from a permit revocation under 17 AAC 25.370, an aggrieved person must make a written appeal to the division director. Any appeal must be received by the division director within seven days after the date of the order or revocation. The written appeal must set out the grounds for the appeal and any argument in support of the appeal. An order or revocation from which an appeal is made remains in effect until a final decision is issued under (b)(5) or (c) of this section.

- (b) As the division director considers necessary to resolve disputed questions of fact, the division director shall, within 10 days after receiving an appeal, hold a hearing in substantial accordance with the following procedures:
- (1) the division director may designate an employee of the department to conduct the hearing, if the designated employee did not take part in the original order or revocation;
 - (2) the department will provide at least five days' notice of the time and place of the hearing to the appellant;
 - (3) written statements may be submitted;
 - (4) the hearing will be recorded;
 - (5) within 10 days after the hearing, the division director shall issue a written decision affirming, modifying, or reversing the original order or revocation.
- (c) If the division director does not consider a hearing to be necessary under (b) of this section, the division director, within 10 days after receiving an appeal, shall issue a written decision affirming, modifying, or reversing the original order or revocation. The division director may designate an employee of the department to issue the written decision, if the designated employee did not take part in the original order or revocation.
- (d) The decision under (b)(5) or (c) of this section is a final department decision for purposes of an appeal to the superior court under the Alaska Rules of Appellate Procedure.

History: Eff. 10/7/2001, Register 160

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030

17 AAC 25.380. Oversize and Overweight Vehicle Permit Fees

- (a) The department will calculate a total permit fee from one or more of the following component fees, if applicable under (b) of this section:
- (1) for a single move by a vehicle or load that is oversize only, other than a vehicle or load that is exempt under 17 AAC 25.012(b)(3), and except as provided in (5) of this subsection,
 - (A) the basic processing charge is \$35;

- (B) a surcharge will be added for excess width as follows, if applicable:
 - (i) for an overall width in excess of 10 feet and no more than 16 feet, \$20;
 - (ii) for an overall width in excess of 16 feet, \$30; and
 - (C) a surcharge will be added for excess height as follows, if applicable:
 - (i) for an overall height in excess of 16 feet and no more than 16.5 feet, \$20;
 - (ii) for an overall height in excess of 16.5 feet, \$30;
- (2) for a single move by a vehicle or load operating between the Fox Weigh Station and Prudhoe Bay on the Dalton and Elliott Highways and that is oversize only under 17 AAC 25.012(a) and (b)(3), and except as provided in (5) of this subsection,
- (A) the basic processing charge is \$35;
 - (B) a surcharge will be added as set out in (1)(B) of this subsection for excess width, if applicable; and
 - (C) a surcharge will be added for excess height as follows, if applicable:
 - (i) for an overall height in excess of 17 feet and no more than 18.5 feet, \$20;
 - (ii) for an overall height in excess of 18.5 feet, \$30;
- (3) for a single move by a vehicle or load that is overweight only, and except as provided in (5) of this subsection,
- (A) the basic processing charge is \$35; and
 - (B) a surcharge of \$20 will be added if gross weight is 150,000 pounds or greater;
- (4) for a single move by a vehicle or load that is oversize and overweight, and except as provided in (5) of this subsection,

- (A) the basic processing charge is \$60;
 - (B) a surcharge will be added as set out in (1)(B) of this subsection for excess width, if applicable;
 - (C) a surcharge will be added as set out in (1)(C) or (2)(C) of this subsection for excess height, if applicable; and
 - (D) a surcharge of \$20 will be added if gross weight is 150,000 pounds or greater;
- (5) for an oversize or overweight vehicle that requires the department's bridge design section review and approval to protect the public safety or the highway and its apparatus, a per-hour rate of \$75;
- (6) subject to the requirements for an extended use authorization under 17 AAC 25.320(c), and for an unlimited number of moves by a vehicle or load that is oversize, overweight, or both oversize and overweight during the period of:
- (A) no more than 30 days, the fee is
 - (i) \$75 for a vehicle or load that is oversize only;
 - (ii) \$75 for a vehicle or load that is overweight only; and
 - (iii) \$150 for a vehicle or load that is both oversize and overweight;
 - (B) more than 30 days, but no more than 90 days, the fee is:
 - (i) \$200 for a vehicle or load that is oversize only;
 - (ii) \$200 for a vehicle or load that is overweight only; and
 - (iii) \$350 for a vehicle or load that is both oversize and overweight;
 - (C) more than 90 days, but no more than six months, the fee is:
 - (i) \$300 for a vehicle or load that is oversize only;
 - (ii) \$300 for a vehicle or load that is overweight only; and
 - (iii) \$550 for a vehicle or load that is both oversize and overweight;

- (D) more than six months, but no more than nine months, the fee is:
 - (i) \$450 for a vehicle or load that is oversize only;
 - (ii) \$450 for a vehicle or load that is overweight only; and
 - (iii) \$850 for a vehicle or load that is both oversize and overweight;
- (E) more than nine months, but no more than 12 months, the fee is:
 - (i) \$500 for a vehicle or load that is oversize only;
 - (ii) \$500 for a vehicle or load that is overweight only; and
 - (iii) \$1,000 for a vehicle or load that is both oversize and overweight.
- (b) The department will calculate the total fee for a permit issued under 17 AAC 25.320 for oversize and overweight vehicles and loads as follows:
 - (1) for a single-trip permit for a single vehicle, the department will charge the applicable single move fee under (a)(1) - (5) of this section;
 - (2) for an extended-period permit for a single vehicle, the department will charge the applicable fee under (a)(6) of this section for an unlimited number of moves;
 - (3) repealed 11/16/2004;
 - (4) for a pre-issue single-trip permit, as described on page 6.2 of the Department of Commerce and Economic Development's *Administrative Permit Manual: Oversize and Overweight Permits*, as adopted by reference in 17 AAC 25.320(b), the department will charge the applicable single move fee under (a)(1) - (5) of this section;
 - (5) for a seasonal permit, as described on page 6.2 of the Department of Commerce and Economic Development's *Administrative Permit Manual: Oversize and Overweight Permits*, as adopted by reference in 17 AAC 25.320(b), the department will charge the applicable fee under (a)(6) of this section for an unlimited number of moves;
 - (6) for a single-trip permit for a convoy, as described on page 6.3 of the Department of Commerce and Economic Development's *Administrative Permit Manual: Oversize and Overweight Permits*, as adopted by reference in 17 AAC 25.320(b), the department will charge for each

vehicle in the convoy the single move fee applicable to that vehicle under (a)(1) - (5) of this section; a convoy is eligible for a single-trip permit only;

- (7) for equipment engaged in snow removal, the department will charge the applicable fee under (a)(6) of this section for an unlimited number of moves.
- (c) The permit replacement fee is \$25.
- (d) The permit change fee for each change submitted is \$25.
- (e) The permit cancellation fee is \$25 for each canceled permit. A permit may not be canceled after the permit expiration date.

History: Eff. 10/7/2001, Register 160; am 11/16/2004, Register 172; am 4/9/2009, Register 190

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

Article 4 Unified Carrier Registration

Section

400. Unified Carrier Registration program requirements

17 AAC 25.400. Unified Carrier Registration Program Requirements

- (a) To own or operate a commercial motor vehicle as a motor carrier or motor private carrier, or to provide services as a freight forwarder, broker, or leasing company, in interstate commerce, in this state, a company or individual shall register annually in the Unified Carrier Registration (UCR) program established under 49 U.S.C. 14504a.

- (b) Each registration must be accompanied by a fee, the amount of which will be determined annually by the Secretary of the United States Department of Transportation under 49 U.S.C. 14504a. Fees for UCR registration will be published by the Department of Transportation and Public Facilities. Annual fees must be paid directly to the Department of Transportation and Public Facilities or through a national or regional electronic system approved by the department. (Eff. 4/9/2009, Register 190)

Authority: AS 19.05.010, AS 19.05.040, AS 19.10.060, AS 19.05.020

Editor's note: The address for registering in person or by mail, as required under 17 AAC 25.400 is State of Alaska, Department of Transportation and Public Facilities, Division of Measurement Standards and Commercial Vehicle Enforcement, Commercial Vehicle Customer Service Center, 11900 Industry Way, Building M, Anchorage, AK 99515. The facsimile number for filing a motor carrier identification report is (866) 345-2641, toll-free for filers within the state, 365-1221 for filers within the Anchorage area, or (907) 365-1221 for filers outside the state. The approved Internet site for electronic filing is www.ucr.in.gov. The Unified Carrier Registration form is available from the Commercial Vehicle Customer Service Center at the above-noted address, or may be requested by calling (800) 478-7636 toll-free for callers within the state, 365-1200 for callers within the Anchorage area, or (907) 365-1200 for callers outside the state. The form may also be down-loaded from <http://www.dot.state.ak.us/mscve>.

Article 5 Waivers

Section

800. Waiver of provisions.

17 AAC 25.800. Waiver of Provisions

- (a) The commissioner, or the commissioner's designee, will waive a requirement of this chapter for a particular state highway system route or a portion of that route, if the commissioner, or the commissioner's designee, issues a written determination that the
- (1) state's best interests are served by the waiver;
 - (2) usefulness of the particular highway is not diminished;
 - (3) safety of other users is not compromised; and
 - (4) traveling public will not be unreasonably inconvenienced.
- (b) Repealed 4/9/2009.
- (c) Repealed 10/7/2001.

History: Eff. 8/13/95, Register 135; am 10/7/2001, Register 160; am 4/9/2009, Register 190

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050

Article 6 General Provisions

Section

900. Definitions.

17 AAC 25.900. Definitions

Unless the context indicates otherwise, in this chapter:

- (1) "axle" means the common axis of rotation of two or more wheels, whether power-driven or freely rotating, attached to the vehicle for the purpose of carrying a portion of the vehicle weight, including any load;
- (2) "axle group" means two or more axles where an individual axle is spaced less than 8 feet and 1 inch from any other axle, as measured from the centers of the axles;
- (3) "belly axle" means a single axle on a trailer or semitrailer that is located at least 8 feet and 1 inch from the nearest rear axle of a vehicle;
- (4) "booster axle" means an axle on a truck that is designed to transfer a portion of the truck weight to the steering axle, and that is located more than 8 feet and 1 inch from the nearest axle;
- (5) "cargo-carrying length" means the portion of the overall length of a trailer, excluding the coupling device, upon which a load can be carried;
- (6) "cargo-carrying vehicle" means a truck, trailer, semitrailer, or other vehicle capable of carrying a load;
- (7) "commissioner" means the commissioner of transportation and public facilities;
- (8) "department" means the Department of Transportation and Public Facilities;
- (9) "division" means the division of measurement standards and commercial vehicle enforcement within the department;
- (10) "dromedary" means a box, tank, deck, or plate that does not exceed 10 feet in length, and that may be used to carry cargo on a truck-tractor;
- (11) "emergency" means a condition that is potentially hazardous to life or property, or that prevents a damaged highway from being used by the public;
- (12) "enforcement officer" means a:
 - (A) peace officer; or

- (B) department employee who is:
 - (i) authorized by the commissioner of transportation and public facilities under AS 45.75.131; and
 - (ii) appointed as a special officer by the commissioner of public safety under AS 18.65.010;
- (13) repealed 11/16/2004;
- (14) "4-axle group" or "quad axle" means a multi-axle group of four axles that is attached with a connecting mechanism, with each separate axle located less than 8 feet and 1 inch from the other axles;
- (15) "full mount" means a vehicle mounted completely upon the first or last vehicle in a saddlemount combination;
- (16) "gross weight" or "gross vehicle weight" means the total weight of a vehicle, or a combination of vehicles, including load and any accumulated snow, ice, mud, rocks, or dirt;
- (17) "height" means the total vertical dimension of a vehicle above a roadway, including any load, load-holding device, and equipment;
- (18) "inclement weather" means:
 - (A) fog, rain, or snow conditions that restrict visibility to less than 1,000 feet;
 - (B) wind conditions that render a vehicle unable to maintain directional control within one driving lane; or
 - (C) an accumulation of ice, snow, or freezing rain upon a roadway that render a vehicle unable to maintain traction;
- (19) "jeep" means a short frame-type trailer complete with upper coupler, fifth wheel, and undercarriage assembly and designed so that, when coupled between a semitrailer and tractor, the jeep carries a portion of the trailer king pin load while transferring the remainder of that load to the tractor's fifth wheel;
- (20) "king pin" means the device that connects the upper half to the lower half of a coupling device in a manner that permits relative motion in a horizontal plane between a towed vehicle and a towing vehicle;

- (21) "length" means the total longitudinal dimension of a vehicle;
- (22) "lift axle" or "variable suspension axle" means an axle:
 - (A) with mounted tires and rims; and
 - (B) that may be elevated or regulated by raising its tires from the roadway, with the result that a portion of the vehicle weight is transferred to another axle or axle group;
- (23) "load" means anything that is carried on or in a vehicle, but that is not permanently attached to the vehicle;
- (24) "long combination vehicle" or "LCV" means a combination of a power vehicle and cargo-carrying vehicles that exceeds the length specified in 17 AAC 25.012(c);
- (25) "multi-axle group" means an assembly of more than two axles that are attached with connecting devices;
- (26) "non-divisible vehicle or load" means a vehicle or load that:
 - (A) exceeds a length or weight limit set out in this chapter; and
 - (B) if separated into smaller vehicles or loads, would:
 - (i) compromise the intended use of the vehicle;
 - (ii) destroy the value of the load or vehicle; or
 - (iii) require more than eight work hours to dismantle using appropriate equipment;
- (27) "overall length" means the total longitudinal length of a vehicle or a combination of vehicles, including the load;
- (28) "overall width" means width as measured in accordance with 17 AAC 25.012(a);
- (29) "permit" means an authorization issued under 17 AAC 25.320 for movement or operation of oversize and overweight vehicles on a highway;
- (30) "pounds per inch of tire width" means a measure of weight restriction based upon a tire manufacturer's rating of nominal tire width;

- (31) "power vehicle" means a truck, a truck-tractor, or another vehicle capable of towing a cargo-carrying vehicle;
- (32) "saddle" means a mechanism that connects the front axle of a towed vehicle, by a king pin, to the frame or fifth wheel of the towing vehicle;
- (33) "saddlemount combination" means a power unit towing up to three other power vehicles, each connected to the preceding vehicle by a saddle;
- (34) "semitrailer" means a vehicle or cargo-carrying vehicle without motive power designed for carrying persons or property, and so constructed to be drawn by a power vehicle such that some part of its own weight and that of its load rests on or is carried by another vehicle;
- (35) "shifting" means the process by which a portion of a load is transferred from one axle group to another by adjusting air pressure, adjusting the fifth wheel, or physically moving part of the load to another axle group without removing the load from the vehicle;
- (36) "single axle" means an assembly of two or more wheels whose centers are in one transverse vertical plane not less than 8 feet and 1 inch from another axle, and extending across the full width of a vehicle;
- (37) "single axle weight" means the total weight transmitted to the roadway by the wheels of a single axle;
- (38) "state" means State of Alaska;
- (39) "steering axle" means one or more axles on the front of a power vehicle that can be activated by the operator to directly accomplish guidance or steering of the power vehicle or a combination of vehicles;
- (40) "steerable axle" means an axle that has a self-steering mechanism that operates while a vehicle is in motion;
- (41) "supplemental axle" means a lift axle, a variable suspension axle, or a belly axle;
- (42) "tandem axle weight" means the total weight transmitted to the roadway by a two axle group;
- (43) "terminal" means a business licensed under AS 43.70 where commercial goods are loaded or unloaded from commercial vehicles or services for commercial vehicles are obtained;

- (44) "3-axle group" or "tridem axle" means a multi-axle group of three axles that is attached to a vehicle with a connecting mechanism, with each separate axle located less than 8 feet and 1 inch from the other axles;
- (45) "trailer" means a towed cargo-carrying vehicle with one or more axles configured so that no significant portion of its total weight rests upon the towing vehicle;
- (46) "truck" means a motorized cargo-carrying vehicle that is designed, used, or maintained primarily for the movement of a load; "truck" includes a vehicle that pulls trailers or semitrailers;
- (47) "truck-tractor" means a motorized vehicle designed and used primarily for pulling cargo-carrying vehicles; however, "truck-tractor" includes a truck-tractor with a dromedary;
- (48) "2-axle group" or "tandem axle" means an assembly of two axles that are attached to a vehicle by a connecting mechanism designed to distribute weight equally to both axles of the group, "2-axle group" or "tandem axle" does not include lift axles, variable suspension axles, booster axles, or belly axles located within less than 8 feet and 1 inch of that assembly;
- (49) "variable suspension axle" has the meaning given to "lift axle" in this section;
- (50) "vehicle" means a wheeled device capable of transporting persons or property on a highway; "vehicle" includes anything permanently attached to the wheeled device that is not included in the definition for "equipment" in this section.
- (51) "intrastate commerce" has the meaning ascribed to it in 49 C.F.R. 390.5, adopted by reference in 17 AAC 25.210(a).

History: Eff. 8/13/95, Register 135; am 10/7/2001, Register 160; am 11/16/2004, Register 172; am 4/9/2009, Register 190; am 12/30/2010, Register 196

Authority: AS 19.05.010, AS 19.05.020, AS 19.05.040, AS 19.10.060, AS 44.42.020, AS 44.42.030, AS 45.75.050
