

Public Meeting
Arizona Overdimensional Permit Council
Regular Meeting Minutes
For August 14, 2019

An Overdimensional Permit Council meeting was held in public at the Arizona Department of Transportation (“ADOT”) Auditorium, 206 S. 17th Avenue, Phoenix, Arizona 8500, on August 14, 2019, scheduled to commence at 1:00 p.m. MST.

Call to Order – Chairman Kyle Wilkes called to order the Arizona Overdimensional Permit Council meeting at 1:08 p.m. MST.

1. **Roll Call and Quorum** – Chairman Kyle Wilkes conducted a roll call of the council. Council Members **in** attendance:
Brian Preston, Tim Lane, Michael Townsend, Kyle Wilkes, James Mussmann, Stephen Medley and Christina Held.

Council Member **not** in attendance was Carlos De La Torre.

With seven Council Members present, the Council did have a quorum (minimum of five required).

2. **Pledge of Allegiance** – led by Chairman Kyle Wilkes
3. **Welcome and Introductory Comments** – Chairman Kyle Wilkes discussed the rules governed by the law that apply to the public meeting. The comments from any public members in attendance will be held until the Call to Public section of the agenda. If there are any items brought forward by the public that are not on the agenda they cannot be discussed, but the Council Members will make note to discuss at a later time.
4. **Approval of December 14, 2016 Council Meeting Minutes** – Chairman Kyle Wilkes asked the Council for a motion to approve the minutes from December 14, 2016 meeting. Council Member Michael S. Townsend moved that the meeting minutes be approved. Council Member Stephen Medley seconded the motion, which carried unanimously by voice vote.
5. **Review of ARS 281103 (F)-(K)** – Chairman Kyle Wilkes discussed the changes in the statute. The Council will meet quarterly to review these submissions. The

Overdimensional Permit Council has a requirement to bring consistency to rules and regulations across the state.

Michael Townsend: How does this affect what is on the books currently?

Jennifer Cannon addressed the council on behalf of ADOT. The goal is to reach out to local agencies (including cities, towns, counties, state, and federal agencies) to ask them through survey data gathering questions to get their current status of permitting requirements. It will look at their current requirements, rules/policies, permits, etc. It will include questions on the same items covered in our table 4. It will allow ADOT to make key points of contact and keep a calendar to ping the agencies quarterly to remind them to update us with changes. The updates will be on the website to explain the process and provide the contact person's information.

Tony Bradley, Arizona Trucking Association: There was a retroactivity clause in the legislation that was passed two years ago. To date, no notification has been received that the local ordinance has been passed. This is ADOT's responsibility, and it is now in good hands moving forward with Jennifer Cannon. The Overdimensional Permit Council has not been notified in two years and has not allowed them the opportunity to address the ordinances as they are authorized by statute to do.

6. **Review of Draft AAC R 17, Ch 6, Articles 1-5** – John Lindley discussed his presentation will focus on any changes made to the draft rules after distribution to the Council, not the entire rule document. There are still changes to be made to the draft. There is no intention to vote on this today, we will make further changes and schedule a meeting about 30 days out.

John Lindley, Senior Rules Analyst, ADOT: R17-6-113 local authority requirements for ordinances/rules. The Council needs to decide to remove the word "immediately", as the department would not immediately post the ordinances/rules.

Brian Preston: We can run into an issue if the local agencies do not have a website or it is a dead link. Also the website may not be updated. Is there a better way to post them or make them aware?

Jennifer Cannon, ADOT: If they don't have a website, what we can do is we can electronically post whatever information they provide to us. So, it would not require them to do anything additional at the municipal level. We can just go ahead and take the list of bridges that happen to be posted or their height

restrictions in certain areas due to infrastructure and post that. Not necessarily a direct link to their website, but a link to the information regarding restrictions in their area.

Tony Bradley, Arizona Trucking Association suggested to insert the word “proposed” next to the ordinances and put on website so industry can review it.

John Lindley: To add, the rule has the same weight as law. But, I have no specific statutory authority to include any sort of penalty for noncompliance.

- 7. R17-6-307** – *John Lindley:* As we were combining two sections, the old continuous travel and nights/weekends, I inadvertently moved escort vehicle requirements under 307 and realized later they don’t belong there. I put subsection C back the way it was. The escort vehicle requirement applies only for vehicles with projecting loads and is over 20 feet in length of front or rear overhang. I moved all of the other escort requirements back to 403 (nights/weekends). It was decided to retitle the continuous travel to time of movement, as the old reference no longer made sense. Then took out the 10 foot rear overhang restriction for nights/weekends and changed to 20 feet. Escort vehicle requirements only apply on nights/weekends.

Chairman Kyle Wilkes, states the 20 foot rear overhang can be taken out and replaced with 120 feet overall.

John Lindley: Pilot car requirement is at 20 feet, keep in mind that we are now allowing these to travel nights/weekends. Do you believe it should be taken out and that the permit should be issued without regard to the length of overhang? So there isn’t a length limitation at night?

Chairman Kyle Wilkes: If you exceed 120 feet overall then you have a pilot.

Scott Townsend: So, all loads over 11 feet on the weekends would require a pilot car?

Lori Knight: Yes-requires a rear escort. This is required right now.

Chairman Kyle Wilkes: What we have up for discussion is daylight savings - we would like to lose the escort requirement for daylight travel.

John Lindley: We may need to separate nights and weekends into separate sections.

Scott Townsend: When we met, we eliminated the 10 foot width restriction for mobile home transport and went to 16 feet in width, but we didn't discuss pilot car requirements.

Jennifer Cannon, ADOT: I believe that because of how the rule was consolidated we didn't get all of the points hammered out. We were trying to put these rules together to allow loads up to 16 ft. wide, and 3:00am starts. Vehicles could start at 3am, but travel during any hours of darkness would require an escort. For weekend transport, since loads of that size could not previously travel during weekends, we intended to make weekend travel the same as weekday travel. Anything moving during the week should not be required to have escorts; unless the route requires escorts in table 4 (routes with issues like I-17). We'll have to look at that and ensure that any routes that reasonably warrant the need for escorts are noted in table 4. The goal was not to treat haulers differently on the weekend.

Scott Townsend: Is there any instant when weekend travel would be different then weekday travel?

Jennifer Cannon, ADOT: We have to look at areas already addressed in Table 4 and allow movement during the week as long as it does not impede or cause safety issues.

John Lindley: Yes-that would work. I'll work with Jennifer Cannon on all of that to ensure that I'm getting it right.

Chairman Kyle Wilkes: 14-16ft wide, that is under Class C so I don't know why that would be in this package?

Jennifer Cannon, ADOT: The goal for 14-16 foot wide is because manufactured homes are allowed up to 16 feet, while sharing similar characteristics of class A. We might want to address separately for manufactured housing?

8. Discussion on the current use of Easy Class C mobile home permits. –

Scott Townsend: Do you recall issuing any nighttime permits for manufactured homes?

Jennifer Cannon, ADOT: We do not, unless there is something for FEMA, or of that nature. But night is a goofy title because it is really travel that begins at 3:00 am. It is not technically overnight, and it is not continuous travel. Nighttime means you are allowed to move before the sun rises.

Chairman Kyle Wilkes: I still think if you go back to 14 ft., that's class A. I think including Class C is dangerous and misleading- I am in favor of keeping it in Ch. 6 the way it should be.

There were no questions from the Council Members.

- 9. Call to the Public –** *Chairman Kyle Wilkes:* All comments and questions must be presented to the Council in writing.

Ken Anderson: The issues have been addressed. No comment necessary.

Mike Poppe: I want to keep everything consistent between nights/weekends for pilot cars. Jennifer took care of any concerns I had for nights and weekends. Otherwise it would be very confusing. One concern was on nights/weekends (mainly weekends) on certain routes (like I-17) we don't want to be out there, if it goes into Table 4 as a restriction, I'm ok with that.

All concerns from the Public were addressed. No further questions or comments.

- 10. Next Overdimensional Permit Council Meeting –** *Chairman Kyle Wilkes:* It has been suggested for 30 days out for the next meeting, which brings us to the end of September. Any version up until this point is null and void so we will use this version of the rules going forward. We are waiting for the next draft to come out. Then we will finalize the draft.

- 11. Requested Agenda Item:** *Jim LaRue*, field safety supervisor for Barney Trucking. Last down here in 2014 when we enacted legislation to allow LCVs up to 129,000 pounds in the area adjoining NV and Utah; want to request an agenda item to consider a conversation with AZ about expanding the use/role of LCVs in certain areas of the state. Due to changes in the industry and changes in the West. Would like to open that discussion with the Council and the State.

Chairman Kyle Wilkes: We have noted it and will include it on the next agenda.

No further questions or comments from the Public or Council Members.

Meeting Adjourned: 2:00 p.m. MST