

TITLE 49
MOTOR VEHICLES

CHAPTER 10
WEIGHT, SPEED AND TIRE REGULATIONS

49-1001. ALLOWABLE GROSS LOADS. The gross load imposed on the highway by any vehicle or combination of vehicles shall not exceed the limits in this section. The maximum single axle gross weight shall be twenty thousand (20,000) pounds, the maximum single wheel gross weight shall be ten thousand (10,000) pounds and the maximum gross vehicle or combination weight shall be one hundred five thousand five hundred (105,500) pounds, provided that maximum gross vehicle or combination weight on United States federal interstate and defense highways of this state shall not exceed eighty thousand (80,000) pounds, except as permitted under the provisions of section [49-1004](#), Idaho Code.

(1) The total gross weight imposed on the highway by any group of consecutive axles shall be determined by the following formula:

$$W=500((LN/N-1)+12N+36)$$

Where W is the maximum weight in pounds (to the nearest 500 pounds) carried on any group of two (2) or more consecutive axles. L is the distance in feet between the extremes of any group of two (2) or more consecutive axles, and N is the number of axles under consideration.

The formula is modified as illustrated in the following table:

Distance in feet between the extremes of any group of 2 or more consecutive

Maximum load in pounds carried on any group of 2 or more consecutive axles

axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
4	34,000											
5	34,000											
6	34,000											
7	34,000											
8	34,000											
8+	38,000	42,000										
9	39,000	42,500										
10	40,000	43,500										
11		44,000										
12		45,000	50,000									
13		45,500	50,500									
14		46,500	51,500									
15		47,000	52,000									
16		48,000	52,500	58,000								
17		48,500	53,500	58,500								
18		49,500	54,000	59,000								
19		50,000	54,500	60,000								
20		51,000	55,500	60,500	66,000							
21		51,500	56,000	61,000	66,500							
22		52,500	56,500	61,500	67,000							
23		53,000	57,500	62,500	68,000							
24		54,000	58,000	63,000	68,500	74,000						
25		54,500	58,500	63,500	69,000	74,500						
26		55,500	59,500	64,000	69,500	75,000						
27		56,000	60,000	65,000	70,000	75,500						

Distance in feet between the extremes of any group of 2 or more consecutive

Maximum load in pounds carried on any group of 2 or more consecutive axles

axles	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
28		57,000	60,500	65,500	71,000	76,500	82,000					
29		57,500	61,500	66,000	71,500	77,000	82,500					
30		58,500	62,000	66,500	72,000	77,500	83,000					
31		59,000	62,500	67,500	72,500	78,000	83,500					
32		60,000	63,500	68,000	73,000	78,500	84,500	90,000				
33			64,000	68,500	74,000	79,000	85,000	90,500				
34			64,500	69,000	74,500	80,000	85,500	91,000				
35			65,500	70,000	75,000	80,500	86,000	91,500				
36			66,000	70,500	75,500	81,000	86,500	92,000	98,000			
37			66,500	71,000	76,000	81,500	87,000	93,000	98,500			
38			67,500	71,500	77,000	82,000	87,500	93,500	99,000			ω
39			68,000	72,500	77,500	82,500	88,500	94,000	99,500			
40			68,500	73,000	78,000	83,500	89,000	94,500	100,000	106,000		
41			69,500	73,500	78,500	84,000	89,500	95,000	100,500	106,500		
42			70,000	74,000	79,000	84,500	90,000	95,500	101,000	107,000		
43			70,500	75,000	80,000	85,000	90,500	96,000	102,000	107,500		
44			71,500	75,500	80,500	85,500	91,000	96,500	102,500	108,000	114,000	
45			72,000	76,000	81,000	86,000	91,500	97,500	103,000	108,500	114,500	
46			72,500	76,500	81,500	87,000	92,500	98,000	103,500	109,000	115,000	
47			73,500	77,500	82,000	87,500	93,000	98,500	104,000	110,000	115,500	
48			74,000	78,000	83,000	88,000	93,500	99,000	104,500	110,500	116,000	122,000
49			74,500	78,500	83,500	88,500	94,000	99,500	105,000	111,000	116,500	122,500
50			75,500	79,000	84,000	89,000	94,500	100,000	105,500	111,500	117,000	123,000
51			76,000	80,000	84,500	89,500	95,000	100,500	106,000	112,000	118,000	123,500
52			76,500	80,500	85,000	90,500	95,500	101,000	107,000	112,500	118,500	124,000

Distance in feet between the extremes of any group of 2 or more consecutive

Maximum load in pounds carried on any group of 2 or more consecutive axles

	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
53			77,500	81,000	86,000	91,000	96,500	102,000	107,500	113,000	119,000	124,500
54			78,000	81,500	86,500	91,500	97,000	102,500	108,000	113,500	119,500	125,000
55			78,500	82,500	87,000	92,000	97,500	103,000	108,500	114,000	120,000	125,500
56			79,500	83,000	87,500	92,500	98,000	103,500	109,000	115,000	120,500	126,000
57			80,000	83,500	88,000	93,000	98,500	104,000	109,500	115,500	121,000	127,000
58				84,000	89,000	94,000	99,000	104,500	110,000	116,000	121,500	127,500
59				85,000	89,500	94,500	99,500	105,000	110,500	116,500	122,000	128,000
60				85,500	90,000	95,000	100,500	105,500	111,000	117,000	122,500	128,500
61				86,000	90,500	95,500	101,000	106,000	112,000	117,500	123,000	129,000
62				87,000	91,000	96,000	101,500	107,000	112,500	118,000	124,000	
63				87,500	92,000	96,500	102,000	107,500	113,000	118,500	124,500	4
64				88,000	92,500	97,500	102,500	108,000	113,500	119,000	125,000	
65				88,500	93,000	98,000	103,000	108,500	114,000	119,500	125,500	
66				89,500	93,500	98,500	103,500	109,000	114,500	120,000	126,000	
67				90,000	94,000	99,000	104,500	109,500	115,000	121,000	126,500	
68				90,500	95,000	99,500	105,000	110,000	115,500	121,500	127,000	
69				91,000	95,500	100,000	105,500	111,000	116,000	122,000	127,500	
70				92,000	96,000	101,000	106,000	111,500	117,000	122,500	128,000	
71				92,500	96,500	101,500	106,500	112,000	117,500	123,000	128,500	
72				93,000	97,000	102,000	107,000	112,500	118,000	123,500	129,000	
73				93,500	98,000	102,500	107,500	113,000	118,500	124,000		
74				94,500	98,500	103,000	108,000	113,500	119,000	124,500		
75				95,000	99,000	103,500	109,000	114,000	119,500	125,000		
76				95,500	99,500	104,500	109,500	114,500	120,000	126,000		
77				96,000	100,000	105,000	110,000	115,000	120,500	126,500		

Distance in feet between the extremes of any group of 2 or more consecutive

Maximum load in pounds carried on any group of 2 or more consecutive axles

	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles	10 axles	11 axles	12 axles	13 axles
78				97,000	101,000	105,500	110,500	116,000	121,000	127,000		
79				97,500	101,500	106,000	111,000	116,500	122,000	127,500		
80				98,000	102,000	106,500	111,500	117,000	122,500	128,000		
81				98,500	102,500	107,000	112,000	117,500	123,000	128,500		
82				99,000	103,000	108,000	113,000	118,000	123,500	129,000		
83				100,000	104,000	108,500	113,500	118,500	124,000			
84					104,500	109,000	114,000	119,000	124,500			
85					105,000	109,500	114,500	120,000	125,000			
86					105,500	110,000	115,000	120,500	125,500			
87					106,000	111,000	115,500	121,000	126,000			
88					107,000	111,500	116,000	121,500	127,000			
89					107,500	112,000	117,000	122,000	127,500			
90					108,000	112,500	117,500	122,500	128,000			
91					108,500	113,000	118,000	123,000	128,500			
92					109,000	113,500	118,500	123,500	129,000			
93					110,000	114,000	119,000	124,000				
94					110,500	115,000	119,500	125,000				
95					111,000	115,500	120,000	125,500				
96					111,500	116,000	121,000	126,000				
97					112,000	116,500	121,500	126,500				
98					113,000	117,000	122,000	127,000				
99					113,500	118,000	122,500	127,500				
100					114,000	118,500	123,000	128,000				
101					114,500	119,000	123,500	129,000				

(a) A public highway agency may limit the application of the weights authorized in this section as to certain highways within its jurisdiction which it determines have limited structural capacity of pavements, bridges, or other appurtenances. In designating such highways, it may specify a minimum wheelbase for combinations to be operated thereon. It may also designate specific highways or portions on which operation of a combination of vehicles with seven (7) through thirteen (13) axles will be subject to specified lesser allowable gross weights.

(b) Notwithstanding the figures shown in the table in this subsection (1), two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more.

(c) Vehicles may operate with reducible loads at gross weights greater than one hundred five thousand five hundred (105,500) pounds but not exceeding one hundred twenty-nine thousand (129,000) pounds on noninterstate highways in accordance with the provisions of section [49-1004](#), Idaho Code, provided such vehicles are in compliance with the weight formula specified in this subsection (1) of this section, have registered and have paid the registration fees as specified in section [49-434](#), Idaho Code, and are in compliance with the length restrictions set forth in section [49-1010](#) (7), Idaho Code.

(2) The weight limitations set forth in the table in subsection (1) of this section shall not apply to any vehicle, or combination of vehicles when a greater allowed weight in pounds would be permitted such vehicles under the table provided in this subsection, except that with regard to transportation on the United States federal interstate and defense highways of this state, the following table of allowable weights shall apply only to vehicles engaged in the transportation of logs, pulp wood, stull, rough lumber, poles or piling; or to any such vehicle engaged in the transportation of ores, concentrates, sand and gravel and aggregates thereof, in bulk; or to any such vehicle engaged in the transportation of agricultural commodities, including livestock:

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
3 through 12	37,800	37,800
13	56,470	56,470
14	57,940	57,940
15	59,400	59,400
16	60,610	60,610
17	61,820	61,820
18	63,140	63,140
19	64,350	64,350
20	65,450	65,450
21	66,000	66,330
22	66,000	67,250

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
23	66,000	67,880
24	66,000	68,510
25	66,000	69,150
26	66,000	69,770
27	66,000	70,400
28	66,000	70,950
29	66,000	71,500
30	66,000	72,050
31		72,600
32		73,150
33		73,700
34		74,250
35		74,800
36		75,350
37		75,900
38		76,450
39		77,000
40		77,550
41		78,100
42		78,650
43 and over		79,000

The weight allowances provided in this subsection do not apply if the total gross weight of a vehicle or combination of vehicles is intended to exceed seventy-nine thousand (79,000) pounds as declared by the operator. When the provisions of this subsection are applicable to a vehicle or combination of vehicles, it shall be a violation of the provisions of this subsection if that vehicle or combination of vehicles exceeds the weights specified in this table.

(3) In determining the gross weight of a vehicle or the gross weight of any two (2) or more consecutive axles under subsection (1) or (2) or (9) of this section, the total gross weight of the vehicle or combination of vehicles or the gross weight of any two (2) or more consecutive axles shall be the sum of the axle weights.

For the purposes of this chapter the gross weight of a vehicle or the gross weight of any two (2) or more consecutive axles may be determined by accumulatively adding the separate weights of individual axles and tandem axles or groups of axles to determine gross weight. The results of any weighing at a temporary or permanent port of entry and the records relating to the calibration and accuracy of any scale at a temporary or permanent port of entry shall be admissible in any proceeding in this state. In order to prove a violation of the provisions of this section the state must show that:

(a) The sum of the axle weights exceeds what is allowable under the provisions of subsection (1) or (2) or (9) of this section;

(b) The scale involved in the weighing was at the time of weighing calibrated in conformity with and met the accuracy requirements of the standards for the enforcement of traffic and highway laws as set forth in the latest edition of handbook 44 of the national institute of standards and technology;

(c) Weights of individual axles or axles within a commonly suspended group of axles supported by a mechanical system designed to distribute equal wheel loads to individual axles in the group were utilized only to determine gross weights of that group of axles, and that any further evaluation of gross weights of combinations of axles considered only the accumulated gross weight of each such commonly suspended group of axles.

(4) In applying the weight limitations imposed in this section, a vehicle or combination of vehicles must comply exclusively with the weight limitations in either subsection (1) or (2) or (9) of this section.

(5) In applying the weight limitations imposed in this section, the distance between axles shall be measured to the nearest even foot. When a fraction is exactly one-half (1/2) foot the next larger whole number shall be used.

(6) The limitations imposed in this section are in addition and supplemental to all other laws imposing limitations upon the size and weight of vehicles. Further, single axles within groups of axles are subject to the provisions and limitations of this chapter. Single axles within groups of axles may be weighed and evaluated separately.

(7) Notwithstanding the other provisions of this chapter, no vehicle, motor vehicle, trailer and/or semitrailer, or combination thereof, may be operated on the public highways of the state under loads which would result in the withholding of funds by operation of controlling federal law as provided in the Federal Aid Highway Act of 1956, as amended.

(8) Except as provided herein, no vehicle or combination of vehicles may proceed past the place of weighing at temporary or permanent ports of entry or checking stations when: the weight of a single axle exceeds the maximum limitations set forth herein by two thousand (2,000) pounds or more; the weight of a combination of axles, or gross vehicle weight exceeds the maximum allowable weight as set forth herein by seven percent (7%) or more. Vehicles or combinations of vehicles which exceed the weight limitations set forth herein shall be required to be brought into compliance with applicable weight limitations contained within this subsection at the place of weighing prior to continuing, except those vehicles or combinations of vehicles which are transporting loads which, in the determination of the board or other proper authorities in charge of or having jurisdiction over a highway, are deemed unsafe or impractical to bring into compliance at the place of weighing, and except those vehicles which do not exceed fifteen percent (15%) over maximum axle and axle group weights set forth in this section. Vehicles or combinations of vehicles transporting loads in this latter category shall obtain a travel authorization to the nearest place of safe unloading, load adjustment or other means of legalization.

(a) Neither the state of Idaho or its employees, nor any authority and its employees in charge of or having jurisdiction over a highway, shall be held liable for personal injury or property damage resulting from the requirements of section [49-1001](#)(8), Idaho Code.

(b) The fee for a travel authorization as set forth above shall be fifty dollars (\$50.00) and shall be on a form prescribed by the board or other

proper authorities, and shall not be construed as contributing to a reduction in the penalties prescribed in section [49-1013](#), Idaho Code.

(c) The board or other proper authorities in charge of or having jurisdiction over a highway shall adopt and enforce administrative rules as may be necessary to carry out the provisions of this section.

(9) For vehicles on all highways except the United States federal interstate and defense highways of this state, the following table shall apply:

Distance in feet between the extremes of any group of 2 or more consecutive axles	Allowed Load in Pounds	
	Vehicles with Three or Four axles	Vehicles with Five or more axles
3 through 12	37,800	37,800
13	56,470	56,470
14	57,940	57,940
15	59,400	59,400
16	60,610	60,610
17	61,820	61,820
18	63,140	63,140
19	64,350	64,350
20	65,450	65,450
21	66,000	66,330
22	66,000	67,250
23	66,000	67,880
24	66,000	68,510
25	66,000	69,150
26	66,000	69,770
27	66,000	70,400
28	66,000	70,950
29	66,000	71,500
30	66,000	72,050
31		72,600
32		73,150
33		73,700
34		74,250
35		74,800
36		75,350
37		75,900
38		76,450
39		77,000
40		77,550
41		78,100
42		78,650
43 and over		80,000

The weight allowances provided in this subsection do not apply if the total gross weight of a vehicle or combination of vehicles is intended to exceed eighty thousand (80,000) pounds as declared by the operator. When the provisions of this subsection are applicable to a vehicle or combination of vehicles, it shall be a violation of the provisions of this subsection if that vehicle or combination of vehicles exceeds the weights specified in this table.

(10) Variable load suspension axles shall meet the following criteria in order to be included in the computation of gross vehicle or axle weight limits for vehicles under the provisions of this section:

(a) The deployment control switch for such axles may be located inside of the driver's compartment but the pressure regulator valve for the operation of pressure on the pavement shall be located outside of and inaccessible to the driver's compartment.

(b) The manufacturer's gross axle weight rating of each such axle must not be less than the actual loading of the axle.

(c) All variable load suspension axles shall be designed to be self-steering; provided however, variable load suspension axles that are within sixty (60) inches of a drive axle or are within sixty (60) inches of a trailer axle, need not be self-steering.

(d) The manufacturer's gross tire weight rating of each tire must not be less than the actual loading of the tire.

(e) Variable load suspension axles must be fully deployed or fully raised. For applicable definitions, see sections [49-117](#) and [49-123](#), Idaho Code.

(11) Any person who operates a motor vehicle with a variable load suspension axle in violation of the provisions of this section shall be subject to the penalties provided in section [49-1013](#), Idaho Code.

[49-1001, added 1988, ch. 265, sec. 272, p. 715; am. 1991, ch. 226, sec. 1, p. 538; am. 1993, ch. 273, sec. 4, p. 921; am. 1993, ch. 334, sec. 3, p. 1238; am. 1993, ch. 345, sec. 1, p. 1284; am. 1993, ch. 371, sec. 1, p. 1334; am. 1993, ch. 376, sec. 2, p. 1380; am. 1994, ch. 321, sec. 4, p. 1030; am. 1995, ch. 72, sec. 1, p. 183; am. 1995, ch. 122, sec. 3, p. 532; am. 1998, ch. 158, sec. 2, p. 535; am. 1998, ch. 189, sec. 1, p. 684; am. 2000, ch. 418, sec. 15, p. 1352; am. 2007, ch. 65, sec. 1, p. 159; am. 2015, ch. 208, sec. 9, p. 648.]

49-1002. ALLOWABLE LOAD PER INCH WIDTH OF TIRE. (1) Load for inch width of tire for the front steer axle may not exceed the manufacturer's load rating per tire or the load rating of the axle or twenty thousand (20,000) pounds per axle whichever is less. The maximum allowable load for all other vehicle tires operated on any public highway shall not exceed six hundred (600) pounds per inch width of tire and shall not exceed the manufacturer's load rating, whichever is less. The width of a tire shall be determined by the manufacturer's description marked on the sidewall of the tire. Tires on vehicles manufactured prior to July 1, 1987, may exceed the six hundred (600) pounds per inch width of tire limit subject to a maximum of eight hundred (800) pounds per inch width of tire. This section shall not apply to nonreducible overweight and/or oversize vehicles and/or loads as authorized under section [49-1004](#), Idaho Code.

(2) Except as provided herein, no vehicle or combination of vehicles may proceed past the place of weighing at temporary or permanent ports of entry or checking stations when the weight carried on a single tire, as de-

terminated by dividing the weight carried on an axle or group of axles by the number of wheels on the axle or group of axles, exceeds on a single axle the allowable weight above by two thousand (2,000) pounds or more or the weight of a combination of axles exceeds the allowable weight above by seven percent (7%) or more. Vehicles or combinations of vehicles which exceed the weight limitations set forth herein shall be required to be brought into compliance with the applicable weight per inch width of tire contained within this subsection prior to continuing except those vehicles or combinations of vehicles which are transporting loads which, in the determination of the board or other proper authorities in charge of or having jurisdiction over a highway, are deemed unsafe or impractical to bring into compliance at the place of weighing. Vehicles or combinations of vehicles transporting loads in this latter category shall obtain a travel authorization to the nearest place of safe unloading, load adjustment or other means of legalization.

(a) Neither the state of Idaho or its employees, nor any authority and its employees in charge of or having jurisdiction over a highway, shall be held liable for personal injury or property damage resulting from the requirements of section [49-1001](#) (8), Idaho Code.

(b) The fee for a travel authorization as set forth above shall be fifty dollars (\$50.00) and shall be on a form prescribed by the board or other proper authorities.

(c) The board or other proper authorities in charge of or having jurisdiction over a highway shall adopt and enforce administrative rules as may be necessary to carry out the provisions of this section.

[49-1002, added 1988, ch. 265, sec. 273, p. 718; am. 1991, ch. 226, sec. 2, p. 543; am. 2006, ch. 351, sec. 1, p. 1070; am. 2007, ch. 40, sec. 1, p. 100; am. 2015, ch. 43, sec. 1, p. 95.]

49-1003. SPEED LIMITS FOR VEHICLES REGULATED ACCORDING TO WEIGHT AND TIRE EQUIPMENT. It shall be unlawful to operate any vehicle equipped with other than pneumatic tires on a highway at a rate of speed in excess of twenty (20) miles per hour for vehicles having a gross weight of not more than ten thousand (10,000) pounds, and twelve (12) miles per hour for vehicles having a gross weight of more than ten thousand (10,000) pounds.

[49-1003, added 1988, ch. 265, sec. 274, p. 719.]

49-1004. PERMITS FOR OVERWEIGHT OR OVERSIZE LOADS -- SPECIAL ROUTES AND ANNUAL PERMITS. (1) Upon application in writing to the department or local authorities in charge of or having jurisdiction over a highway, the department or local authorities may in their discretion issue a special permit to the owner or operator of any vehicle allowing vehicles or loads having a greater weight or size than permitted by law to be moved or carried over and on the highways and bridges.

(a) Special permits shall be in either hard copy or digital format and may limit the time of use and operation over the particular highways and bridges which may be traversed and may contain any special conditions and require any undertaking or other security as the department or local authority shall deem to be necessary to protect the highways and bridges from injury, or provide indemnity for any injury to highways and bridges or to persons or property resulting from such operation.

(b) The owner or operator of an overweight or oversize vehicle shall obtain a permit or shall establish intent to obtain a permit by contacting

a permit office and receiving a permit number before moving the vehicle on the highways.

(c) All special permits or evidence of intent to obtain a permit, whether in hard copy or digital format, shall be carried in the vehicles to which they refer and shall upon demand be delivered for inspection to any peace officer, authorized agent of the board or local authority, or any officer or employee charged with the care or protection of the highways.

(2) Nonreducible vehicles or combinations of vehicles hauling nonreducible loads at weights in excess of those set forth in section [49-1001](#), Idaho Code, shall pay fees as set forth in this subsection. Such fees are based on the number of axles on the vehicle or combination of vehicles and the total gross weight.

Number of axles	Column 1	Column 2
	Gross weight of vehicle and load in pounds	Gross weight of vehicle and load in pounds
2	40,001	-
3	54,001	-
4	68,001	-
5	80,001	131,001
6	97,001	148,001
7	114,001	165,001

(a) To determine the maximum allowable permit fee for vehicles with more than seven (7) axles, the table can be extended by adding seventeen thousand (17,000) pounds to the last listed weight in both columns 1 and 2 for each added axle.

(b) Permit fees for column 1 shall start at four cents (4¢) per mile and increase four cents (4¢) per mile for each additional two thousand (2,000) pound increment up to the weight indicated in column 2. Permit fees for column 2 shall start at one dollar and two cents (\$1.02) per mile and increase seven cents (7¢) per mile for each additional two thousand (2,000) pound increment.

(c) Vehicles operating at weights less than the starting weights per axle configuration listed in column 1 shall be charged four cents (4¢) per mile.

(d) For vehicles operating with axles wider than eight (8) feet six (6) inches or axles with more than four (4) tires per axle, the fee may be reduced by the board or other proper authority having jurisdiction over a highway.

(3) It shall be unlawful for any person to violate, or to cause or permit to be violated, the limitations or conditions of special permits, and any violation shall be deemed for all purposes to be a violation of the provisions of this chapter.

(4) An annual special route permit authorizing travel on designated routes shall be issued by the department or may, in its discretion, be issued by a local authority for operation of vehicles with a legal maximum gross weight of at least one hundred five thousand five hundred one (105,501) pounds but not exceeding one hundred twenty-nine thousand (129,000) pounds.

Such routes on nonstate and noninterstate highways shall be determined by the local authority for those roads under its jurisdiction. No local public highway agency shall approve a route which provides a thoroughfare for interstate carriers to pass through the state. State routes designated by the department and local authorities shall be identified on a map entitled "Designated Routes up to 129K."

(5) An annual administrative permit fee for operating on designated routes at the weights specified in subsection (4) of this section shall be set by the department for travel on state routes. Effective July 1, 2019, until June 30, 2021, the annual administrative permit fee shall not exceed fifty-five dollars (\$55.00) per vehicle and such fee shall be used to defray the costs of the department to issue permits, provided however that five dollars (\$5.00) of each permit fee shall be submitted to the local authority technical analysis fund. Local authorities are authorized to issue special permits and such permits shall be in either hard copy or digital format. Administrative permit fees for permits issued by a local authority shall be retained by the local authority to cover administrative costs, and administrative permit fees for permits issued by the department shall be retained by the department to cover administrative costs. In addition to the annual administrative permit fee and the appropriate registration fee for weights up to one hundred five thousand five hundred (105,500) pounds, the appropriate vehicle registration fees for weights over one hundred five thousand five hundred (105,500) pounds shall be calculated and collected in accordance with the fee schedules set forth in section [49-432](#) or [49-434](#), Idaho Code.

(6) (a) In any action or proceeding brought for the purpose of setting aside a special permit issued pursuant to this section, in which any party seeks a stay or seeks a temporary restraining order or preliminary injunction against the department, local authority, the state of Idaho or any party requesting the permit, the court may require bond as provided in rule 65(c) of the Idaho rules of civil procedure, in an amount not to exceed ten percent (10%) of the shipper's or transporter's insured value of the product or material to be transported under the provisions of the permit. If any attorney's fees and/or costs are awarded to the department or other state actor, such bond may be used to satisfy that award and all awarded amounts shall be paid to the state highway account established in section [40-702](#), Idaho Code.

(b) Where there is a final judgment in an action or proceeding brought for the purpose of setting aside a special permit issued pursuant to this section against the party or parties who brought such action or proceeding, the court may determine the actual damages resulting from the action or proceeding caused to the department or other state actor and may award up to that amount to the party or parties.

[49-1004, added 1988, ch. 265, sec. 275, p. 719; am. 1998, ch. 108, sec. 2, p. 372; am. 1998, ch. 158, sec. 3, p. 542; am. 2000, ch. 418, sec. 16, p. 1359; am. 2003, ch. 315, sec. 2, p. 861; am. 2005, ch. 63, sec. 1, p. 220; am. 2007, ch. 257, sec. 1, p. 763; am. 2007, ch. 258, sec. 1, p. 776; am. 2008, ch. 156, sec. 1, p. 447; am. 2011, ch. 277, sec. 1, p. 753; am. 2013, ch. 152, sec. 1, p. 352; am. 2018, ch. 26, sec. 1, p. 47; am. 2019, ch. 179, sec. 1, p. 575; am. 2019, ch. 180, sec. 1, p. 578.]

49-1004A. NEW SPECIAL ROUTE DESIGNATIONS BY THE DEPARTMENT. (1) Notwithstanding the provision on the addition or deletion of approved routes

in section [49-1004](#)(4), Idaho Code, the department may designate routes within its jurisdiction for operation of vehicle combinations with a legal maximum gross weight of at least one hundred five thousand five hundred one (105,501) pounds but not exceeding one hundred twenty-nine thousand (129,000) pounds, utilizing criteria established by the department based upon road and bridge structural integrity engineering standards, as well as public safety engineering standards. Any routes approved by the department shall be included in the statewide route map provided for in section [49-1004](#)(4), Idaho Code, entitled "Designated Routes up to 129K."

(2) For all requests that new routes be designated for travel by vehicle combinations with a maximum gross weight of up to one hundred twenty-nine thousand (129,000) pounds, the department shall analyze the safety and feasibility of adding such routes within the department's jurisdiction.

(3) Prior to designating, modifying, or deleting a designation of a route under this section, the department shall publish notice and conduct a public hearing concerning the proposed designation.

[49-1004A, added 2013, ch. 206, sec. 1, p. 493; am. 2013, ch. 351, sec. 1, p. 952; am. 2019, ch. 180, sec. 2, p. 582.]

49-1004B. SPECIAL ROUTE DESIGNATIONS AND PERMITS BY LOCAL AUTHORITIES. (1) Local authorities may, by resolution on their own initiative or pursuant to written request, designate routes and revoke previously authorized routes within their respective jurisdictions for the operation of vehicle combinations with a legal maximum gross weight between one hundred five thousand five hundred one (105,501) pounds and one hundred twenty-nine thousand (129,000) pounds. A local authority that designates routes under this section shall do so pursuant to the requirements of this section. Nothing in this section shall limit the exclusive jurisdiction of local authorities to authorize or decline to designate such routes. All routes authorized by this section that are effective on July 1, 2019, shall remain in effect unless subsequently revoked pursuant to the procedures set forth in this section.

(a) Within one hundred fifty (150) days after receipt of a written request to designate a route under this section, the governing board of a local authority shall issue a determination as to:

- (i) Whether it designates routes under this section; and
- (ii) If it designates routes under this section, whether to approve the specific route at issue.

(b) In exercising jurisdiction to designate a route under this section, a local authority shall analyze the long-term physical and safety consequences of allowing vehicles covered by this section to use the route at issue. In conducting such analysis, the local authority shall use Idaho transportation department standards or the Idaho standards for public works construction, or a successor publication.

(c) A local authority that designates routes under this section shall authorize a map of designated routes by resolution of its governing board and shall update the route map within thirty (30) days after authorization or revocation of a route under this section. Upon designation or update of a route map as set forth in this subsection, a local authority shall submit such designation or update to the department for inclusion in the statewide route map entitled "Designated Routes up to 129K."

(2) A local authority that designates routes under this section may issue permits for travel upon such routes and may use such permits to designate conditions for travel, including possible seasonal restrictions or other time, place, or manner limitations. A local authority shall indicate on its route map, or within the provisions of its authorizing resolution, whether a permit is required upon a designated route. Issuance of permits for use of designated routes shall be deemed an administrative action that can be carried out by the primary administrative officer of the jurisdiction, or his designee.

(a) Within thirty (30) days after receipt of a written request for a permit for travel upon a designated route, a local authority shall either issue a permit or issue a written denial of the permit requested. The denial shall explain why the permit was denied.

(b) A written permit issued under this section shall clearly state all conditions for travel upon the designated route.

(c) An annual administrative permit fee, not to exceed a maximum of fifty-five dollars (\$55.00) per vehicle, shall be set by the local authority for travel on designated routes. A local authority shall submit five dollars (\$5.00) from each administrative permit fee to the local authority technical analysis fund.

(3) After the issuance of the written decision, or in the event that the local authority has not acted pursuant to subsection (2) of this section within the time required, an applicant for a permit may request the opportunity to be heard by the governing body of the local authority. A local authority shall provide for the opportunity to be heard by its governing body at a public meeting within forty-five (45) days of filing such request. No fewer than fifteen (15) days after the conclusion of the public meeting at which the appeal by a permit applicant has first been heard, a local governing board shall render the final decision of the local jurisdiction, setting forth the factual and legal reasons therefor, regarding such permit request.

(4) There is hereby created a grant fund to be known as the local authority technical analysis fund within the state treasury. The grant fund shall be used to provide additional funding to local authorities to cover additional costs related to the technical review of applications as described in paragraph (b) of subsection (1) of this section. Such grants shall not exceed ten thousand dollars (\$10,000) per route and shall be awarded under such terms and conditions as determined by the department or its designee. The department will maintain the local authority technical analysis fund in the state treasury in a separate sub-fund to ensure funds are not commingled with department funds until the money is requested by a local authority, after approval by the department or its designee. The funds will be disbursed to a local authority after approval of the request. All moneys in the fund are to be continuously appropriated. Any interest earned on the investment of idle moneys in the fund shall be returned to the fund.

(5) Notwithstanding any other law to the contrary, the department shall perform its obligations pursuant to this section.

[49-1004B, added 2019, ch. 180, sec. 5, p. 583; am. 2021, ch. 234, sec. 1, p. 714.]

49-1004C. SPECIAL PERMITS -- INTERSTATE SYSTEM. Exclusively for the purposes of section [49-1001](#) (1) (c), Idaho Code, the interstate system, which shall be considered to consist of I-15, I-84, I-86, I-90 and I-184, in Idaho is deemed a noninterstate highway. Exclusively for the purposes of section

[49-1004](#)(4), Idaho Code, the interstate system, which shall be considered to consist of I-15, I-84, I-86, I-90 and I-184, in Idaho is deemed a designated state route.

[(49-1004C) 49-1004B, added 2016, ch. 36, sec. 1, p. 87; am. and re-desig. 2019, ch. 180, sec. 6, p. 584.]

49-1005. SPECIAL REGULATIONS AND NOTICE. Whenever in the judgment of the board or authorities in charge of, or having jurisdiction over a highway, the operation on any highway or section of highway of vehicles of sizes and weights at rates of speed permissible by law which will cause damage to the highway by reason of climatic or other conditions, or will interfere with the safe and efficient use of the highway by the traveling public, the board or other authorities in charge of, or having jurisdiction over a highway have authority to make regulations reducing the permissible sizes, weights or speeds of vehicles operated on that highway for any periods as may be necessary for the protection of the highway or for public safety. Signs designating those regulations shall be erected and maintained at each end of the highway or section and at intersections with main traveled highways.

[49-1005, added 1988, ch. 265, sec. 276, p. 719.]

49-1006. RESPONSIBILITY FOR DAMAGE TO HIGHWAY OR BRIDGE. The owner and the operator, driver or mover of any vehicle, object or contrivance over a highway or bridge, shall be jointly and severally responsible for all damages which the highway or bridge may sustain as the result of illegally operating or driving or moving any vehicle, object or contrivance, or as the result of driving or moving any vehicle, object or contrivance weighing in excess of the maximum weight specified in this chapter, but authorized by a temporary permit. The amount of the damages may be recovered in an action at law by the authorities in control of the highway or bridge[;]. It shall be unlawful for more than one (1) vehicle, motor vehicle, trailer and/or semi-trailer, or combination of vehicles with gross weights in excess of those specified in section [49-1001](#)(1) and (2), Idaho Code, to pass at the same time on any bridge with a span of nineteen (19) feet or more posted by the board for single lane traffic by those trucks.

[49-1006, added 1988, ch. 265, sec. 277, p. 720.]

49-1007. LIMITING LIABILITY OF AUTHORITIES. No action or proceedings of any nature or description shall lie against the board, its authorized agents, or any other authorities charged with the administration of this chapter because of their compliance with any of the terms of this chapter, the exercise of any authority, or the performance of any duties granted or prescribed by this chapter.

[49-1007, added 1988, ch. 265, sec. 278, p. 720.]

49-1008. GRANTING PERMISSION FOR TRANSPORTATION OF LOADS OF LOGS, POLES, PILING AND MATERIAL FROM MINES WHICH HAS NOT BEEN FINALLY PROCESSED. With respect to transportation of logs, poles or piling by motor vehicle, the board or other proper authorities in charge of, or having jurisdiction over a highway, are authorized to designate and post a highway or section of highway or bridge over which loads of logs, poles, or piling

may be transported in continuous operation by motor vehicles in excess of width and length provided by section [49-1010](#), Idaho Code, and to designate and post a highway or section of highway or bridge over which loads of logs, poles, piling or material from mines which has not been finally processed may be transported in continuous operation by motor vehicles in excess of weight provided by section [49-1001](#), Idaho Code.

The designation and posting of a highway or section of highway or bridge by the board or other proper authorities shall state width, length, gross weight and maximum speed of loads that may be transported. Any motor vehicle complying with width, length and weight allowed by posting of a highway under authority of this title shall not be required to obtain a permit under section [49-1004](#), Idaho Code.

[49-1008, added 1988, ch. 265, sec. 279, p. 720.]

49-1009. CONTRACT FOR BUILDING AND MAINTAINING ROADS. The board, the governing board of a county, city or highway district is authorized to contract with any individual, firm or corporation, state or federal agency or any combination of parties, to build, rebuild or maintain or contribute financial aid to the building, rebuilding or maintenance of any section or sections of a highway to any standard necessary for the transportation by private or contract trucks principally engaged in the transportation of products originating or produced in Idaho, to permit the hauling of heavier gross weights and wider loads than now provided by law, to an extent necessary to accomplish that maintenance or construction. Upon application of any of the above mentioned parties for permission to use and operate private or contract trucks for hauling greater gross weights and wider loads than provided by law, the board, county, city or district may make and enter into an agreement with the applicant permitting the overload and providing for payment of an additional financial contribution or an agreement to maintain, build or rebuild the highway for the additional or extraordinary use, specifically providing where necessary, for reasonable protective restrictions. If in the opinion of the negotiating officials, a bond should be required, then a surety bond shall be furnished. Nothing in this chapter shall be construed to require any public agency to enter into these contracts or agreements.

[49-1009, added 1988, ch. 265, sec. 280, p. 721.]

49-1010. SIZE OF VEHICLES AND LOADS. No vehicle shall exceed the dimensions specified below, except that certain devices determined by the board as necessary for the safe and efficient operation of motor vehicles, including energy conservation devices, shall be excluded from the calculation of width or length.

(1) The width of a vehicle, including any load thereon, except as noted below, shall not exceed 8 1/2 feet.

(a) The limitations as to size of vehicles stated in this section shall not apply to farm tractors or to implements of husbandry, including any load thereon, or any trailer not wider than the implement of husbandry used in the transportation of implements of husbandry for agricultural operations, and including all equipment used in land leveling operations, when being incidentally operated upon the highway from one farm operation to another during daylight hours.

(b) The limitations as to size of vehicles shall not apply to farmers or their designated agents, or equipment dealers transporting implements

of husbandry and equipment listed in paragraph (a) of this subsection for the purpose of:

(i) The repair or maintenance of such implements of husbandry and equipment when traveling to or from a farm to a repair or maintenance facility during daylight hours; or

(ii) The purchase, sale, lease or rental of such implements of husbandry and equipment when traveling to or from a dealership, auction house or other facility during daylight hours.

(c) Notwithstanding the exemption from width limitation for farm tractors included in paragraph (a) of this subsection, the total outside width of any farm tractor being transported on the interstate system in this state, except as permitted by section 49-1004, Idaho Code, shall not exceed 9 feet.

(d) A farm tractor or implement of husbandry, when being incidentally transported upon the highway with a width in excess of the limits of paragraphs (a) and (c) of this subsection, must display one (1) red or fluorescent orange flag a minimum of eighteen (18) by eighteen (18) inches on the outermost left projection of the tractor or implement being transported.

(2) The height of a vehicle, including the load thereon, shall not exceed 14 feet.

(3) The length of a vehicle, or vehicle combination, except as noted below shall not exceed:

(a) When a single motor vehicle 45 feet.

(b) When a trailer or semitrailer, except as noted in this subsection 48 feet.

1. Semitrailers operating on routes determined by the board to have severe curvature, deficient width and/or heavy traffic conditions shall be limited to an overall combination length not to exceed 65 feet.

2. The length of a trailer tongue, or the length of the tongue of a converter gear used to convert a semitrailer to a trailer, shall be excluded from the calculation of a trailer length.

3. Semitrailers operating on routes which are a part of the national network as set forth in 23 CFR 658, on routes providing access between the national network and terminals and facilities for food, fuel, repairs and rest which are located within one (1) road mile of the national network and state highways as set forth by policy and approved by the transportation board, shall not exceed a length of 53 feet.

(c) When a motor vehicle and one (1) or more trailers, except as noted in subsection (3) (b), (3) (d) and (3) (e) of this section 75 feet.

(d) When a combination of semitrailer and trailer, or of two (2) semitrailers the length in such combination, including the connecting tongue and excluding the truck tractor except as noted in this subsection 61 feet.

When the combination of semitrailer and trailer or of two (2) semitrailers including the connecting tongues exceeds sixty-one (61) feet, the length of such combination including the truck tractor 75 feet.

(e) When a combination of a semitrailer and trailer, or of two (2) semitrailers operating on routes on the national network as set forth in 23 CFR 658 and on routes providing access between the national network and terminals and facilities for food, fuel, repairs and rest which are lo-

- cated within one (1) road mile of the national network, the length, including the connecting tongue and excluding the truck tractor, shall not exceed 68 feet.
- (f) When a dromedary tractor with semitrailer, stinger-steered by having the kingpin located five (5) feet to the rear of the centroid of the rear axle(s) 75 feet.
- (g) When a dromedary combination transporting class 1 explosive materials and/or any munitions-related security material as specified by the U.S. department of defense in compliance with 49 CFR 177.835, not meeting the stinger-steer requirement as defined in subsection (3) (f) of this section, up to 75 feet.
- (h) When a dromedary tractor with semitrailer, not meeting the stinger-steer requirement as defined in paragraph (f) of this subsection 65 feet.
- (i) When a boat transporter, stinger-steered as defined in subsection (3) (f) of this section, excluding front and rear overhang of load 75 feet.
- (j) When an auto transporter, stinger-steered as defined in subsection (3) (f) of this section, excluding front and rear overhang of load 80 feet.
- (k) When an auto transporter or boat transporter, not meeting the stinger-steer requirement as defined in paragraph (f) of this subsection, excluding front and rear overhang of load 65 feet.
- (l) When a truck tractor with stinger-steered pole trailer or log dolly, connected by a reach or pole, or a combination used for transporting long loads such as poles, pipes, logs or structural members generally capable of sustaining themselves as beams between supporting bunks or connections 75 feet.
- (4) The overhang or extension of a load shall not extend:
- (a) Beyond the front of a vehicle, more than 4 feet.
- (b) Beyond the end of a vehicle, more than 10 feet.
- (c) Beyond the left fender of a passenger vehicle, more than ... 0 feet.
- (d) Beyond the right fender of a passenger vehicle, more than 6 inches.
- (e) To the front of a boat transporter, more than 3 feet.
- (f) To the rear of a boat transporter, more than 4 feet.
- (g) To the front of an auto transporter, more than 4 feet.
- (h) To the rear of an auto transporter, more than 6 feet.
- (5) Noncargo-carrying devices necessary for the safe and efficient operation of the vehicle, as determined by the board, shall not be included in measurement for length.
- (6) No combination shall include more than three (3) units except when a saddlemount combination and the overall length allowed is:
- (a) On the national network 97 feet.
- (b) Other than the national network 75 feet.
- (7) Vehicle combinations consisting of not more than four (4) vehicle units with an overall length in excess of the limits of subsection (3) of this section and with an overall combination length not to exceed one hundred fifteen (115) feet, may be operated by permit on routes designated for such operations by the public highway agency having jurisdiction over that highway system, subject to the following restrictions as to lengths of cargo-carrying units:
- (a) Truck tractor and two (2) trailing units 95 feet.

- (b) Truck tractor and three (3) trailing units 95 feet.
 (c) Truck and two (2) trailing units 98 feet.

[49-1010, added 1988, ch. 265, sec. 281, p. 721; am. 1989, ch. 310, sec. 24, p. 797; am. 1989, ch. 408, sec. 3, p. 999; am. 1992, ch. 230, sec. 1, p. 687; am. 1992, ch. 231, sec. 1, p. 689; am. 1992, ch. 232, sec. 3, p. 695; am. 1993, ch. 123, sec. 1, p. 313; am. 1993, ch. 334, sec. 4, p. 1242; am. 1995, ch. 72, sec. 2, p. 190; am. 2000, ch. 101, sec. 2, p. 223; am. 2000, ch. 253, sec. 1, p. 718; am. 2003, ch. 52, sec. 1, p. 191; am. 2003, ch. 239, sec. 1, p. 617; am. 2005, ch. 85, sec. 1, p. 301; am. 2007, ch. 20, sec. 2, p. 31; am. 2011, ch. 328, sec. 1, p. 962; am. 2016, ch. 58, sec. 1, p. 179; am. 2017, ch. 111, sec. 2, p. 261; am. 2019, ch. 94, sec. 2, p. 339.]

49-1011. EXCEPTION TO WEIGHT AND SIZE LIMITATIONS. (1) If federal law permits the several states to establish size and weight limits in excess of those prescribed in sections [49-1001](#) and [49-1010](#), Idaho Code, the board, as provided in subsection (2) of this section, may authorize the movement on highways under its jurisdiction of vehicles, motor vehicles, trailers and/or semitrailers, or combinations thereof, of a size or weight in excess of the limits prescribed in sections [49-1001](#) and [49-1010](#), Idaho Code, but within the limits necessary to qualify for federal-aid highway funds.

(2) The authority granted the board by the provisions of this section shall be exercised by adoption of rules or regulations pursuant to section [40-312](#), Idaho Code, or by issuance of permits pursuant to section [49-1004](#), Idaho Code, except that the maximum size and weight limits authorized in this section apply.

(3) The following vehicles may be operated on any highway that is not part of the federal-aid interstate system, up to two thousand (2,000) pounds in excess of any axle, bridge or gross vehicle weight limit established in section [49-1001](#), Idaho Code, as determined by the vehicle operator:

- (a) Farm vehicles;
- (b) Vehicles that are operated to transport forest products; and
- (c) Refuse or sanitation trucks that are operated by a city, county or state agency, or by a designated agent of the agency, to transport refuse.

Such extra weight shall not apply to posted bridge weights or other seasonal or temporary weight limit postings.

[49-1011, added 1988, ch. 265, sec. 282, p. 723; am. 2013, ch. 350, sec. 1, p. 951; am. 2015, ch. 208, sec. 10, p. 655.]

49-1012. TEMPORARY MOVEMENT OF HARVESTING MACHINERY AFTER DARKNESS. Notwithstanding any other provision of law, harvesting machinery may be moved during hours of darkness when that machinery is equipped, in addition to those requirements set forth in [chapter 9, title 49](#), Idaho Code, with a flashing amber-colored light at least four (4) inches in diameter clearly visible from in front of the machinery, a flashing red-colored light at least four (4) inches in diameter clearly visible from the back of the machinery, and the machinery is preceded by a well-lighted pilot vehicle or flagman at least three hundred (300) feet in advance of the vehicle to give warning of the approach of the equipment and followed by a well-lighted pilot vehicle or flagman at least three hundred (300) feet behind the vehicle to give warning of the presence of the equipment on the highway.

[49-1012, added 1988, ch. 265, sec. 283, p. 723.]

49-1013. PENALTIES FOR VIOLATIONS. (1) It shall be unlawful and constitute a misdemeanor for any person to violate any of the provisions of this chapter, except that violations of law as specified in paragraphs (a), (b) and (c) of subsection (3) of this section shall constitute an infraction.

(2) Persons convicted of violations of the provisions of sections [49-434A](#), [49-1003](#) and [49-1006](#) through [49-1012](#), Idaho Code, shall be subject to punishment by a fine of not to exceed three hundred dollars (\$300) or by imprisonment in the county jail for not more than thirty (30) days or by a combination of such fine and imprisonment.

(3) Persons convicted of violations of the provisions of sections [49-438](#), [49-1001](#), [49-1002](#), [49-1004](#) and [49-1005](#), Idaho Code, shall be subject to a penalty as prescribed herein:

(a) One (1) pound through one thousand (1,000) pounds overweight shall be five dollars (\$5.00) and shall constitute an infraction.

(b) One thousand one (1,001) pounds through two thousand (2,000) pounds overweight shall be fifteen dollars (\$15.00) and shall constitute an infraction.

(c) Two thousand one (2,001) pounds through four thousand (4,000) pounds overweight shall be twenty-five dollars (\$25.00) and shall constitute an infraction.

(d) Four thousand one (4,001) pounds through fifteen thousand (15,000) pounds overweight shall be twenty-five dollars (\$25.00) plus \$.1341 per pound for each additional pound over four thousand (4,000) pounds overweight.

(e) Fifteen thousand one (15,001) pounds through twenty thousand (20,000) pounds overweight shall be one thousand five hundred dollars (\$1,500) plus twenty cents (\$.20) per pound for each additional pound over fifteen thousand (15,000) pounds overweight.

(f) Twenty thousand one (20,001) pounds and greater shall be two thousand five hundred dollars (\$2,500) plus thirty cents (\$.30) per pound for each additional pound over twenty thousand (20,000) pounds overweight.

(g) In addition to the penalties specified in this subsection, one hundred fifty dollars (\$150) for failure to deploy a variable load suspension axle which results in adjacent axles exceeding allowable weight by two thousand one (2,001) pounds or more.

(4) Persons convicted of an infraction or misdemeanor for violating two (2) or more of the provisions of section [49-1001](#), [49-1002](#) or [49-1004](#), Idaho Code, at any one (1) time shall be assessed the full amount of the penalty for the primary violation. In addition to the assessment of the penalty for the primary violation, the person convicted of an infraction or misdemeanor shall be assessed a penalty of ten dollars (\$10.00) for each additional misdemeanor conviction or five dollars (\$5.00) for each additional infraction for violations of section [49-1001](#), [49-1002](#) or [49-1004](#), Idaho Code, committed at the same time.

(5) All moneys collected as a result of the penalties prescribed in subsections (3) and (4) of this section, shall be deposited into the highway distribution account.

[49-1013, added 1988, ch. 265, sec. 284, p. 724; am. 1991, ch. 226, sec. 3, p. 544; am. 1995, ch. 122, sec. 4, p. 538; am. 1997, ch. 135, sec.

1, p. 403; am. 1998, ch. 266, sec. 1, p. 877; am. 2000, ch. 101, sec. 3, p. 225; am. 2005, ch. 182, sec. 2, p. 557.]

49-1014. INDEMNITY AGREEMENT IN MOTOR CARRIER TRANSPORTATION CONTRACTS VOID. As used in this section:

(1) "Motor carrier transportation contract" means a contract, agreement or understanding covering:

(a) The transportation of property for compensation or hire by the motor carrier;

(b) Entrance on property by the motor carrier for the purpose of loading, unloading or transporting property for compensation or hire; or

(c) A service incidental to activity described in this subsection including, but not limited to, storage of property.

(2) "Promisee" means the promisee and any agents, employees, servants or independent contractors who are directly responsible to the promisee except for motor carriers party to a motor carrier transportation contract with the promisee and such motor carrier's agents, employees, servants or independent contractors directly responsible to such motor carrier.

(3) Notwithstanding any other provision of law to the contrary, a provision, clause, covenant or agreement contained in, collateral to or affecting a motor carrier transportation contract that purports to indemnify, defend or hold harmless, or has the effect of indemnifying, defending or holding harmless, the promisee from or against any liability for loss or damage resulting from the negligence or intentional acts or omissions of the promisee is against the public policy of this state and is void and unenforceable.

[49-1014, added 2013, ch. 84, sec. 1, p. 206.]

CHAPTER 11
CARAVANING OF MOTOR VEHICLES -- [REPEALED]