

CHAPTER 7455
DEPARTMENT OF PUBLIC SAFETY
PILOT VEHICLE ESCORT FOR OVERDIMENSIONAL
LOAD

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7455.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Certified licensed peace officer.** "Certified licensed peace officer" means a law enforcement officer licensed under Minnesota Statutes, sections 626.84 to 626.863, who holds a certificate under Minnesota Statutes, section 299D.085, and may operate an authorized emergency vehicle and direct and control traffic and require traffic to yield to an overdimensional load.

Subp. 3. **Certified pilot/escort driver (CPED).** "Certified pilot/escort driver (CPED)" means an individual who holds a certificate under Minnesota Statutes, section 299D.085, authorized to control and direct traffic as a flagger during the movement of an overdimensional load following the Manual on Uniform Traffic Control Devices (MUTCD) standards as defined by the Federal Highway Administration (FHWA) and Minnesota Statutes, section 169.06, subdivision 4.

Subp. 4. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Public Safety.

Subp. 5. **Department.** "Department" means the Minnesota Department of Public Safety.

Subp. 6. **Flagger.** "Flagger" means a person who actively controls the flow of vehicular traffic into, through, or into and through a temporary traffic control zone using hand-signaling devices or an automated flagger assistance device (AFAD).

Subp. 7. **Minnesota Department of Transportation's Minnesota Flagging Handbook.** "Minnesota Department of Transportation's Minnesota Flagging Handbook" means the Minnesota Department of Transportation's Minnesota Flagging Handbook which is part of the Minnesota Manual on Uniform Traffic Control Devices, authored and published by the Minnesota Department of Transportation, February 2011, and is incorporated by reference. This handbook is reviewed and updated every four years or when a change is made to the Federal Manual on Uniform Traffic Control Devices, or changes in statutes and is available to the public for viewing and free downloading at <http://www.dot.state.mn.us/traff-ceng/publ/mutcd/index.html>.

Subp. 8. **MUTCD.** "MUTCD" means the Manual on Uniform Traffic Control Devices, authored and published by the Federal Highway Administration, December 2009, and is incorporated by reference. This MUTCD is updated approximately every five to six years and is available to the public for viewing and free downloading at http://mutcd.fhwa.dot.gov/kno_2009r1r2.htm.

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Subp. 9. **Overdimensional load.** "Overdimensional load" has the meaning given in Minnesota Statutes, section 299D.085, subdivision 1.

Subp. 10. **Pilot/Escort Training Manual - Best Practices Guidelines.** "Pilot/Escort Training Manual - Best Practices Guidelines" means the Pilot/Escort Training Manual - Best Practices Guidelines as endorsed by the Specialized Carriers and Rigging Association (SC&RA), Federal Highway Administration (FHWA), in cooperation with the Commercial Vehicle Safety Alliance (CVSA), authored and published cooperatively by the SC&RA, FHWA, and CVSA, October 2004, and is incorporated by reference. This manual is subject to change and is available to the public for viewing and free downloading at http://www.ops.fhwa.dot.gov/freight/documents/pilotcar_bpguideline/index.htm.

Subp. 11. **Section.** "Section" means the Commercial Vehicle Enforcement Section of the Minnesota State Patrol.

Subp. 12. **Tillerman/steerman.** "Tillerman/steerman" means a person that has the designated responsibility and duty of controlling the steering of the rear axles of a commercial vehicle using a wired or wireless remote control device while the commercial vehicle is operating on any public highway.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.0200 OVERDIMENSIONAL LOAD ESCORT REQUIREMENT.

When escort services are required by law in the movement of an overdimensional load, the services may only be provided by:

- A. a certified licensed peace officer; or
- B. a certified pilot/escort driver.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.0300 PILOT/ESCORT DRIVER CERTIFICATION PROCESS.

Subpart 1. **Certification course.**

A. Drivers domiciled in Minnesota shall complete a pilot/escort certification course accepted, approved, or authorized by the department. Upon a driver's successful completion of a training program authorized by the commissioner, the training program must issue the driver proof of course completion. The commissioner shall issue a certification card to drivers who demonstrate that they are at least 18 years of age, possess a valid operator's license for the type of vehicle being operated, have successfully completed a training program authorized by the commissioner, and meet all additional requirements in this chapter. The cost of the initial certification course shall be set at \$180. The cost of one additional four-year certification shall be set at \$90.

B. The Department of Public Safety partnering with Minnesota State Colleges and Universities (MnSCU) shall develop training curriculum and utilize experienced instructors within the department and MnSCU to provide the training through MnSCU facilities.

C. The civilian course curriculum shall include, at a minimum, the following:

- (1) driver requirements;
- (2) vehicle requirements;
- (3) permitting and reading an overdimensional load permit;
- (4) pilot/escort vehicle positioning and maneuvering;
- (5) authority while escorting, flagging and traffic control;
- (6) insurance;
- (7) pretrip planning and meeting;
- (8) communication;

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- (9) height pole usage;
- (10) liability issues;
- (11) ground clearance;
- (12) route surveys and how to conduct them;
- (13) hours of service; and
- (14) railroad grade crossing safety.

D. The law enforcement course curriculum shall include, at a minimum, the following:

- (1) permit review;
- (2) hours of service;
- (3) route planning;
- (4) pretrip meeting;
- (5) vehicle positioning and maneuvering;
- (6) hand traffic direction;
- (7) following distances;
- (8) right-of-way rules;
- (9) traffic signals and signs;
- (10) duties - front and rear;
- (11) authority while escorting; and
- (12) crash incident management.

Subp. 2. **Certification period.** Initial certification is valid for four years from the date of issue. One additional four-year certification may be obtained through a mail-in or online recertification process provided by a Minnesota-authorized training program. Pilot/escort drivers must attend a full certification course every eight years.

Subp. 3. **Certification reciprocity.** Pilot/escort drivers domiciled outside of Minnesota may operate as a certified pilot/escort driver with another state's certification credential, provided the course meets the minimum requirements outlined in the Pilot/Escort Training Manual - Best Practices Guidelines as endorsed by the Specialized Carriers and Rigging Association, Federal Highway Administration, in cooperation with the Commercial Vehicle Safety Alliance, which is incorporated by reference.

The department shall enter into a reciprocal agreement with any other state if that state demonstrates that its course meets the minimum requirements outlined in the Pilot/Escort Training Manual - Best Practices Guidelines referenced in this subpart and complies with the requirements in this chapter.

Subp. 4. **Driver's license requirements.** Pilot/escort drivers shall provide a certified and current (within 30 days) driver's license record to the Minnesota-authorized training program at the time of the course.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.0400 SUSPENSION, REVOCATION, AND DENIAL OF CERTIFICATION.

Conviction of one of the following traffic violations during the movement of an overdimensional load within the past four years shall constitute grounds for denial of certification or disciplinary action against a certification: driving under the influence of alcohol or controlled substances, reckless driving, careless driving, excessive speeding (15 miles per hour or more above the posted speed limit), driving left of roadway center, failing to obey a traffic control device, or a driving violation that resulted in bodily injury.

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The certification shall be suspended for up to one year following the first conviction, depending upon the seriousness of the underlying conduct. Subsequent convictions shall constitute grounds for revocation of certification.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.0500 APPEALS PROCESS.

When a driver's certification is denied, suspended, or revoked, the department shall notify the individual of the right to appeal the department's determination under the procedures of the Administrative Procedure Act, Minnesota Statutes, chapter 14. The notice of appeal shall be in writing and shall be filed with the section commander, Minnesota State Patrol Commercial Vehicle Section, 1110 Centre Pointe Curve, Suite 410, Mendota Heights, Minnesota, 55120, within 30 days of the individual's receipt of the department's determination. The section commander shall thereafter initiate a contested case proceeding following the procedures of the Administrative Procedure Act, Minnesota Statutes, chapter 14.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.0600 DRIVER REQUIREMENTS.

Certified pilot/escort drivers and certified licensed peace officers operating a pilot or escort vehicle must meet the following requirements:

- A. be a minimum of 18 years of age;
- B. possess a valid operator's license for the type of vehicle being operated;
- C. have the issued certification card in the driver's possession at all times while in pilot/escort operations;
- D. when operating a vehicle in excess of 10,000 pounds gross vehicle weight or gross vehicle weight rating, comply with the regulations of the Federal Motor Carrier Safety Administration (FMCSA) in Code of Federal Regulations, title 49, parts 382, 383, 390, 391, 392, 393, 394, 395, 396, and 397; and
- E. if operating as a front or rear pilot car driver, shall not perform as a tillerman/steerman for the load being escorted. A tillerman/steerman shall not be in the pilot/escort vehicle when a steering activity is being performed.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.0700 VEHICLE REQUIREMENTS.

- A. Vehicles must be in sound and safe operating condition.
- B. Vehicles must be properly licensed and registered based on state of registration.
- C. Vehicles must be a passenger automobile, light duty van, or a two-axle pickup or a two-axle single unit truck.
- D. The minimum wheel base of the vehicle must be 100 inches.
- E. Vehicles must not carry loads of cargo that reduce the visibility of the driver of the vehicle.
- F. Trailers must not be towed during the movement of the overdimensional load unless:

(1) the party involved is a building mover licensed by the commissioner of transportation under Minnesota Statutes, section 221.81; and

(2) the building being moved is not a temporary structure or manufactured housing.

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G. A vehicle must not contain a passenger under 16 years of age during the movement of the overdimensional load.

H. A vehicle must contain a two-way simplex communication device with a transmission and receiving range of a minimum of one-half mile. This communication device must be compatible with accompanying pilot/escort vehicles, overdimensional load drivers, law enforcement officers if involved, and utility company vehicles if involved.

I. Vehicles must have identification showing a company name, a federal Department of Transportation (USDOT) identification, or a city, state, and contact number, which must be legible from a distance of 50 feet.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.0800 PILOT/ESCORT VEHICLE SIGNING REQUIREMENTS.

Sign requirements on pilot/escort vehicles are as follows:

A. A pilot/escort vehicle must display an "OVERSIZE LOAD" sign mounted on the top of the vehicle. This sign must be displayed so that it is visible to both overtaking and oncoming traffic at all times during the pilot/escort operation. The sign must be clearly readable and legible at all times of operation. Bumper-mounted signs only are prohibited on the pilot/escort vehicle.

B. The sign must be a rigid mount and (1) be a minimum of five feet in width, (2) have ten inches of vertical visible surface space, and (3) display black letters that are eight inches in height and have a one-inch brush stroke on a solid yellow surface. Solid is defined as when being viewed from the front or rear at a 90-degree angle to the sign, no light can transmit through the solid surface.

C. Red/orange 18-inch flags must be mounted in line with the "Oversize Load" sign and mounted at approximately a 45-degree angle toward the sides of the pilot/escort vehicle.

D. Signs and flags must be removed or covered when pilot/escorts are not providing services.

E. If a route survey is being performed by the pilot/escort, the "Oversize Load" sign must be removed or covered. Route surveys may not be performed while escorting an overdimensional load.

F. A sign, light, or flag may not extend more than six inches beyond the widest part of the body of the pilot/escort vehicle.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.0900 PILOT/ESCORT VEHICLE LIGHTING REQUIREMENTS.

A. The pilot/escort vehicle, in addition to any other equipment required by the traffic laws, must be equipped with at least one flashing yellow or amber light. These lights must be mounted on the top of the pilot/escort vehicle and visible for 360 degrees for all traffic. Two types of approved lighting are described as follows:

(1) Two AAMVA/SAE/USDOT-approved yellow or amber, flashing or oscillating, strobe lights must be used with one mounted on each side of the top-mounted sign. These lights must be visible for 360 degrees, illuminated at all times during operation, and visible from a minimum distance of 500 feet under normal atmospheric conditions.

(2) An AAMVA/SAE/USDOT-approved yellow or amber, flashing or oscillating, strobe beacon light bar must be used, mounted on top of the pilot/escort vehicle. The light bar must have a minimum of two lights within the housing of the light bar. The light bar must be unobstructed and visible for 360 degrees.

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"AAMVA/SAE/USDOT" refers to the American Association of Motor Vehicle Administrators, the Society of Automotive Engineers, and the United States Department of Transportation.

B. Incandescent, strobe, or diode (LED) lights may be used if they meet the criteria in item A.

C. A light is defined as a single housing.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.1000 VEHICLE SAFETY EQUIPMENT REQUIREMENTS.

Vehicles used in escort operations must be equipped with the following safety items:

A. for vehicles operated by certified pilot/escort drivers (CPED):

(1) a minimum of one 18-to-24-inch STOP/SLOW paddle. This sign must be reflectorized for nighttime flagging operations. A 24-inch orange/red flag on a 36-inch staff may be used in an emergency flagging operation only;

(2) a class 2 safety vest approved by the American National Standards Institute for use during any time the pilot/escort driver is outside the pilot/escort vehicle on any roadway as per current MUTCD standards;

(3) one flashlight with a lens width of 1.5 inches with extra batteries or charger. Emergency self-charging flashlights do not meet this requirement;

(4) one six-inch-long orange/red cone to fit the flashlight. Traffic wands are an acceptable alternative to the orange/red cone;

(5) nine reflective triangles or reflectorized 18-inch orange traffic cones with a single reflective band of six inches in height;

(6) eight fuses, flares, red glow sticks, or USDOT-approved alternative red-light-producing devices;

(7) three standard 18-inch orange traffic cones;

(8) one yellow, vinyl, or mesh "OVERSIZE LOAD" sign, seven feet wide by 18 inches tall with the letter a minimum height of ten inches with a 1.41-inch brush stroke;

(9) first aid kit clearly marked and labeled;

(10) a height pole, if required as a condition of the overdimensional load permit, which must be nonconductive, nondestructive, flexible, and readily breakable and installed and in use by the front pilot car at all times when an overdimensional load exceeds 15 feet six inches in height;

(11) one five-pound capacity serviceable fire extinguisher with an ABC rating; and

(12) one handheld simplex two-way compatible communication device with a minimum transmission and receiving range of one-half mile. This device must be used in a flagging situation where the pilot/escort driver is outside the pilot/escort vehicle; and

B. for vehicles operated by certified licensed peace officers:

(1) a class 2 safety vest approved by the American National Standards Institute for use during any time the peace officer is outside the squad car on any roadway;

(2) one flashlight with a lens width of 1.5 inches with extra batteries or charger. Emergency self-charging flashlights do not meet this requirement;

(3) one six-inch long orange/red cone to fit the flashlight. Traffic wands are an acceptable alternative to the orange/red cone;

(4) eight fuses, flares, red glow sticks, or USDOT-approved alternative red-light producing devices;

(5) first aid kit clearly marked and labeled;

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(6) one five-pound capacity serviceable fire extinguisher with an ABC rating;
and

(7) one handheld simplex two-way compatible communication device with a minimum transmission and receiving range of one-half mile. This device must be provided by the carrier or pilot/escort company prior to the movement of the overdimensional load.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.1100 INSURANCE REQUIREMENTS.

Subpart 1. Coverage for bodily injury and property damage. A driver must possess a current certificate of insurance or endorsement that indicates that the driver, or the driver's employer, has in full force and effect insurance coverage for bodily injury and property damage resulting from the operation of the pilot/escort vehicle, an act or omission by the operator of the pilot/escort vehicle, or both. The insurance or endorsement must be no less than \$1,000,000 combined single limit or \$1,000,000 per occurrence of commercial liability coverage, as applicable, and must be maintained at all times during the term of the certification. The insurance certificate must indicate on the face of the document that the policy is for the operation of pilot/escort vehicles and for pilot/escort duties and responsibilities as required by this chapter.

Subp. 2. Liability coverage. Pilot/escort vehicles must have a minimum amount of \$1,000,000 liability insurance. This is not a cumulative amount.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.1200 CERTIFIED DRIVER DUTIES.

A. A vehicle used in escort operations by certified licensed peace officers and certified pilot/escort drivers is prohibited from escorting more than one overdimensional vehicle or load at the same time, unless expressly authorized by the commissioner.

B. When vehicles used in escort operations are in front of the overdimensional vehicle or load being escorted, the operator shall:

(1) warn oncoming traffic of the presence of the vehicle or load by use of lights and signs as provided within this chapter;

(2) notify the driver of the overdimensional vehicle or load by two-way radio of all hazards; overhead clearances; obstructions; traffic congestion; pedestrians; and any other circumstances evident to the operator that could affect either the safe movement of the overdimensional vehicle or load, the safety of the traveling public, or the efficient movement of traffic in sufficient time for the driver of the overdimensional vehicle or load to take remedial action, as necessary;

(3) to the extent necessary, locate safe places, if available, adjacent to the highway and notify the driver of the overdimensional vehicle or load thereof to allow the overdimensional vehicle or load and the pilot/escort vehicles to clear the highway, so that following traffic can safely pass or for any other reason necessary to protect public safety and the efficient movement of traffic; and

(4) be far enough in front of the overdimensional vehicle or load to signal oncoming motorists to stop in a timely manner, before the motorists enter any narrow structures or other restrictions on the highway to permit the safe passage of the vehicle or load.

C. When vehicles used in escort operations are behind the overdimensional vehicle or load, the pilot/escort driver shall:

(1) warn traffic approaching from the rear of the presence of the overdimensional vehicle or load ahead, by use of lights and signs as provided within this chapter;

(2) notify the driver of the overdimensional vehicle or load by two-way radio of flat tires or other problems with the overdimensional vehicle or load; objects coming

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loose from the overdimensional vehicle or load; other traffic approaching or passing the overdimensional vehicle or load; and any other circumstances evident to the operator that could affect either the safe movement of the overdimensional vehicle or load, the safety of the traveling public, or the efficient movement of traffic in sufficient time for the driver of the overdimensional vehicle or load to take remedial action, as necessary;

(3) notify the front pilot/escort driver and the driver of the overdimensional vehicle or load by two-way radio of traffic buildup and other delays to the normal flow and efficient movement of traffic caused by the movement of the overdimensional vehicle or load;

(4) notify the driver of the vehicle or load by two-way radio of other vehicles attempting to pass the overdimensional vehicle or load; and

(5) ensure the pilot/escort vehicle is far enough behind the overdimensional vehicle or load to signal motorists following the overdimensional vehicle or load to slow or stop in a timely manner, before narrow structures or other restrictions on the highway, to permit the safe passage of the overdimensional vehicle or load.

D. Traffic lights procedure.

(1) If the front pilot/escort vehicle goes through a traffic light but the overdimensional vehicle or load does not, then the driver of the front pilot/escort vehicle shall pull the vehicle over to the right side of the highway, where practicable, to wait for the overdimensional vehicle or load.

(2) If the overdimensional vehicle or load goes through the traffic light but the rear pilot/escort vehicle does not, then the overdimensional vehicle or load must reduce speed until the pilot/escort resumes position behind the load.

(3) Pilot/escort drivers are responsible for all requirements utilizing pilot escorts as directed in this chapter.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.1300 PRETRIP COORDINATION MEETING.

Subpart 1. **Meeting requirements generally.** A pretrip planning and coordination meeting must be conducted as follows:

A. The meeting must be held before load movement. The meeting may be held at the roadside when the required parties come together to organize the trip.

B. The required parties include the drivers carrying or pulling the oversize loads, the pilot escort vehicle drivers, law enforcement officers (if assigned), department personnel (if involved), and public utilities company representatives (if involved).

C. This meeting must include discussion and coordination on the conduct of the move.

D. The permittee or a designated representative shall conduct the meeting.

Subp. 2. **Meeting requirements for drivers.** In addition, the operator of the overdimensional vehicle or load and the pilot/escort driver shall comply with the following procedures:

A. Pilot/escort drivers shall ensure that all copies of permit and routing documentation are distributed to all appropriate individuals involved with the permitted load movement.

B. The meeting must also:

(1) coordinate the communication and signals to be used; and

(2) verify or measure the load dimensions, with permitted dimensions verified jointly by the operator of the overdimensional vehicle or load and the pilot/escort driver.

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C. The pilot/escort driver shall provide proof of a valid pilot/escort driver certification and proof of insurance.

D. Drivers and operators shall also:

(1) discuss aspects of the move, including the overdimensional vehicle or load, the route, and specific responsibilities;

(2) review the permit conditions and distribute copies of the oversize/overweight permit to each pilot/escort driver;

(3) review the permitted route with any specified highway restrictions;

(4) determine the proper position of the pilot/escort vehicles;

(5) check mandatory equipment;

(6) mount signs, adjust mirrors, and turn on lights; and

(7) check each two-way radio to ensure clear communication on a selected channel.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*

7455.1400 PILOT/ESCORT FLAGGING REQUIREMENTS.

During the movement of an overdimensional load, the pilot/escort driver, in the performance of the flagging duties required by this chapter, may control and direct traffic to stop, slow, or proceed in any situation when deemed necessary to protect the motoring public from the hazards associated with the movement of the overdimensional load. The pilot/escort driver, acting as a flagger, may aid the overdimensional load in the safe movement along the highway designated on the overdimensional load permit and shall:

A. assume the proper flagger position outside the pilot/escort vehicle and, as a minimum standard, have in use the necessary safety equipment as defined in section 6E.1 of the MUTCD;

B. use "STOP" or "SLOW" paddles or a 24-inch red/orange square flag to indicate emergency situations, and other equipment as described in section 6E.1 of the MUTCD; and

C. comply with the flagging procedures and requirements in the MUTCD and the Minnesota Department of Transportation's Minnesota Flagging Handbook.

Statutory Authority: *MS s 299D.085*

History: *37 SR 992*