

Kansas Pilot Escort Information

Information is available at www.k-trips.com

In Effect as of January 1, 2020

Definitions 36-45-1:

Each of the following terms, as used in this article of the department's regulations, shall have the meaning specified in this regulation:

- (a) "Department" and "KDOT" mean the Kansas department of transportation.
- (b) "Escort vehicle" and "EV" mean a vehicle authorized to escort a load and meeting the requirements of K.A.R. 36-45-5.
- (c) "Escort vehicle operator" and "EVO" mean a person driving an escort vehicle that is escorting a load and who meets the requirements of K.A.R. 36-45-4.
- (d) "Escort vehicle service provider" and "EVSP" mean a person, firm, owner, or company that operates an escort vehicle service and meets the requirements of K.A.R. 36-45-2.
- (e) "Height-measuring pole" and "height pole" mean a retractable and flexible device made of nonconductive material that measures vertical clearance
- (f) "Large structure" means any load that exceeds either 16 feet, six inches in width or 18 feet in height.
- (g) "Law enforcement agency" means the Kansas highway patrol (KHP) or any local law enforcement agency of this state.
- (h) "Load" means any vehicle exceeding the maximum sizes and weights as delivered in K.S.A. 8-1902, 8-1904 et seq.
- (i) "MUTCD" means the most recent KDOT-adopted edition of the manual on uniform traffic-control devices for streets and highways issued by the federal highway administration. 36-45-1 p. 2
- (j) "Permit" means a document issued by the secretary or secretary's designee that grants the movement of a vehicle is delivered on 8-126 (rr) to move a vehicle or load that is oversize, overweight, or both, over the highways that are under the jurisdiction of the secretary.
- (k) "Permitted route" means a route over the highways that are under the jurisdiction of the secretary and that has been approved by the department.
- (l) "Secretary" means the Kansas secretary of transportation or the secretary's designee.
- (m) "Superload" means either of the following:
 - (1) A vehicle transporting a nondivisible load that exceeds 150,000 pounds gross weight; or
 - (2) A vehicle transporting a nondivisible load in which any group or groups of axles exceed the limitations in K.A.R. 36-1-37.
- (n) "Traffic-control operation" means the temporary suspension of normal traffic activity at locations of limited maneuverability including any bridge or intersection, for the purpose of allowing the load to safely traverse the area in accordance with the MUTCD.

Registration Requirements 36-45-2:

Each EVSP ("Escort vehicle service provider" and "EVSP" mean a person, firm, owner, or company that operates an escort vehicle service and meets the requirements of K.A.R. 36-45-2.) shall register each year with the secretary. Each registration shall meet the requirements of this regulation.

- (a) Each registration shall state the following:
 - (1) The name and address of the EVSP;
 - (2) the name and address of the registered agent for the EVSP;
 - (3) the vehicle identification number (VIN) of each EV operated in Kansas; and
 - (4) the license plate number of each EV operated in Kansas.

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(b) Each EVSP registration shall certify the following under penalty of perjury and revocation of the registration:

(1) That each EV operated in this state maintains the required insurance specified in K.A.R. 36-45-3;

(2) that the vehicle registration of each EV operated in Kansas is current and valid in a state or territory of the United States;

(3) that each EVO possesses a current and valid driver's license issued by the state or jurisdiction in which the EVO resides and, when operating as an EVO, the EVO is operating within any restrictions on the driver's license;

(4) that each EVO has successfully completed an escort vehicle training course approved by the secretary;

(5) that each EVO has a driving history without any conviction of driving while impaired, reckless driving, or both within the previous 36 months; and 36-45-2 p. 2

(6) that each EVO is authorized to operate an EV for the EVSP.

Insurance 36-45-3:

(a) Each EVSP shall have in effect all motor vehicle liability insurance coverage required for each EV traveling pursuant to any EVSP registration approved under this article of the department's regulations on the date of EVSP registration. As a prerequisite for EVSP registration, each EVSP shall maintain the minimum required insurance, self-insurance, or other financial security required by K.S.A. 40-3104, and amendments thereto, to cover any damage that could occur to any person or property, including highways and highway features, during movement of the load. Each insuring company shall be authorized to conduct business in Kansas.

(b) Each EVSP shall maintain the required insurance coverage for the duration of the EVSP registration and shall furnish proof of insurance upon demand by the department or any law enforcement agency.

(c) Failure to maintain the required insurance coverage throughout the duration of the EVSP registration shall result in revocation of the EVSP registration.

Escort Vehicle Operator Requirements 36-45-4:

Each EVO shall meet the following requirements before operating an EV in Kansas:

(a) Have a driving history without any conviction of driving while impaired, reckless driving, or both within 36 months before operating an EV;

(b) successfully complete an escort vehicle training course approved by the secretary; **NOTE: The current list of approved training courses are: CO, UT, FL, MN, OK, WA, NC**

UT and CO Training Schedule: <http://uspilotcar.com/index.php/86-2/>

(c) be at least of 18 years of age; and

(d) possess a current and valid driver's license issued by the state or jurisdiction in which the EVO resides.

Escort Vehicle 36-45-5:

Each EV operated in Kansas shall meet the following requirements:

(a) Meet all statutory requirements to operate legally on the highways and streets;

(b) have at least of two axles;

(c) be in safe operating condition;

(d) not exceed a gross vehicle weight rating of 16,000 pounds;

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(e) have a clearly visible and valid license plate attached to the rear of the EV at least 12 inches from the ground;

(f) have an unobstructed outside rear-view mirror on each side of the EV;

(g) be currently and validly registered in the state in which the EV is registered;

(h) have left and right signal lamps in the front and rear of the EV that are in operable condition;

(i) be equipped with a horn that is in operable condition and capable of emitting sound audible under normal conditions from a distance of at least 200 feet;

(j) be at least 60 inches wide and not exceed 102 inches wide;

(k) have full 360° visibility from the driver's side within the vehicle; and

(l) have a sign on the driver's side and the passenger's side of the EV displaying the name of the EVSP during movement of the load. The name of the EVSP shall visibly contrast with the background of the sign so that the name of the EVSP is easily visible.

Equipment 36-45-6:

Each EV operating in Kansas shall carry, at a minimum, the following equipment meeting the requirements specified in this regulation:

(a) Communication equipment. One two-way communication device capable of transmitting and receiving signals for at least ½ mile and compatible with the device used by the mover of the load and the device used by each EVO during movement of the load;

(b) emergency equipment. One spare tire appropriate for the EV, one vehicle jack appropriate for the EV, one lug wrench, eight bidirectional reflective triangles, eight red-light emitting flares, three 18-inch cones that are orange in color, and one fire extinguisher having an Underwriters' Laboratories rating of 5 B:C or more;

(c) handheld warning flags. Two handheld flags red or orange in color and a minimum of 24 inches square;

(d) height-measuring pole. If the height of the permitted load exceeds 16 feet when measured from the surface of the roadway, one accurate height pole that measures the height of the load plus three inches;

(e) paddle signs. At least one standard "Stop" paddle sign and one standard "Slow" paddle sign. Each paddle sign shall be a minimum of 18-inches wide with letters at least six inches high and meet the requirements of the MUTCD;

(f) personal safety equipment. One high-visibility fluorescent orange or yellow-green hard hat and one high-visibility fluorescent orange-red or yellow-green vest or jacket or as specified in the MUTCD; 36-45-6 p. 2

(g) warning signs. One warning sign that states "OVERSIZE LOAD." The letters shall be black on a yellow background and shall be at least 8-inches high with a minimum brush stroke of 1.125 inches. The sign shall be at least five feet long and 12 inches high and shall be visible from a minimum distance of 500 feet;

(h) warning lights. Either one oscillating or rotating light or two flashing lights. Each warning light shall be amber in color, at least six inches in diameter, and visible from a minimum distance of 1,000 feet; and

(i) vehicle warning flags. Two vehicle flags red or orange in color and at least 18 inches square. Each flag shall be capable of being placed on the driver's or passenger's side of the EV.

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Permitted route documentation 36-45-7:

(a) Pre-trip requirements. The requirements of this subsection shall be met before escorting a load and shall be documented by a designated EVO in a pre-trip evaluation.

(1) Planning and coordination meeting. A planning and coordination meeting shall be held no more than seven days before escorting a load. Each person who will be escorting or moving the load shall attend the meeting. The meeting shall:

(A) designate one or more EVO to complete the pre-trip and post-trip evaluation;

(B) establish the communication equipment and hand-signals used during movement of the load;

(C) discuss the conditions and restrictions of the route;

(D) review the procedures and requirements of this article of the department's regulations for compliance; and

(E) verify the type and dimensions of the load.

(2) Equipment inspections. Each EVO shall inspect the equipment to verify compliance with K.A.R. 36-45-6.

(3) Escort vehicle inspections. The EVO shall inspect the EV for defects and verify the EV complies with the requirements of K.A.R. 36-45-5.

(b) Route survey. A route survey of each portion of the route that is within Kansas shall be conducted by the EVO no more than 14 days before escorting the load. 36-45-7 p. 2

(c) Post trip requirements. A designated EVO shall complete a post trip evaluation at the conclusion of movement of the load within this state. Each post trip evaluation shall document the following:

(1) Each incident in which any communication equipment was defective, blocked, or otherwise failed to properly function and resulted in property damage, personal injury, or both;

(2) any warnings, citations, and enforcement actions taken by any enforcement agency, the identity of each enforcement agency, and, if applicable, each accident report number and citation number;

(3) any issues with the equipment required by K.A.R. 36-45-6 resulting in property damage, personal injury, or both;

(4) any injuries to persons resulting from escorting the load;

(5) any load incidents including, tipping, spilling, or breaking and identify the time, date, and location of each load incident;

(6) any incidents involving property damage resulting from movement of the load, escorting the load, or both, and identify the time, date, location, and the property damaged in the incident;

(7) traffic-control operations, with identification of the time, date, location, and purpose of each traffic-control operation;

(8) vehicle issues including, signal lamp failure, brake failure, tire failure, and engine failure, and resulting in property damage, bodily injury, or both; and 36-45-7 p. 3

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(9) the identity of any additional persons or entities not identified in the pre-trip evaluation that were utilized or contacted during the movement of the load for emergency purposes.

(d) Trip report. A trip report shall consist of each pre-trip and post-trip evaluation. The EVSP shall retain each trip report for at least three years from the date of conclusion of movement of the load within this state. The EVSP shall submit a complete copy of the trip report to the department upon the department's request.

NOTE: Link for Pre and Post Trip Form: <https://k-trips.com/KDOT%20Escort%20Report.pdf>

Trip procedures 36-45-8:

The EVO shall follow the procedures specified in this regulation when escorting a load in Kansas.

(a) Escort vehicle load. No EV shall carry any items, equipment, or load that meets any of the following conditions:

(1) Exceeds the width, length, or height of the EV, excluding the height pole and the required safety and visibility equipment;

(2) renders the vehicle unrecognizable as an EV by the traveling public;

(3) obstructs the view of the EVO, operator moving the load, or the view of the traveling public;

(4) poses a safety risk to the EVO, the operator moving the load, or the traveling public; or

(5) restricts or impairs the ability of the EVO to operate the EV or limits the ability of the EVO to comply with these regulations.

(b) Height-measuring pole. Each EV preceding a load that exceeds a height of 16 feet when measured from the surface of the roadway shall have a height pole. The height pole shall be securely attached to the EV and shall be designed and operated in a manner that will notify the EVO that the load cannot safely pass under an overhead structure without causing damage to the structure, the load, or both. The height pole shall not interfere with the ability of the EVO to safely operate the EV and communication equipment. 36-45-8 p. 2

(c) Number of escort vehicles required.

(1) Superloads. At least one front EV and one rear EV shall be required when escorting a superload. If the permit specifies for the superload to slow down at bridges, an additional escort shall be required.

(2) Large structures. At least one front EV and one rear EV shall be required when escorting a large structure.

(3) Loads exceeding 14 feet in width. At least one front EV and one rear EV shall be required when escorting a load exceeding 14 feet in width. The rear EV may be eliminated if all of the following conditions are met:

(A) A warning light is attached to the top of the load.

(B) A warning light is attached to the rear of the load no less than two feet but no more than eight feet above the surface of the road.

(C) A warning sign is attached to the rear of the load.

(d) Load. No EV shall transport, push, or pull any portion of the load while escorting the load.

(e) Permitted route. No EVO shall escort the load on any roadway on which the load has not been authorized to travel.

(f) Restrictions. No EV shall tow a trailer during movement of the load.

(g) Traffic control operations.

(1) Any EVO may conduct a traffic-control operation during the movement of the load for the purpose of escorting the load, not to exceed 15 minutes. A traffic-control operation may be appropriate if any of the following conditions is met:

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(A) A bridge or roadway is temporarily closed to allow the load to cross; 36-45-8 p. 3

(B) An intersection with limited maneuverability is temporarily closed to allow the load to turn;

(C) The vehicle moving the load or an EV malfunctions.

(D) An event makes load movement unsafe or impossible.

(2) Each traffic-control operation shall be conducted from outside the EV using the equipment specified in K.A.R. 36-45-6 (a), (c), (e), (f), and (h). Each traffic-control operation shall follow the procedures found in the MUTCD.

(3) If a traffic-control operation is anticipated to last longer than 15 minutes, the local law enforcement agency or the local area KDOT office shall be notified.

(h) Travel distance.

(1) Front escort. The EV immediately preceding the load shall not travel more than 300 feet to the front of the load.

(2) Rear escort. The EV immediately following the load shall not travel more than 300 feet to the rear of the load.

(i) Trip communications. Each EVO shall communicate verbally using two-way communication equipment with the operator moving the load and with each EVO escorting the load.

(j) Warning flags. A warning flag shall be securely attached to the driver's side of the EV and to the passenger's side of the EV.

(k) Warning lights. The warning light or lights attached to the EV shall be activated during movement of the load and shall meet the requirements in K.A.R. 36-45-6(h). 36-45-8 p. 4

(l) Warning signs.

(1) Front escort. Each EV preceding a load shall have a warning sign attached to the front or top of the EV and shall be visible to the traveling public preceding or approaching the EV.

(2) Rear escort. Each EV following a load shall have a warning sign attached to the top or rear of the EV and shall be visible to the traveling public approaching the load from the rear.

(m) The EVO shall meet the following requirements when the EV is being driven and not escorting the load:

(1) The height pole shall be retracted or removed from the EV.

(2) The warning flags shall be removed from the EV.

(3) The warning light or lights attached to the EV shall be removed, deactivated, or covered.

(4) The warning sign attached to the EV shall be removed or covered.

Enforcement 36-45-9.

(a) Each law enforcement agency shall have the authority to enforce the provisions of this article of the department's regulations.

(b) If an EV is not in compliance with this article of the department's regulations, each law enforcement agency shall have the authority to require that the mover of the load and each EVO escorting the load cease travel and that the EVO bring the EV into compliance before continuing to travel.

(c) If any EVO does not comply with this article of the department's regulations or any other applicable law, each law enforcement agency shall have the authority to require the EVO to cease operation of the EV.

(d) The registration of an EVSP may be revoked or denied by the secretary for a failure to comply with this article of the department's regulations and any other applicable law.

Revocation or denial of registration hearing 36-45-10:

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(a) The registration of an EVSP may be revoked or denied by the secretary for failing to comply with any provision of this article of the department's regulations or any other applicable law.

(b) If the secretary orders that the registration of any EVSP shall be revoked or denied, the department shall notify the EVSP in writing by certified mail. The notice shall inform the EVSP of all of the following:

(1) The EVSP has a right to a hearing.

(2) The EVSP has a right to be represented by counsel of the EVSP's own choosing at a requested hearing.

(3) A request for a hearing shall be in writing and filed with the department within 15 days of the department mailing the notice to the EVSP.

(4) The timely filing of a request for a hearing may suspend the order of revocation or denial, pending a properly requested hearing.

(5) The hearing shall be conducted in accordance with the Kansas administrative procedures act.

(c) Upon the department's receipt of a request for a hearing, the EVSP and any person who has made a complaint regarding the EVSP shall be given at least 10 days' written notice by the department of the time and place of the hearing by certified mail.

(d) The EVSP and any other interested party may appear at the hearing in person or by counsel and state their reasons for and against revocation or denial of the registration. A 36-45-10 p. 2 corporation may be represented by an officer, an agent, or an attorney authorized to practice law in Kansas.

(e) At the conclusion of the hearing, the order revoking or denying the registration of the EVSP shall be affirmed, vacated, or taken under advisement. Each order shall be rendered in accordance with the Kansas administrative procedure act.

(f) If the order of revocation is vacated, the registration shall be reinstated.

(g) If the order of denial is vacated, the EVSP may register with the secretary.

(h) If any order is affirmed, the EVSP shall not register with the secretary for one year from the date of the original revocation or denial.