

**Department of Public Safety**

**Proposed Permanent Rules Relating to Pilot/Escort Vehicles Accompanying Oversize Vehicles**

**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 operating an authorized emergency vehicle that can 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 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 adopted by reference under Minnesota Statutes, section 169.06. A certified pilot/escort driver is prohibited from allowing the driver's vehicle to cross the roadway center during traffic direction and shall not control traffic within an intersection controlled by a lighted traffic control device.

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. **MUTCD.** "MUTCD" means the Manual on Uniform Traffic Control Devices.

Subp. 7. **Overdimensional load.** "Overdimensional load" has the meaning given in Minnesota Statutes, section 299D.085, subdivision 1.

2.1 Subp. 8. **Section.** "Section" means the Commercial Vehicle Enforcement Section of  
2.2 the Minnesota State Patrol.

2.3 **7455.0200 OVERDIMENSIONAL LOAD ESCORT REQUIREMENT.**

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

2.6 A. a certified licensed peace officer; or

2.7 B. a certified pilot/escort driver.

2.8 **7455.0300 PILOT/ESCORT DRIVER CERTIFICATION PROCESS.**

2.9 Subpart 1. **Certification course.** Drivers domiciled in Minnesota shall complete a  
2.10 pilot/escort certification course accepted, approved, or authorized by the department. Upon  
2.11 successful completion of the certification course, drivers must be issued a certification  
2.12 card by a Minnesota-authorized training program.

2.13 Subp. 2. **Certification period.** Initial certification is valid for four years from the  
2.14 date of issue. One additional four-year certification may be obtained through a mail-in or  
2.15 online recertification process provided by a Minnesota-authorized training program.

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

2.22 The department may enter into a reciprocal agreement with any other state if that  
2.23 state demonstrates that its course materials are comprehensive and meet the requirements  
2.24 outlined by the department, which must include flagging, height pole operations,  
2.25 insurance, instructor credentials, and auditing of this state's program.

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

3.4 Subp. 5. **Expiration.** Pilot/escort driver certification expires four years from the  
3.5 date issued. Upon expiration of the certification, an operator must again comply with  
3.6 the department's certification process. It is the responsibility of the driver to maintain  
3.7 certification.

3.8 **7455.0400 SUSPENSIONS AND REVOCATIONS OF CERTIFICATION.**

3.9 If the commissioner determines that a pilot/escort driver has committed a  
3.10 disqualifying offense within the previous four years, the commissioner shall deny,  
3.11 suspend, or revoke the driver's certification.

3.12 A. Disqualifying offenses are convictions of the following traffic violations  
3.13 during the movement of an overdimensional load: driving under the influence of alcohol  
3.14 or controlled substances, reckless driving, careless driving, excessive speeding (15 miles  
3.15 per hour or more above the posted speed limit), driving left of roadway center, failing to  
3.16 obey a traffic control device, and any other driving violation likely to result in injury.

3.17 B. The department shall suspend the certification for a first offense for up to  
3.18 one year. Subsequent offenses may result in the permanent revocation of the convicted  
3.19 driver's certification.

3.20 **7455.0500 APPEALS PROCESS.**

3.21 When a driver's certification is denied, suspended, or revoked, the individual may file  
3.22 an appeal. All appeals and hearings must be requested, provided, and conducted pursuant  
3.23 to the Administrative Procedure Act in Minnesota Statutes, chapter 14. Appeals must be  
3.24 made in writing and filed with the section commander.

3.25 **7455.0600 PILOT/ESCORT DRIVER REQUIREMENTS.**

4.1 Individuals who operate a pilot/escort vehicle must meet the following requirements:

4.2 A. must be a minimum of 18 years of age;

4.3 B. must possess a valid operator's license for the type of vehicle being operated;

4.4 C. must have the issued certification card in the driver's possession at all times  
4.5 while in pilot/escort operations;

4.6 D. when operating a vehicle in excess of 10,000 pounds gross vehicle weight  
4.7 or gross vehicle weight rating, must comply with the regulations of the Federal Motor  
4.8 Carrier Safety Administration (FMCSA) in Code of Federal Regulations, title 49, parts  
4.9 300 through 399; and

4.10 E. if operating as a front or rear pilot car driver, may not perform as a  
4.11 tillerman/steerman for the load being escorted. A tillerman/steerman may not be in the  
4.12 pilot/escort vehicle when a steering activity is being performed.

4.13 **7455.0700 PILOT/ESCORT VEHICLE REQUIREMENTS.**

4.14 A. Vehicles must be in sound and safe operating condition.

4.15 B. Vehicles must be properly licensed and registered based on state of  
4.16 registration.

4.17 C. Vehicles must be a passenger automobile, light duty van, or a two-axle  
4.18 pickup or a two-axle single unit truck.

4.19 D. The minimum wheel base of the vehicle must be 100 inches.

4.20 E. The vehicle must not use equipment designated for use by emergency  
4.21 vehicles.

4.22 F. Vehicles must not carry loads of cargo that reduce the visibility of the driver  
4.23 of the vehicle.

4.24 G. Trailers must not be towed during the movement of the overdimensional load.

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

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

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

5.10 **7455.0800 PILOT/ESCORT VEHICLE SIGNING REQUIREMENTS.**

5.11 Sign requirements on pilot/escort vehicles are as follows:

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

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

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

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

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

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

6.8 **7455.0900 PILOT/ESCORT VEHICLE LIGHTING REQUIREMENTS.**

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

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

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

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

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

7.1 C. A light is defined as a single housing.

7.2 D. Pilot/escort vehicles must not be equipped with lighting or equipment that is  
7.3 reserved for emergency vehicles.

7.4 **7455.1000 PILOT/ESCORT VEHICLE SAFETY EQUIPMENT REQUIREMENTS.**

7.5 Pilot/escort vehicles must be equipped with the following safety items:

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

7.9 B. A hardhat approved by the federal Occupational Safety and Health  
7.10 Administration, for use by the pilot/escort driver.

7.11 C. A class 3 safety vest approved by the American National Standards Institute  
7.12 for use during any time the pilot/escort driver is outside the pilot/escort vehicle on any  
7.13 roadway as per current MUTCD standards.

7.14 D. One flashlight with a lens width of 1.5 inches with extra batteries or charger.  
7.15 Emergency self-charging flashlights do not meet this requirement.

7.16 E. One six-inch-long orange/red cone to fit the flashlight. Traffic wands are an  
7.17 acceptable alternative to the orange/red cone.

7.18 F. Nine reflective triangles or reflectorized 18-inch orange traffic cones with a  
7.19 single reflective band of six inches in height.

7.20 G. Eight fuses, flares, red glow sticks, or USDOT-approved alternative  
7.21 red-light-producing devices.

7.22 H. Three standard 18-inch orange traffic cones.

7.23 I. One yellow, vinyl, or mesh "OVERSIZE LOAD" sign, seven feet wide by 18  
7.24 inches tall with the letter a minimum height of ten inches with a 1.41-inch brush stroke.

8.1 J. First aid kit clearly marked and labeled.

8.2 K. A height pole, if required as a condition of the overdimensional load permit,  
8.3 which must be nonconductive, nondestructive, flexible, and frangible and installed and  
8.4 in use by the front pilot car at all times when an overdimensional load exceeds 15 feet  
8.5 six inches in height.

8.6 L. One ten-pound capacity or two five-pound capacity serviceable fire  
8.7 extinguishers with an ABC rating.

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

8.11 **7455.1100 INSURANCE REQUIREMENTS.**

8.12 Subpart 1. Coverage for bodily injury and property damage. A driver must  
8.13 possess a current certificate of insurance or endorsement that indicates that the driver, or  
8.14 the driver's employer, has in full force and effect insurance coverage for bodily injury  
8.15 and property damage as a result of the operation of the escort vehicle, the escort vehicle  
8.16 operator, or both, causing the bodily injury or property damage arising out of an act or  
8.17 omission by the pilot/escort vehicle operator of the escort duties required by this chapter.  
8.18 The insurance or endorsement must be no less than \$1,000,000 combined single limit or  
8.19 \$1,000,000 per occurrence of commercial liability coverage, as applicable, and must be  
8.20 maintained at all times during the term of the certification. The insurance certificate must  
8.21 indicate on the face of the document that the policy is for the operation of pilot/escort  
8.22 vehicles and for pilot/escort duties and responsibilities as required by this chapter.

8.23 Subp. 2. Liability coverage. Pilot/escort vehicles must have a minimum amount of  
8.24 \$1,000,000 liability insurance. This is not a cumulative amount.

8.25 **7455.1200 CERTIFIED PILOT/ESCORT DUTIES.**

9.1           A. A pilot/escort vehicle is prohibited from escorting more than one  
9.2           overdimensional vehicle or load at the same time, unless expressly authorized by the  
9.3           commissioner.

9.4           B. When the pilot/escort vehicle is in front of the overdimensional vehicle  
9.5           or load being escorted, the operator shall:

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

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

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

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

9.23           C. When the pilot/escort vehicle is behind the overdimensional vehicle or  
9.24           load, the pilot/escort driver shall:

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

10.4                   (2) notify the driver of the overdimensional vehicle or load by two-way  
10.5 radio of flat tires or other problems with the overdimensional vehicle or load; objects  
10.6 coming loose from the overdimensional vehicle or load; other traffic approaching or  
10.7 passing the overdimensional vehicle or load; and any other circumstances evident to the  
10.8 operator that could affect either the safe movement of the overdimensional vehicle or load,  
10.9 the safety of the traveling public, or the efficient movement of traffic in sufficient time for  
10.10 the driver of the overdimensional vehicle or load to take remedial action, as necessary;

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

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

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

10.21                   D. Traffic lights procedure.

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

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

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

11.6       **7455.1300 PRETRIP COORDINATION MEETING.**

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

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

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

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

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

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

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

11.23                   B. The meeting must also:

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

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

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

12.6                   D. Drivers and operators shall also:

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

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

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

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

12.13                   (5) check mandatory equipment;

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

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

12.17 **7455.1400 PILOT/ESCORT FLAGGING REQUIREMENTS.**

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

13.1           A. assume the proper flagger position outside the pilot/escort vehicle and, as  
13.2 a minimum standard, have in use the necessary safety equipment as defined in section  
13.3 6E.1 of the MUTCD;

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

13.7           C. comply with the flagging procedures and requirements as set forth in the  
13.8 MUTCD and the Department of Transportation Flagger Training Handbook.