Subject: Clarification of Eligibility for Type 6A and 6B Permits

Eligibility applies to Power Units only.

Date: November 03, 2009
Supersedes: 11/26/2007 DLN

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General:
This revised DLN is being issued to clarify the requirements if you are an existing permits customer with existing Downstate rights and are interested in purchasing just a vehicle with attached Type 6A rights. Clarification of the 2004 Legislation changing the New York State Vehicle and Traffic Law (Section 385-15(f)(vi)) pertaining to obtaining Type 6A permits due to the sale of a company and New or Replacement vehicles (Power Unit) has been requested by numerous permit customers.

The following guidelines are a summary of the Legislation and shall be used when determining Type 6A or 6B eligibility:

Eligibility for Type 6A Divisible Load Overweight Permits-New or Replacement Vehicle (Power Unit):
A Type 6A Divisible Load Overweight Permit may be issued under the following conditions:

- Renewing an existing Type 6A Divisible Load Overweight Permit
- If replacing the existing permit vehicle (Power Unit) - Applicant must show that the “Replacement vehicle” was:
  - Permitted by the applicant within NYSDOT system prior to 2004 OR
  - Provide proof that it was part of the applicant’s fleet prior to 2004 OR
    - Bill of sale or former vehicle registration
  - Added to the fleet between 4/1/04 and 12/31/06, applicant must provide documentation that the vehicle is less than 15 years old, cut-off model year is 1991.
- Acceptable forms of documentation for proof of ownership
  - Signed and dated Vehicle Title certificate, copy is acceptable.
  - Original dated and signed bill of sale, copy is NOT acceptable.
  - Vehicle shows in NYSDOT permit system has having been permitted prior to 2004 OR 12/31/2006.
- If “Replacement vehicle” was added to the fleet after 12/31/2006, the replacement vehicle must be permitted under Type 6B requirements.
- Excess Banked weight can not be used to obtain a Type 6A permit.

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Eligibility for Type 6A Divisible Load Overweight Permits –
(Sale or Transfer of a Business or Vehicle)
- Only active Type 6A permitted vehicles can maintain Type 6A status on the sale or transfer of a company.
- If purchasing a vehicle with a current Type 6A permit and corresponding Grandfather certificate, the vehicle will be considered “new” to the purchaser’s fleet and must meet all Type 6B requirements.
- Non-active permits (expired) with valid Grandfather Rights can only be activated as a Type 6B permit (or reduced to a lesser type Downstate permit - e.g., Type 2 @ 79,000 pounds)
- The new company (purchaser) must provide appropriate documentation of the purchase:
  - Letter of ownership
  - Valid, signed (purchaser and seller) and dated Grandfather Rights Certificate
  - Copy of purchased vehicle registration in the purchaser’s name.
  - Account Maintenance form (if starting new account or changing account information)

Vehicle requirements for a Type 6B Divisible Load Overweight Permit:
A Type 6B Divisible Load Overweight Permit may be issued under the following combination of vehicle conditions (Power Unit with Trailer):
- Minimum of 7 axles
- Minimum overall wheelbase of 43 feet (516 inches)
- Maximum trailer length of 48 feet (576 inches)

REFERENCE: New York State Vehicle and Traffic Law section 385-15(f) (vi)