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- (r) Removable stakes;
- (s) Stabilizing jack (anti-nosedive device);
- (t) Stake pockets;
- (u) Step;
- (v) Tarp basket;
- (w) Tire carrier; and
- (x) Uppercoupler.

2. Devices excluded from length measurement at the rear of a semitrailer or trailer including, but not limited to, the following:

- (a) Handhold;
- (b) Hazardous materials placards and holders;
- (c) Ladder;
- (d) Pintle hook;
- (e) Removable stakes;
- (f) Splash and spray suppression device;
- (g) Stake pockets; and
- (h) Step.

3. Devices excluded from width determination, not to exceed 3 inches from the side of the vehicle including, but not limited to, the following:

- (a) Corner caps;
- (b) Hazardous materials placards and holders;
- (c) Lift pads for trailer on flatcar (piggy-back) operation;
- (d) Rain gutters;
- (e) Rear and side door hinges and their protective hardware;
- (f) Side marker lamps;
- (g) Structural reinforcement for side doors or intermodal operation (limited to 1 inch from the side within the 3 inch maximum extension);
- (h) Tarping systems for open-top trailers;
- (i) Movable devices to enclose the cargo area of flatbed semitrailers or trailers, usually called tarping systems, where no component part of the system extends more than 3 inches from the sides or back of the vehicle when the vehicle is in operation. This exclusion applies to all component parts of tarping systems, including the transverse structure at the front of the vehicle to which the sliding walls and roof of the tarp mechanism are attached, provided the structure is not also intended or designed to comply with 49 CFR 393.106, which requires a headerboard strong enough to prevent cargo from penetrating or crushing the cab; the transverse structure may be up to 108 inches wide if properly centered so that neither side extends more than 3 inches beyond the structural edge of the vehicle. Also excluded from measurement are side rails running the length of the vehicle and rear doors, provided the only function of the latter, like that of the transverse structure at the front of the vehicle, is to seal the cargo area and anchor the sliding walls and roof. On the other hand, a headerboard designed to comply with 49 CFR 393.106 is load bearing and thus limited to 102 inches in width. However, the "wings" designed to close the gap between such a headerboard and the movable walls and roof

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of a tarping system are width exclusive, provided they are add-on pieces designed to bear only the load of the tarping system itself and are not integral parts of the load-bearing headerboard structure;

- (j) Tie-down assembly on platform trailers;
- (k) Wall variation from true flat; and
- (l) Weevil pins and sockets on low-bed trailers.

[67 FR 15110, Mar. 29, 2002]

**PART 660—SPECIAL PROGRAMS  
(DIRECT FEDERAL)**

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**Subpart A—Forest Highways**

AUTHORITY: 16 U.S.C. 1608-1610; 23 U.S.C. 101, 202, 204, and 315; 49 CFR 1.48.

SOURCE: 59 FR 30300, June 13, 1994, unless otherwise noted.

**§ 660.101 Purpose.**

The purpose of this subpart is to implement the Forest Highway (FH) Program which enhances local, regional, and national benefits of FHs funded under the public lands highway category of the coordinated Federal Lands Highway Program. As provided in 23 U.S.C. 202, 203, and 204, the program, developed in cooperation with State and local agencies, provides safe and adequate transportation access to and through National Forest System (NFS)

lands for visitors, recreationists, resource users, and others which is not met by other transportation programs. Forest highways assist rural and community economic development and promote tourism and travel.

#### § 660.103 Definitions.

In addition to the definitions in 23 U.S.C. 101(a), the following apply to this subpart:

*Cooperator* means a non-Federal public authority which has jurisdiction and maintenance responsibility for a FH.

*Forest highway* means a forest road under the jurisdiction of, and maintained by, a public authority and open to public travel.

*Forest road* means a road wholly or partly within, or adjacent to, and serving the NFS and which is necessary for the protection, administration, and utilization of the NFS and the use and development of its resources.

*Jurisdiction* means the legal right or authority to control, operate, regulate use of, maintain, or cause to be maintained, a transportation facility, through ownership or delegated authority. The authority to construct or maintain such a facility may be derived from fee title, easement, written authorization, or permit from a Federal agency, or some similar method.

*Metropolitan Planning Organization (MPO)* means that organization designated as the forum for cooperative transportation decisionmaking pursuant to the provisions of part 450 of this title.

*Metropolitan Transportation Plan* means the official intermodal transportation plan that is developed and adopted through the metropolitan transportation planning process for the metropolitan planning area.

*National Forest System* means lands and facilities administered by the Forest Service (FS), U.S. Department of Agriculture, as set forth in the Forest and Rangeland Renewable Resource Planning Act of 1974, as amended (16 U.S.C. 1601 note, 1600-1614).

*Open to public travel* means except during scheduled periods, extreme weather conditions, or emergencies, open to the general public for use with a standard passenger auto, without re-

strictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

*Public authority* means a Federal, State, county, town, or township, Indian tribe, municipal or other local government or instrumentality with authority to finance, build, operate, or maintain toll or toll-free facilities.

*Public lands highway* means: (1) A forest road under the jurisdiction of and maintained by a public authority and open to public travel or (2) any highway through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations under the jurisdiction of and maintained by a public authority and open to public travel.

*Public road* means any road or street under the jurisdiction of and maintained by a public authority and open to public travel.

*Renewable resources* means those elements within the scope of responsibilities and authorities of the FS as defined in the Forest and Rangeland Renewable Resource Planning Act of August 17, 1974 (88 Stat. 476) as amended by the National Forest Management Act of October 22, 1976 (90 Stat. 2949; 16 U.S.C. 1600-1614) such as recreation, wilderness, wildlife and fish, range, timber, land, water, and human and community development.

*Resources* means those renewable resources defined above, plus other non-renewable resources such as minerals, oil, and gas which are included in the FS's planning and land management processes.

*Statewide transportation plan* means the official transportation plan that is: (1) Intermodal in scope, including bicycle and pedestrian features, (2) addresses at least a 20-year planning horizon, and (3) covers the entire State pursuant to the provisions of part 450 of this title.

#### § 660.105 Planning and route designation.

(a) The FS will provide resource planning and related transportation information to the appropriate MPO and/or State Highway Agency (SHA) for use in developing metropolitan and statewide transportation plans pursuant to the