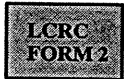


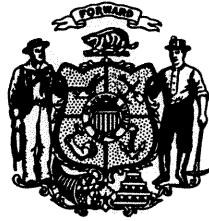
WISCONSIN LEGISLATIVE COUNCIL STAFF



MAR 26 1999

**RULES CLEARINGHOUSE**

**Ronald Sklansky**  
Director  
(608) 266-1946



**David J. Stute, Director**  
Legislative Council Staff  
(608) 266-1304

**Richard Sweet**  
Assistant Director  
(608) 266-2982

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

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**CLEARINGHOUSE REPORT TO AGENCY**

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[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

**CLEARINGHOUSE RULE 99-049**

AN ORDER to amend Trans 276.07 (10), (17) and (25), relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.

Submitted by **DEPARTMENT OF TRANSPORTATION**

03-10-99 RECEIVED BY LEGISLATIVE COUNCIL.  
03-26-99 REPORT SENT TO AGENCY.

RS:WF:jal

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached      YES       NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached      YES       NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached      YES       NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS  
[s. 227.15 (2) (e)]

Comment Attached      YES       NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached      YES       NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL  
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached      YES       NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached      YES       NO

The Wisconsin Department of Transportation proposes an order to amend TRANS 276.07(10), (17) and (25), relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.

**NOTICE OF HEARING  
AND  
TEXT OF PROPOSED RULE**

NOTICE IS HEREBY GIVEN that pursuant to ss. 85.16(1) and 348.07(4), Stats., interpreting s. 348.07(4), Stats., the Department of Transportation will hold public hearings at the following locations to consider the amendment of chapter Trans 276, Wisconsin Administrative Code, relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways:

**April 14, 1999**

Rusk County Court House  
Law Enforcement Center Meeting Room  
311 East Miner Avenue  
Ladysmith, WI  
**1:00 PM**

**April 15, 1999**

Hill Farms State Transportation Building  
Room 144B  
4802 Sheboygan Avenue  
Madison, WI  
**1:00 PM**

***The hearing locations are accessible to persons with disabilities.***

The public record on this proposed rule making will be held open until close of business, April 22, 1999, to permit the submission of written comments from persons unable to attend the public hearing or who wish to supplement testimony offered at the

hearing. Any such written comments should be submitted to Mark Morrison, Traffic & Safety Engineer, Room 501, P. O. Box 7986, Madison, Wisconsin, 53707-7986.

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**Analysis Prepared by the Wisconsin Department of Transportation**

**STATUTORY AUTHORITY:** ss. 85.16(1) and 348.07(4), Stats.

**STATUTE INTERPRETED:** s. 348.07(4), Stats.

**General Summary of Proposed Rule.** This proposed rule amends Trans 276.07(10), (17) and (25), Wisconsin Administrative Code, to add three segments of highway to the designated highway system established under s. 348.07(4), Stats. The actual highway segments<sup>1</sup> that this proposed rule adds to the designated highway system are:

<u>Hwy.</u>	<u>From</u>	<u>To</u>
STH 46	STH 64 S. of Deer Park	USH 8 N. of Amery
STH 80	USH 14 in Richland Center	STH 33 in Union Center
STH 182	STH 13 in Park Falls	USH 51 in Manitowish

The long trucks to which this proposed rule applies are those with 53-foot semitrailers, double bottoms and the vehicles which may legally operate on the federal National Network, but which exceed Wisconsin's regular limits on overall length. Generally, no person may operate any of the following vehicles on Wisconsin's highways without a permit: A single vehicle with an overall length in excess of 40 feet<sup>2</sup>, a combination of vehicles with an overall length in excess of 65 feet, a semitrailer longer than 48 feet, an automobile haulaway longer than 66 feet plus allowed overhangs, or a double bottom. Certain exceptions are provided under s. 348.07(2), Stats., which implements provisions of the federal Surface Transportation Assistance Act in Wisconsin.

The effect of this proposed rule will be to extend the provisions of s. 348.07(2)(f), (fm), (gm) and (gr), and s. 348.08(1)(e), Stats., to the highway segments listed above. As a result, vehicles which may legally operate on the federal National Network in Wisconsin will also be allowed to operate on the newly-designated highways. Specifically, this means there will be no overall length limitation for a tractor-semi-trailer combination, a

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<sup>1</sup> The proposed rule text often achieves these objectives by consolidating individual segments into contiguous segments with new end points. In order to determine the actual highway segment added, it is necessary to compare the combined old designations with the combined new designation.

<sup>2</sup> 45-foot buses are allowed on the National Network and Interstate system by Federal law. Section 4006(b) of the Intermodal Surface Transportation Efficiency Act of 1991.

double bottom or an automobile haulaway on the affected highway segments. There also will be no length limitation for a truck tractor or road tractor when operated in a tractor-semitrailer combination or as part of a double bottom or an automobile haulaway. Double bottoms will be allowed to operate on the affected highway segments provided neither trailer is longer than 28 feet, 6 inches. Semitrailers up to 53 feet long may also be operated on these highway segments provided the kingpin to rear axle distance does not exceed 43 feet. This distance is measured from the kingpin to the center of the rear axle or, if the semitrailer has a tandem axle, to a point midway between the first and last axles of the tandem. Otherwise, semitrailers, including semitrailers which are part of an automobile haulaway, are limited to 48 feet in length.

These vehicles and combinations are also allowed to operate on undesignated highways for a distance of 5 miles or less from the designated highway in order to reach fuel, food, maintenance, repair, rest, staging, terminal or vehicle assembly or points of loading or unloading.

**Fiscal Impact.** The Department estimates that there will be no fiscal impact on the liabilities or revenues of any county, city, village, town, school district, technical college district or sewerage district.

**Initial Regulatory Flexibility Analysis.** The provisions of this proposed rule adding highway segments to the designated system have no direct adverse effect on small businesses, and may have a favorable effect on those small businesses which are shippers or carriers using the newly-designated routes.

**Copies of Rule and Contact Person.** Copies of this proposed rule are available without cost upon request to the office of the State Traffic Engineer, P. O. Box 7986, Room 501, Madison, Wisconsin, 53707-7986, telephone (608) 266-1675. For questions about this rule making, please call Mark Morrison, Traffic & Safety Engineer at (608) 266-1675. Alternate formats of the proposed rule will be provided to individuals at their request.

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### **TEXT OF PROPOSED RULE**

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 85.16(1) and 348.07(4), Stats., the department of transportation hereby proposes to amend ch. Trans 276, Wisconsin Administrative Code, interpreting s. 348.07(4), Stats., relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways, as follows:

**SECTION 1.** Trans 276.07(10), (17) and (25) are amended to read:

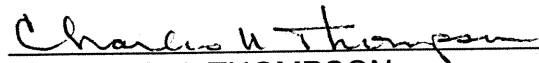
	<u>Route</u>	<u>From</u>	<u>To</u>
Trans 276.07(10)	USH 45	IL Line S. of Bristol	CTH B in Eden
	USH 45	USH 41 N. of Oshkosh	STH 150 W. of Menasha
	USH 45	STH 76 at Greenville	MI Line at Land O'Lakes
	<u>STH 46</u>	<u>STH 64 S. of Deer Park</u>	<u>USH 8 S. of Balsam Lake</u>
	STH 47	USH 10 in Appleton	STH 29 in Shawano
	STH 47	USH 45 N. of Aniwa	USH 51 in Woodruff
	STH 48	STH 70 in Grantsburg	STH 87 S. of Grantsburg
	STH 48	STH 63 in Cumberland	USH 53 in Rice Lake
	STH 49	USH 41 E. of Brownsville	USH 10 at Weyauwega
Trans 276.07(17)	STH 80	STH 11 S. of Cuba City	<del>USH 14 at Richland Center</del>
	<del>STH 80</del>	<del>STH 33 in Union Center</del>	STH 13 at Pittsville
	STH 81	STH 35 N.E. of Beetown	STH 23 S. of Darlington
	STH 81	STH 78 in Argyle	CTH H W. of Beloit
	STH 82	STH 80 N. of Elroy	USH 51 W. of Montello
	STH 83	STH 167 S. of Hartford	STH 60 in Hartford
	STH 85	USH 10 in Durand	STH 37 S.W. of Eau Claire
	STH 87	USH 8 in St. Croix Falls	STH 48 S. of Grantsburg
	STH 89	USH 14 N. of Darien	USH 12 in Whitewater
	STH 89	IH 94 at Lake Mills	STH 73 in Columbus
Trans 276.07(25)	<u>STH 182</u>	<u>STH 13 in Park Falls</u>	<u>USH 51 in Manitowish</u>
	STH 186	STH 13-73 S. of Vesper	USH 10 in Auburndale
	STH 190	STH 16 at Pewaukee	STH 100 in Wauwatosa

(END OF RULE TEXT)

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**Effective Date.** This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 9 day of March, 1999.

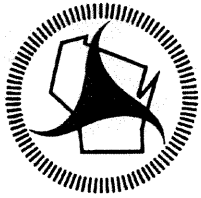


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CHARLES H. THOMPSON

Secretary

Wisconsin Department of Transportation



## Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson  
Governor

Charles H. Thompson  
Secretary

Office of General Counsel  
4802 Sheboygan Ave., Rm. 115B  
P.O. Box 7910  
Madison, WI 53707-7910

Telephone: 608-266-8810  
FAX: 608-267-6734  
E-Mail: [ogc.exec@dot.state.wi.us](mailto:ogc.exec@dot.state.wi.us)

April 22, 1999

The Honorable Fred Risser  
President, Wisconsin State Senate  
Room 422  
119 MLK Jr. Blvd.  
Madison, Wisconsin 53707

The Honorable Scott Jensen  
Speaker, Wisconsin State Assembly  
Room 315 North, State Capitol  
Madison, Wisconsin 53707

RE: Proposed Administrative Rule **TRANS 276**  
Notification of Legislative Standing Committees  
**CLEARINGHOUSE RULE 99-049**

Gentlemen:

Enclosed is a copy of Clearinghouse Rule **99-049**, relating to **allowing the operation of double bottoms and certain other vehicles on certain specified highways**. The rule is submitted to you for referral to the appropriate standing committees.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Johnson".

Julie A. Johnson  
Paralegal

JAJ/dim

Enclosure

cc: Gary Poulson (Deputy Revisor of Statutes)/Senator Judy Robson/  
Representative Glenn Grothman/Jim Gruendler/Mark Morrison



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**CR 99-049**

The Wisconsin Department of Transportation proposes an order to amend TRANS 276.07(7), (10), (11), (15), (17), (24) and (39); repeal and recreate TRANS 276.09(3); and create TRANS 276.07(10m) and (25m), relating to allowing the operation of double bottoms and certain other vehicles on certain specified high-ways.

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**REPORT OF THE DEPARTMENT OF TRANSPORTATION  
ON THE FINAL RULE DRAFT**

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This report is submitted to the presiding officers of the Senate and Assembly for referral to the appropriate standing committees. The report consists of the following parts:

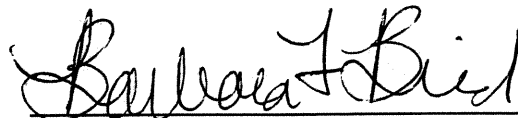
Part 1--Analysis prepared by the Department of Transportation.

Part 2--Rule text in final draft form.

Part 3--Recommendations of the Legislative Council.

Part 4--Analysis prepared pursuant to the provisions of s. 227.19(3), Stats.

Submitted by:



---

BARBARA F. BIRD  
Assistant General Counsel  
Office of General Counsel  
Department of Transportation  
Room 115-B, Hill Farms State  
Transportation Building  
P. O. Box 7910  
Madison, WI 53707-7910  
(608) 266-8807

## PART 1

### Analysis Prepared by the Wisconsin Department of Transportation

**STATUTORY AUTHORITY:** ss. 85.16(1) and 348.07(4), Stats.

**STATUTE INTERPRETED:** s. 348.07(4), Stats.

**General Summary of Proposed Rule.** This proposed rule amends Trans 276.07(7), (10), (11), (15), (17), (24) and (39), creates Trans 276.07(10m) and (25m), and repeals and recreates Trans 276.09(3), Wisconsin Administrative Code, to add three segments of highway to the designated highway system established under s. 348.07(4), Stats., and reflect a change of highway jurisdiction. The actual highway segments that this proposed rule adds to the designated highway system are:

<u>Hwy.</u>	<u>From</u>	<u>To</u>
STH 46	STH 64 S. of Deer Park	USH 8 N. of Amery
STH 80	USH 14 in Richland Center	STH 33 in Union Center
STH 182	STH 13 in Park Falls	USH 51 in Manitowish

As a result of a recent jurisdictional transfer of highways between the Department and Waukesha County, modifications to the rule are needed to reflect the change in highway names between STH 164, STH 74 and Waukesha County Highway J. These changes to the wording in the rule do not effect the actual highway segments that are already designated for use by long trucks.

As a result of its own investigation, the Department has determined that there are several concurrent highway segments on the three highways originally proposed. These changes to the text of proposed rule do not effect the actual highway segments that were originally proposed.

The long trucks to which this proposed rule applies are those with 53-foot semitrailers, double bottoms and the vehicles which may legally operate on the federal National Network, but which exceed Wisconsin's regular limits on overall length. Generally, no person may operate any of the following vehicles on Wisconsin's highways without a permit: A single vehicle with an overall length in excess of 40 feet<sup>1</sup>, a combination of vehicles with an overall length in excess of 65 feet, a semitrailer longer than 48 feet, an automobile haulaway longer than 66 feet plus allowed overhangs, or a double bottom. Certain exceptions are provided under s. 348.07(2), Stats., which implements provisions of the federal Surface Transportation Assistance Act in Wisconsin.

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<sup>1</sup> 45-foot buses are allowed on the National Network and Interstate system by Federal law. Section 4006(b) of the Intermodal Surface Transportation Efficiency Act of 1991.

The effect of this proposed rule will be to extend the provisions of s. 348.07(2)(f), (fm), (gm) and (gr), and s. 348.08(1)(e), Stats., to the highway segments listed above. As a result, vehicles which may legally operate on the federal National Network in Wisconsin will also be allowed to operate on the newly-designated highways. Specifically, this means there will be no overall length limitation for a tractor-semitrailer combination, a double bottom or an automobile haulaway on the affected highway segments. There also will be no length limitation for a truck tractor or road tractor when operated in a tractor-semitrailer combination or as part of a double bottom or an automobile haulaway. Double bottoms will be allowed to operate on the affected highway segments provided neither trailer is longer than 28 feet, 6 inches. Semitrailers up to 53 feet long may also be operated on these highway segments provided the kingpin to rear axle distance does not exceed 43 feet. This distance is measured from the kingpin to the center of the rear axle or, if the semitrailer has a tandem axle, to a point midway between the first and last axles of the tandem. Otherwise, semitrailers, including semitrailers which are part of an automobile haulaway, are limited to 48 feet in length.

These vehicles and combinations are also allowed to operate on undesignated highways for a distance of 5 miles or less from the designated highway in order to reach fuel, food, maintenance, repair, rest, staging, terminal or vehicle assembly or points of loading or unloading.

**Fiscal Impact.** The Department estimates that there will be no fiscal impact on the liabilities or revenues of any county, city, village, town, school district, technical college district or sewerage district.

**Copies of Rule and Contact Person.** Copies of this proposed rule are available without cost upon request to the office of the State Traffic Engineer, P. O. Box 7986, Room 501, Madison, Wisconsin, 53707-7986, telephone (608) 266-1675. For questions about this rule making, please call Mark Morrison, Traffic & Safety Engineer at (608) 266-1675. Alternate formats of the proposed rule will be provided to individuals at their request.

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## **PART 2** **TEXT OF PROPOSED RULE**

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 85.16(1) and 348.07(4), Stats., the department of transportation hereby proposes to amend ch. Trans 276, Wisconsin Administrative Code, interpreting s. 348.07(4), Stats., relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways, as follows:

**SECTION 1.** Trans 276.07(7) and (10) are amended to read:

	<u>Route</u>	<u>From</u>	<u>To</u>
Trans 276.07(7)	STH 30	USH 151 in Madison	IH 90-94 E. of Madison
	STH 31	Illinois Line	STH 20 in Racine
	STH 32	IH 43 in River Hills	IH 43 E. of Grafton
	STH 32	IH 43 N. of Port Washington	STH 57 in De Pere
	STH 32	USH 41 N. of De Pere	STH 64 S. of Mountain
	STH 32	USH 8 in Laona	STH 55 in Crandon
	STH 32	USH 45 in Three Lakes	MI Line in Land O'Lakes
	STH 33	<del>STH 80 in Union Center</del> <u>W. of Hillsboro</u>	STH 32 in Port Washington
	STH 34	STH 13 in Wisconsin Rapids	USH 51 N.E. of Knowlton
(10)	USH 45	IL Line S. of Bristol	CTH B in Eden
	USH 45	USH 41 N. of Oshkosh	STH 150 W. of Menasha
	USH 45	STH 76 at Greenville	MI Line at Land O'Lakes
	<u>STH 46</u>	<u>STH 64 S. of Deer Park</u>	<u>USH 8 S. of Balsam Lake</u>
	STH 47	USH 10 in Appleton	STH 29 in Shawano
	STH 47	USH 45 N. of Aniwa	USH 51 in Woodruff
	STH 48	STH 70 in Grantsburg	STH 87 S. of Grantsburg
	STH 48	STH 63 in Cumberland	USH 53 in Rice Lake
	STH 49	USH 41 E. of Brownsville	USH 10 at Weyauwega

**SECTION 2.** Trans 276.07(10m) is created to read:

Trans 276.07(10m)	<u>STH 47</u>	<u>STH 182 N. of Lac du Flambeau</u>	<u>USH 51 in Manitowish</u>
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**SECTION 3.** Trans 276.07(11), (15), (17) and (24) are amended to read:

Trans 276.07(11)	STH 50	USH 12 W. of Lake Geneva	45 <sup>th</sup> Ave. in Kenosha
	USH 51	S. Corp. Limits of Janesville	USH 14 at Janesville
	USH 51	IH 90 E. of Stoughton	STH 16 S.E. of Portage
	USH 51	IH 39 N. of Portage	USH 2 N. of Hurley
	STH 52	USH 45 N. of Aniwa	USH 45 in Antigo
	USH 53	USH 14-61 in La Crosse	USH 10 in Osseo
	USH 53	IH 94 S.E. of Eau Claire	IH 535 in Superior
	STH 54	STH 71 at Melrose	STH 80 at Dexterville
	STH 54	STH 73 in Port Edwards	USH 41 at Green Bay
	STH 54	IH 43 in Green Bay	STH 42 in Algoma
	<u>STH 56</u>	<u>STH 80 N. of Richland Center</u>	<u>USH 14 in Richland Center</u>
(15)	STH 70	STH 48 in Grantsburg	USH 53-63 in Spooner
	STH 70	STH 13 in Fifield	USH 2 in Florence
	STH 71	STH 54 at Melrose	STH 80 in Elroy
	STH 73	IH 90 N. of Edgerton	STH 54 in Wisconsin Rapids
	<u>STH 74</u>	<u>STH 190 E. of Pewaukee</u>	<u>CTH VV in Sussex</u>
(17)	STH 80	STH 11 S. of Cuba City	<del>USH 14 at Richland Center</del>
	<del>STH 80</del>	<del>STH 33 in Union Center</del>	STH 13 at Pittsville
	STH 81	STH 35 N.E. of Beetown	STH 23 S. of Darlington
	STH 81	STH 78 in Argyle	CTH H W. of Beloit
	STH 82	STH 80 <del>N. of Elroy</del> <u>W. of Hillsboro</u>	USH 51 W. of Montello

	STH 83	STH 167 S. of Hartford	STH 60 in Hartford
	STH 85	USH 10 in Durand	STH 37 S.W. of Eau Claire
	STH 87	USH 8 in St. Croix Falls	STH 48 S. of Grantsburg
	STH 89	USH 14 N. of Darien	USH 12 in Whitewater
	STH 89	IH 94 at Lake Mills	STH 73 in Columbus
(24)	STH 150	STH 110 at Winchester	USH 41 at Neenah
	USH 151	IA Line at Dubuque, IA	S. Park St. in Madison
	USH 151	IH 90-94 in Madison	USH 41 in Fond du Lac
	USH 151	STH 23 in Fond du Lac	USH 10 at Manitowoc
	USH 158	IH 94 W. of Kenosha	STH 31 in Kenosha
	STH 164	STH 43 N. of Big Bend	USH 18 E. of Waukesha
	STH 164	IH 94 N. of Waukesha	<del>STH 74 in Sussex</del> <u>190 E. of</u> <u>Pewaukee</u>
	<u>STH 164</u>	<u>CTH VV in Sussex</u>	<u>CTH Q W. of Colgate</u>
	STH 165	IH 94 W. of Kenosha	STH 31 in Kenosha
	STH 170	STH 128 in Glenwood City	STH 79 in Boyceville
	STH 172	USH 41 in Ashwaubenon	IH 43 S.E. of Green Bay
	STH 173	STH 21 W. of Wyeville	STH 73 in Nekoosa
	STH 175	STH 67 in Lomira	CTH P S. of Theresa
	STH 178	CTH S N. or Chippewa Falls	Jim Falls

**SECTION 4.** Trans 276.07(25m) is amended to read:

Trans 276.07(25m)     STH 182     STH 13 in Park Falls     USH 51 in Manitowish

**SECTION 5.** Trans 276.07(39) is amended to read:

Trans 276.07(39) WAUKESHA COUNTY:

<del>CTH J</del>	<del>CTH W in Sussex</del>	<del>CTH Q W. of Colgate</del>
CTH Q	Colgate Road in Colgate	STH 175 in Menomonee Falls
CTH W	STH 83 at North Lake	East County Line

**SECTION 6.** Trans 276.09(3) is repealed and recreated to read:

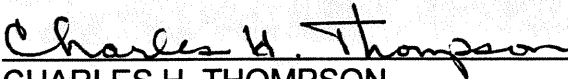
Trans 276.09(3) The treatment of s. Trans 276.07(10m) and (25m) applies after the segment of STH 182 from the Iron-Price county line to Park Falls is reconstructed and all construction signing is removed in 1999.

**(END OF RULE TEXT)**

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**Effective Date.** This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 22 day of April, 1999.



CHARLES H. THOMPSON

Secretary

Wisconsin Department of Transportation

**PART 4**  
**CR 99-049**

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**ANALYSIS OF FINAL DRAFT OF TRANS 276**

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(a) **Need for Amended Rule.** This proposed rule amends Trans 276.07(7), (10), (11), (15), (17), (24) and (39), creates Trans 276.07(10m) and (25m), and repeals and recreates Trans 276.0993), Wisconsin Administrative Code, to add three segments of highway to the designated highway system established under s. 348.07(4), Stats., and reflect a change of highway jurisdiction. The actual highway segments that this proposed rule adds to the designated highway system are:

<u>Hwy.</u>	<u>From</u>	<u>To</u>
STH 46	STH 64 S. of Deer Park	USH 8 N. of Amery
STH 80	USH 14 in Richland Center	STH 33 in Union Center
STH 182	STH 13 in Park Falls	USH 51 in Manitowish

As a result of a recent jurisdictional transfer of highways between the Department and Waukesha County, modifications to the rule are needed to reflect the change in highway names between STH 164, STH 74 and Waukesha County Highway J. These changes to the text of proposed rule do not effect the actual highway segments that are already designated for use by long trucks.

As a result of its own investigation, the Department has determined that there are several concurrent highway segments on the three highways originally proposed. These changes to the text of proposed rule do not effect the actual highway segments that were originally proposed.

(b) **Modifications as a Result of Testimony at Public Hearing.** The public hearings were held in Ladysmith and Madison, Wisconsin on April 14 and 15, 1999, respectively. The public record was held open for written comments until close of business April 22, 1999.

As a result of testimony received at the public hearing and its own investigation of the safety of operation of long trucks on the highways originally proposed, the Department has modified the applicability of the following highway segment to become effective upon completion of reconstruction and removal of construction signing in 1999:

<u>Hwy.</u>	<u>From</u>	<u>To</u>
STH 182	STH 13 in Park Falls	USH 51 in Manitowish



(c) **List of Persons who Appeared or Registered at Public Hearing.** A total of four persons either appeared at the public hearings or contacted the Department concerning the proposed long truck routes. A list of these persons and their support or opposition follows:

Richard Roehl, Vice President Roehl Transport, Inc. 1916 East 29 <sup>th</sup> Street Marshfield, WI 54449	In favor of adding STH 182 and STH 80 to the list of designated highways.
Tom Howells, President Wisconsin Motor Carriers Association PO Box 44849 Madison, WI 53744-4849	In favor of adding STH 182, STH 80 and STH 46 to the list of designated highways.
David W. Baumgarten, Safety Director Fuchs Inc. Hwy 78 South Sauk City, WI 53583	In favor of adding STH 80 and STH 46 to the list of designated highways.
Harvey Stower, Mayor City of Amery 118 Center Street Amery, WI 54001	In favor of adding STH 46 to the list of designated highways.

(d) **Response to Legislative Council Recommendations.** The Legislative Council report contained no recommendations.

(e) **Final Regulatory Flexibility Analysis.** The provisions of this proposed rule adding highway segments to the designated system have no direct adverse effect on small businesses, and may have a favorable effect on those small businesses which are shippers or carriers using the newly-designated routes.



## Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson  
Governor

Charles H. Thompson  
Secretary

Office of General Counsel  
4802 Sheboygan Ave., Rm. 115B  
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Madison, WI 53707-7910

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March 10, 1999

The Honorable Judy Robson  
Senate Chairman  
Joint Committee for Review  
of Administrative Rules  
Room 15 South, State Capitol  
Madison, Wisconsin 53702

The Honorable Glenn Grothman  
Assembly Chairman  
Joint Committee for Review  
of Administrative Rules  
Room 15 North, State Capitol  
Madison, Wisconsin 53702

RE: **NOTICE OF PUBLIC HEARING** and Text of Proposed Rule, relating to **allowing the operation of double bottoms and certain other vehicles on specified highways, Trans 276**

Dear Senator Robson and Representative Grothman:

Enclosed for your information is a Notice of Public Hearing and Text of Proposed Rulemaking relating to the above-entitled matter. These documents have also been filed with the Revisor of Statutes, the Legislative Council, and the Department of Administration in accordance with the requirements of §§ 227.15 and 227.17, Stats.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Johnson".

Julie A. Johnson  
Paralegal

Enclosure

cc: Secretary's Office  
Sandy Beaupre  
Mike Goetzman  
Jim Gruendler  
Mark Morrison

The Wisconsin Department of Transportation proposes an order to amend TRANS 276.07(10), (17) and (25), relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.

**NOTICE OF HEARING  
AND  
TEXT OF PROPOSED RULE**

NOTICE IS HEREBY GIVEN that pursuant to ss. 85.16(1) and 348.07(4), Stats., interpreting s. 348.07(4), Stats., the Department of Transportation will hold public hearings at the following locations to consider the amendment of chapter Trans 276, Wisconsin Administrative Code, relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways:

**April 14, 1999**

Rusk County Court House  
Law Enforcement Center Meeting Room  
311 East Miner Avenue  
Ladysmith, WI  
**1:00 PM**

**April 15, 1999**

Hill Farms State Transportation Building  
Room 144B  
4802 Sheboygan Avenue  
Madison, WI  
**1:00 PM**

***The hearing locations are accessible to persons with disabilities.***

The public record on this proposed rule making will be held open until close of business, April 22, 1999, to permit the submission of written comments from persons unable to attend the public hearing or who wish to supplement testimony offered at the

hearing. Any such written comments should be submitted to Mark Morrison, Traffic & Safety Engineer, Room 501, P. O. Box 7986, Madison, Wisconsin, 53707-7986.

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**Analysis Prepared by the Wisconsin Department of Transportation**

**STATUTORY AUTHORITY:** ss. 85.16(1) and 348.07(4), Stats.

**STATUTE INTERPRETED:** s. 348.07(4), Stats.

**General Summary of Proposed Rule.** This proposed rule amends Trans 276.07(10), (17) and (25), Wisconsin Administrative Code, to add three segments of highway to the designated highway system established under s. 348.07(4), Stats. The actual highway segments<sup>1</sup> that this proposed rule adds to the designated highway system are:

<u>Hwy.</u>	<u>From</u>	<u>To</u>
STH 46	STH 64 S. of Deer Park	USH 8 N. of Amery
STH 80	USH 14 in Richland Center	STH 33 in Union Center
STH 182	STH 13 in Park Falls	USH 51 in Manitowish

The long trucks to which this proposed rule applies are those with 53-foot semitrailers, double bottoms and the vehicles which may legally operate on the federal National Network, but which exceed Wisconsin's regular limits on overall length. Generally, no person may operate any of the following vehicles on Wisconsin's highways without a permit: A single vehicle with an overall length in excess of 40 feet<sup>2</sup>, a combination of vehicles with an overall length in excess of 65 feet, a semitrailer longer than 48 feet, an automobile haulaway longer than 66 feet plus allowed overhangs, or a double bottom. Certain exceptions are provided under s. 348.07(2), Stats., which implements provisions of the federal Surface Transportation Assistance Act in Wisconsin.

The effect of this proposed rule will be to extend the provisions of s. 348.07(2)(f), (fm), (gm) and (gr), and s. 348.08(1)(e), Stats., to the highway segments listed above. As a result, vehicles which may legally operate on the federal National Network in Wisconsin will also be allowed to operate on the newly-designated highways. Specifically, this means there will be no overall length limitation for a tractor-semitrailer combination, a

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<sup>1</sup> The proposed rule text often achieves these objectives by consolidating individual segments into contiguous segments with new end points. In order to determine the actual highway segment added, it is necessary to compare the combined old designations with the combined new designation.

<sup>2</sup> 45-foot buses are allowed on the National Network and Interstate system by Federal law. Section 4006(b) of the Intermodal Surface Transportation Efficiency Act of 1991.

double bottom or an automobile haulaway on the affected highway segments. There also will be no length limitation for a truck tractor or road tractor when operated in a tractor-semitrailer combination or as part of a double bottom or an automobile haulaway. Double bottoms will be allowed to operate on the affected highway segments provided neither trailer is longer than 28 feet, 6 inches. Semitrailers up to 53 feet long may also be operated on these highway segments provided the kingpin to rear axle distance does not exceed 43 feet. This distance is measured from the kingpin to the center of the rear axle or, if the semitrailer has a tandem axle, to a point midway between the first and last axles of the tandem. Otherwise, semitrailers, including semitrailers which are part of an automobile haulaway, are limited to 48 feet in length.

These vehicles and combinations are also allowed to operate on undesignated highways for a distance of 5 miles or less from the designated highway in order to reach fuel, food, maintenance, repair, rest, staging, terminal or vehicle assembly or points of loading or unloading.

**Fiscal Impact.** The Department estimates that there will be no fiscal impact on the liabilities or revenues of any county, city, village, town, school district, technical college district or sewerage district.

**Initial Regulatory Flexibility Analysis.** The provisions of this proposed rule adding highway segments to the designated system have no direct adverse effect on small businesses, and may have a favorable effect on those small businesses which are shippers or carriers using the newly-designated routes.

**Copies of Rule and Contact Person.** Copies of this proposed rule are available without cost upon request to the office of the State Traffic Engineer, P. O. Box 7986, Room 501, Madison, Wisconsin, 53707-7986, telephone (608) 266-1675. For questions about this rule making, please call Mark Morrison, Traffic & Safety Engineer at (608) 266-1675. Alternate formats of the proposed rule will be provided to individuals at their request.

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### **TEXT OF PROPOSED RULE**

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 85.16(1) and 348.07(4), Stats., the department of transportation hereby proposes to amend ch. Trans 276, Wisconsin Administrative Code, interpreting s. 348.07(4), Stats., relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways, as follows:

**SECTION 1.** Trans 276.07(10), (17) and (25) are amended to read:

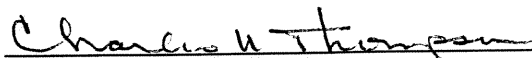
	<u>Route</u>	<u>From</u>	<u>To</u>
Trans 276.07(10)	USH 45	IL Line S. of Bristol	CTH B in Eden
	USH 45	USH 41 N. of Oshkosh	STH 150 W. of Menasha
	USH 45	STH 76 at Greenville	MI Line at Land O'Lakes
	<u>STH 46</u>	<u>STH 64 S. of Deer Park</u>	<u>USH 8 S. of Balsam Lake</u>
	STH 47	USH 10 in Appleton	STH 29 in Shawano
	STH 47	USH 45 N. of Aniwa	USH 51 in Woodruff
	STH 48	STH 70 in Grantsburg	STH 87 S. of Grantsburg
	STH 48	STH 63 in Cumberland	USH 53 in Rice Lake
	STH 49	USH 41 E. of Brownsville	USH 10 at Weyauwega
Trans 276.07(17)	STH 80	STH 11 S. of Cuba City	<del>USH 14 at Richland Center</del>
	<del>STH 80</del>	<del>STH 33 in Union Center</del>	STH 13 at Pittsville
	STH 81	STH 35 N.E. of Beetown	STH 23 S. of Darlington
	STH 81	STH 78 in Argyle	CTH H W. of Beloit
	STH 82	STH 80 N. of Elroy	USH 51 W. of Montello
	STH 83	STH 167 S. of Hartford	STH 60 in Hartford
	STH 85	USH 10 in Durand	STH 37 S.W. of Eau Claire
	STH 87	USH 8 in St. Croix Falls	STH 48 S. of Grantsburg
	STH 89	USH 14 N. of Darien	USH 12 in Whitewater
	STH 89	IH 94 at Lake Mills	STH 73 in Columbus
Trans 276.07(25)	<u>STH 182</u>	<u>STH 13 in Park Falls</u>	<u>USH 51 in Manitowish</u>
	STH 186	STH 13-73 S. of Vesper	USH 10 in Auburndale
	STH 190	STH 16 at Pewaukee	STH 100 in Wauwatosa

**(END OF RULE TEXT)**

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**Effective Date.** This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 9 day of  
March, 1999.



CHARLES H. THOMPSON

Secretary

Wisconsin Department of Transportation



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Governor

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January 27, 1999

Mr. Gary L. Poulson, Deputy Revisor  
Revisor of Statutes Bureau  
131 West Wilson Street  
Suite 800  
Madison, Wisconsin 53703

RE: **STATEMENT OF SCOPE OF PROPOSED RULEMAKING, TRANS 276**

Dear Mr. Poulson:

Enclosed is the Statement of Scope for the proposed amendment of ch. Trans 276. Please publish the Scope Statement in accordance with § 227.135(3), Stats., in the Administrative Register.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie A. Johnson".

Julie A. Johnson  
Paralegal

Enclosures

cc: Richard G. Chandler/DOA State Budget Director  
Senator Judy Robson, Co-Chair/JCRAR  
Representative Glenn Grothman, Co-Chair/JCRAR  
Secretary's Office  
Sandy Beaupre  
Mike Goetzman  
Jim Gruendler  
Mark Morrison



## STATEMENT OF SCOPE

### DESCRIPTION OF THE OBJECTIVE OF THE RULE:

This proposal will amend ch. Trans 276, which establishes a network of highways on which long combination vehicles may operate, by adding three highway segments to the network. The actual segments being proposed are State Trunk Highway 182 from STH 13 in Park Falls to STH 47 in Manitowish, State Trunk Highway 80 from USH 14 in Richland Center to STH 33 in Union Center and State Trunk Highway 46 from STH 64 South of Deer Park to USH 8 North of Amery.

### DESCRIPTION OF EXISTING POLICIES RELEVANT TO THE RULE AND OF NEW POLICIES PROPOSED TO BE INCLUDED IN THE RULE AND AN ANALYSIS OF POLICY ALTERNATIVES:

Federal law requires the Department of Transportation to react within 90 days to requests for changes to the long truck route network. Wisconsin state law requires that the Department use the administrative rule process to deal with changes to the long truck route network. Chapter Trans 276 is an existing rule set up for long truck routes. The Department has received a written request for one of the above highway segments from the Wisconsin Motor Carriers Association on behalf of Roehl Transport, and from Fuchs, Inc., for the other two segments.


### STATUTORY AUTHORITY FOR THE RULE:

s. 348.07(4), Stats.

### ESTIMATES OF THE AMOUNT OF TIME THAT STATE EMPLOYEES WILL SPEND DEVELOPING THE RULE AND OF OTHER RESOURCES NECESSARY TO DEVELOP THE RULE:

It is estimated that state employees will spend 40 hours on the rule-making process, including research, drafting and conducting a public hearing.

Signed at Madison, Wisconsin, this 27 day of  
January, 1999.

  
For CHARLES H. THOMPSON  
Secretary  
Wisconsin Department of Transportation