

ADMINISTRATIVE RULES
OPERATING RIGHTS FOR UNMANUFACTURED FOREST PRODUCTS

In its minutes of August 13, 1963, the Commission approved publication in the notice section of the Wisconsin Administrative Register of a proposed amendment of its rules on operating rights for transport of peeled or unpeeled forest products cut crosswise. Final action on adoption of the rule change was withheld until thirty days after publication, to allow time for interested parties to petition the Commission for a public hearing on the rule change.

The proposed rule change was published in the notice section of the Wisconsin Administrative Register for August, 1963. Thirty days after said publication having now elapsed and no petition for a public hearing having been received, it was moved, seconded, and carried that the following amendments be adopted and that they be filed and take effect on the first day of the month following publication as provided in Chapter 227, Wisconsin Statutes.

ORDER OF THE STATE HIGHWAY
COMMISSION AMENDING RULES

Pursuant to authority vested in the State Highway Commission of Wisconsin by Section 348.175, Wisconsin Statutes, the State Highway Commission hereby amends rules as follows:

Section Hy 32.03 of the Wisconsin Administrative Code is amended to read:

An application for an operating right for transporting peeled or unpeeled forest products cut crosswise shall be made to the pertinent State Highway Commission District Engineer. It shall state the name and address of the applicant, the state trunk highway numbers and the names of counties where the applicant wishes to transport such products, and the make, license number, and type of vehicle (motor truck, semitrailer, truck-trailer, etc.) for which an operating right is requested.

Section Hy 32.04 of the Wisconsin Administrative Code is amended to read:

Any operating right issued pursuant to this chapter is subject to the following provisions:

(1) Except as axle loads in excess of statutory limits may be permitted by such operating right, it does not authorize violation of any state statute, or any valid ordinance by any subdivision of the state.

(2) It does not supersede or set aside any regulation limiting the gross weight of vehicles because of local conditions, including bridges or highways posted for load limits, seasonal weight restrictions, or other reasons.

(3) It does not guarantee or warrant the sufficiency of any highway or bridge for the gross weight being transported.

(4) It is not transferable, and it is valid only when it is carried with the vehicle to which it is applicable and is available for inspection by police officers and by employees of the Commission, and while it has not been suspended or revoked.

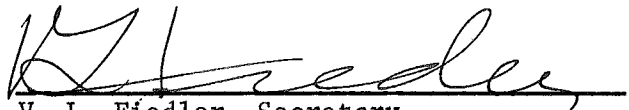
(5) The person to whom the operating right is issued is responsible for all statutory liability for bodily injury or property damage which may occur in connection with operations under such operating right, and he shall save the state and its subdivisions and the officers and employees thereof harmless from any claim which may arise from operations under such operating right.

(6) The applicant, in making the application and in operating under the operating right, agrees to repair or arrange for the repair, at his expense and to the satisfaction of the Commission, of any damage caused to the highway or its appurtenances by reason of transporting the increased weight authorized by the operating right.

(7) Violation of any statute or noncompliance with any of the conditions of the operating right shall be just cause for revocation thereof.

(8) The operating right granted pursuant to this authority shall authorize a total gross weight imposed on the highway by the wheels of any one axle of the vehicle not to exceed 23,000 pounds (an axle is defined in Section 348.15(1)(a), Statutes), and further shall authorize a total gross weight with load imposed upon the highway by any one group of two or more consecutive axles not to exceed 38,000 pounds, where the distance between the first and last axles of the group is less than nine feet measured longitudinally to the nearest foot.

I, V. L. Fiedler, Secretary of the State Highway Commission of Wisconsin, do hereby certify that the foregoing "Order of the State Highway Commission Amending Rules", relative to a change in the administrative rules governing the issuance of operating rights for transport of peeled or unpeeled forest products cut crosswise, is a true and correct copy of the order adopted by the Highway Commission at its meeting of October 7, 1963.


V. L. Fiedler, Secretary
State Highway Commission of Wisconsin

Dated at Madison,
Wisconsin, this 7th
day of October, 1963