

## Chapter Trans 230

### PERMITS FOR LOADS EXCEEDING SIZE, WEIGHT, AND VEHICLE COMBINATION LIMITS

Trans 230.01 General.  
Trans 230.06 General permits.

Trans 230.08 Industrial interplant permits.  
Trans 230.09 Application form for industrial interplant permits.

**Note:** Chapter Hy 30 as it existed on June 30, 1962 was repealed and a new chapter Hy 30 was created effective July 1, 1962. Chapter Hy 30 was renumbered chapter Trans 230 under s. 13.93 (2m) (b) 1., Stats., Register, August, 1996, No. 488.

**Trans 230.01 General.** (1) Pursuant to authority contained in s. 348.25 (3), Stats., the commission does hereby establish limits, procedures and conditions under which the various permits authorized by ss. 348.26 and 348.27, Stats., may be issued.

(2) Permits for the movement over state trunk highways of vehicles and loads exceeding limits or conditions established hereby shall be issued only on specific authorization by the commission.

(3) In the interest of uniformity and brevity, the commission hereby establishes the following conditions relating to more than one type of permit, which conditions become effective by reference thereto in the section of the rules relating to the specific type of permit:

(a) *Application requirements.* 1. Applications shall be made to the issuing authority on forms prescribed by the state of Wisconsin, department of transportation, division of highways, hereinafter known as the division of highways, which will be furnished to the applicant upon request.

2. Requests for amendments to permits shall be submitted in writing to the authority issuing the permit.

(b) *Authorization to issue permits.* The authorization for the issuance of permits shall be as stated in the sections relating to each specific type of permit.

(c) *General limitations on issuance of permits.* 1. Except for general permits (s. Trans 230.06), industrial interplant permits (s. Trans 230.08), pole and pipe transportation permits (ch. Trans 257), vehicle transportation permits, double bottom milk truck permits and double bottom permits, permits shall not be issued nor valid for the transporting of loads or articles which could reasonably be divided in such a manner as to allow transporting of the loads or articles in 2 or more loads which would not exceed statutory size and weight limits, nor shall permits be issued or valid for the transporting of more than one article if the vehicle and load exceed statutory weight limits. (This does not prohibit the transporting of necessary blocking for a load, nor the transporting of such necessary blocking on the otherwise empty vehicle to and from the origin or destination of the load, but it does prohibit, among other things, the addition of an extra bucket, boom section, and so forth to a load being transported under a permit issued for an overweight vehicle and load.)

2. Except as specifically authorized in chs. Trans 251 to 275 and this chapter, permits shall not authorize the operation of more than 2 vehicles in combination.

3. Permits shall be issued and valid only for vehicles equipped with pneumatic tires.

(d) *Insurance and liability conditions.* 1. In applying for and accepting a permit, the permittee agrees to pay any claim for any bodily injury or property damage for which he is legally responsible resulting from operations under the permit and to save the state and its subdivisions harmless from any claim which may arise from operations over public highways under the permit.

2. Regardless of whether or not insurance, bond, or deposit as set forth in this subsection is required, the permittee shall be liable for all damage which any highway or its appurtenances may sustain by reason of any operation under a permit.

3. Insurance requirements may be waived for permits issued to the United States government and the armed forces and for such other permittees as may be determined by the issuing authority.

4. The issuing authority shall be given 10 days' advance notice in writing of the cancellation or termination of any insurance required by the terms of a permit.

5. The permittee may be required to furnish casualty insurance of an approved type or a bond or to deposit a certified check with the authority issuing the permit in the amount determined by the authority issuing the permit as necessary to protect the issuing authority and its subdivisions against any damage which any highway, highway structure, or its appurtenances may sustain by reason of any operation under the permit.

6. The permittee upon request shall provide such greater bodily injury and property damage liability coverage than is specifically set forth herein as may be required by the authority issuing the permit.

(e) *General conditions.* 1. The maximum size limitations and the maximum axle, axle combination and vehicle weights authorized by a permit shall not be exceeded. A divisible load, consisting of articles none of which exceeds statutory size limits, may not be transported under a permit.

2. Permits issued by the commission authorize the use of any of the highways of the state, subject to the limitations stated in the permit.

3. No permit shall be considered to set aside any regulation limiting loads because of local conditions, including bridges and highways posted for load limits, seasonal weight restrictions, or under construction.

4. The granting of a permit shall not be considered as a guarantee of the sufficiency of any highway or structure thereon for such transporting.

5. Property transported under a permit shall be loaded to reduce to a minimum the excess over statutory size or gross weight limitations, and an oversize vehicle used for transporting loads under a permit shall be reduced to statutory size limitations if practicable when being operated without load. The load shall be properly secured and fastened to the transporting vehicle.

6. When a vehicle or article under a permit is in excess of the statutory height limitation, the permittee shall give adequate notice to owners of overhead wires, cables, or other facilities which may be affected by the transportation under the permit, and shall make arrangements with said owners for alteration of such facilities as may be affected by the transportation authorized by the permit.

7. A load being transported under a permit may extend beyond the front of the towing vehicle, beyond the left fender line of the transporting vehicle, or more than 6 inches beyond the right fender line of the transporting vehicle, provided that such overhang shall be reduced to the practicable minimum by suitable positioning of the load upon the vehicle subject to compliance

with the requirements of subd. 5. The wheels on one side of the transporting vehicle shall not carry more than 60% of the total gross load.

8. The driver shall carry the approved permit in the vehicle to which it applies and shall have it available for inspection by any police officer or representative of the issuing authority or the authority in charge of the maintenance of the highway being used.

9. Transporting vehicle or vehicles under a permit shall be registered as required by Wisconsin Statutes, and any operational permits required by the state of Wisconsin department of transportation, division of motor vehicles, public service commission, or other agencies having jurisdiction shall be obtained. Wisconsin registration may be waived for vehicles registered in another state where such registration meets the requirements of the state of Wisconsin department of transportation, division of motor vehicles.

10. The holder of a permit shall not be relieved of compliance with the provisions of the statutes, valid ordinances, rules and regulations of any state agency or subdivision of the state, except to the extent that such statutes, ordinances, rules and regulations are modified by the conditions of the permit.

11. The authority issuing a permit or its authorized representatives may temporarily suspend such permit, either in its entirety or with respect to certain of its conditions, due to seasonal or other special conditions.

12. Alteration of a permit, false information given in the application, or failure to comply with conditions of a permit shall be just cause for the summary suspension, upon notice verbally or in writing, of the permit, and for the suspension, upon notice in writing, of other permits held by the permittee. The authority issuing a permit may revoke it for good cause after having given the permittee a reasonable opportunity for a hearing. The length of the suspension, and other matters pertaining to the suspension or revocation of a permit shall be determined by the issuing authority, which may conduct a hearing upon the request of the permittee subsequent to the suspension of the permit. Suspended and revoked permits shall be returned to the issuing authority.

13. The driver of a vehicle operating under a permit shall, whenever reasonable and practicable, maintain a substantial distance of approximately 1,000 feet between his vehicle and any vehicle he is following, unless actually engaged in overtaking and passing such other vehicle.

14. A solid color red flag not less than 18 inches square, shall be fastened at each front corner of the towing unit, at each front corner of the load, and at each rear corner of the load. The flags shall be mounted at a height of not less than 2 feet nor more than 6 feet above the roadway. In addition, a solid color red flag shall be placed at the widest point of the load if more than 4 inches wider than the width of load or vehicle at the front or rear.

15. When in transit under a permit, all mobile homes and modular building sections over 8 feet in width shall have legible signs reading "OVERSIZE LOAD". One sign shall be attached to the front of the towing vehicle, and the other to the rear of the mobile home or modular building section. The signs shall have black letters on a yellow background. The lettering shall have a height and stroke of not less than 10 inches and 1 5/8 inches respectively. Each sign shall be not less than 7 feet long and 18 inches wide. The bottom of the sign on the front of the towing unit shall be not less than 6 feet above the roadway, and shall be visible to traffic approaching from the front of the towing vehicle. No sign message on the towing unit shall be visible to traffic when the unit is not engaged in a towing operation. The bottom of the sign at the rear of the mobile home or modular building section shall be not less than 6 feet above the roadway.

16. Mobile home and modular building sections and the towing vehicle operating under a permit shall be equipped with rear fenders or mudguards of such material and so constructed and placed as to restrict to a minimum the splashing of water, mud, stones and other material which may be thrown up by the rear

wheels. If mudguards are provided, they shall be at least as wide as and shall cover the tire or multiple tires they are guarding starting at the top from a line drawn vertically through the center of the axle and extending rearward and downward so that the fender or mudguard under any condition of operation or loading of the vehicle has a ground clearance of not more than 1/3 of the horizontal distance from the center of the rearmost axle to the fender or mudguard.

17. Except as otherwise provided herein for specified types of vehicles or loads or in a specific permit, permits are not valid during the hours of darkness nor during the period beginning at 12:00 noon on the day preceding and continuing until sunrise on the day following every Sunday and holiday as defined herein. Permits are not valid on Saturday morning from May 15 to September 15, inclusive, each year. Vehicles exceeding statutory size or weight limitations shall not be operated on the highway, whether loaded or empty, during those times when the permit is not valid.

18. A permit will not be issued for a vehicle and load exceeding 100 feet in overall length when the rear supporting axle or axles are at or near the rear of the load unless that rear support is steerable and steered.

19. A permit is valid only for the vehicle described upon the face of the application and permit. The applicant shall show the make and serial number of the power unit on the application. In the event of a breakdown or unavailability of the power unit listed on the application and permit, another power unit may be substituted, provided the make and serial number of the substitute power unit is typed on the permit, and the central office traffic section of the division of highways, in Madison, is advised by telephone prior to operating the substitute power unit with the over-size load. If a power unit breaks down while transporting a load under permit, another power unit may be substituted provided the permittee immediately advises the central office traffic section of the division of highways in Madison, by telephone, prior to using it to transport the load, and the make and serial number of the substitute power unit are placed on the permit in ink. Changes in the terms of a permit other than in the identification of the power unit require a written request and a written amendment to the permit authorizing the change which shall be attached to the original permit prior to the time of the move. No permit is transferable to another vehicle without prior authorization.

20. Any vehicle or vehicle and load to be considered as operating under a permit must be of such size or gross weight, or both, as to require a permit under s. 348.25, Stats., and no vehicle shall be considered to be operating under a permit when transporting an article which could reasonably be divided or relocated on the transporting vehicle when such article if divided or relocated would not exceed statutory limitations.

21. Property consisting of more than one article, some or all of which exceed statutory size limitations, may be transported under a permit when statutory gross weight limitations are not exceeded and the additional articles transported do not cause the vehicle and load to exceed statutory size limits in any way in which such limits would be exceeded by the largest single article.

22. Traffic approaching or overtaking a vehicle and load under permit shall be allowed by the driver of the permitted vehicle to pass without undue or protracted delay.

23. Notwithstanding any other height or width limitation which may be authorized by an individual permit, no vehicle or combination of vehicle and load exceeding 13 1/2 feet in height, or 12 feet in width, or which by reason of slow speed or other characteristic is likely to unduly interfere with normal traffic may be operated or transported upon any completed portion of the interstate highway system unless the permit contains a special and specific condition authorizing movement under the permit with a greater height or width upon the interstate highway system or portion thereof.

24. No permit is valid on any part of the Milwaukee county expressway system constructed pursuant to s. 59.84, Stats., except on U.S. highway 45 between West Florist Avenue and West Silver Spring Drive.

25. "Holiday" means January 1, July 4, December 25, the last Monday in May, the first Monday in September and the fourth Thursday of November. If a holiday, January 1, July 4, or December 25 falls on Sunday, the following Monday is the holiday for the purpose of this definition. If a holiday falls on Saturday, the previous Friday is the holiday for the purpose of this definition.

26. "Hours of darkness" are as defined in s. 340.01 (23), Stats.

27. Permits shall not be valid during periods when adverse weather or road conditions, such as fog, smoke, heavy rain, snow or ice, or the velocity of the wind, impair the safety of a movement under a permit, nor at any other times when there is not sufficient natural light to render clearly visible any person or vehicle upon a highway at a distance of 500 feet.

28. All towing units, when transporting a mobile home or modular building section over 8 feet in width and all escort vehicles accompanying the movement of such towed units shall have at least one and preferably 2 yellow flashing (or revolving) warning lights mounted above the cab. Such flasher(s) shall be mounted so as to be not less than 8 feet above the road and shall be visible to the front. When 2 lights are provided, they shall be mounted at the same level, shall be separated laterally as much as possible, and shall flash simultaneously.

29. All yellow flashing (or revolving) warning lights required on towing units, towed units and escort vehicles shall have a reflector at least 7 inches in diameter and shall be bright enough to be clearly visible and attention-attracting at a distance of 500 feet under all conditions when the load is on the highway (except when visibility of the light is obstructed by a hill crest, a curve or an object such as another vehicle). Such flashers shall not be operated when the towing unit or escort vehicle is not engaged in transporting a towed unit. The light shall flash at a rate of from 30 to 90 times per minute. In addition to the flasher(s), towing units and escort vehicles shall have their headlamps lighted in the low-beam position when transporting or escorting a mobile home or modular building section.

30. The maximum speed of a towed unit from 12 feet to 14 feet, inclusive, in width shall be 35 miles per hour on two-lane roadways designated as requiring an escort vehicle with the towed unit. The maximum speed of all vehicles being operated under any permit issued pursuant to this chapter, except for permits issued pursuant to s. Trans 230.12, on other highways, including escorted towed units on highways having 2 or more lanes for traffic going in the same direction as the towed unit, shall be 45 miles per hour, but the speed of a towed unit shall be reduced as necessitated by roadway, traffic, wind and weather conditions, unless another speed is specified in the permit or is required for obedience to a lower speed limit established by statute or indicated by official signs. The right wheels of the towed unit shall not leave the paved portion of the roadway.

**Note:** Ch. Trans 230 was originally numbered HY 30. The current cross-reference to Trans 230.12 was originally to HY 30.12, which was repealed eff. 1-1-91.

**History:** Cr. Register, June, 1962, No. 78, eff. 7-1-62; am. (3) (e) 22, Register, June, 1965, No. 114, eff. 7-1-65; r. (3) (e) 17., Register, February, 1967, No. 134, eff. 7-1-67; r. and recr. (3) (e) 7. and am. 22., Register, April, 1968, No. 148, eff. 5-1-68; am. (3) (a) 1; (3) (e) 9; cr. (3) (e) 17., Register, February, 1969, No. 158, eff. 3-1-69; r. (3) (e) 13; am. (3) (e) 7., 16., 17., 18; renum. (3) (e) 14. to be 13; 15 to be 14; 16 as am. to be 15; 17 as am. to be 16; 18 as am. to be 17; 19 to be 18; 20 to be 19; 21 to be 20; renum. 22 to be 21 and am.; cr. 22, Register, July, 1969, No. 163, eff. 8-1-69; am. (3) (c) 2., (e) 11., 12., 15. (intro. par.) and 17; renum. (3) (e) 15. a. and b. to be (3) (e) 23. and 24; cr. (3) (e) 25; Register, September, 1970, No. 177, eff. 10-1-70; am. (3) (e) 15. and 17., Register, June, 1972, No. 198, eff. 7-1-72; am. (3) (c) 1., (3) (e) 1., 7., and 14.; r. (3) (c) 3.; renum. (3) (c) 4. to be 3., (3) (e) 15. and 16. to be 17. and 18., (3) (e) 17. as am. to be 19., (3) (e) 18., 19., and 20. to be 20., 21. and 22., (3) (e) 21. as am. to be 23., (3) (e) 22. to be 24., (3) (e) 23. as am. to be 25., (3) (e) 24. and 25. to be 26. and 27., cr. (3) (e) 15. and 16., (3) (e) 28. and 29. renum. from 30.02 (5) (j) and (k), Register, December, 1973, No. 216, eff. 1-1-74; (3) (e) 30. renum. from 30.02 (5) (s) and am., Register, July, 1975, No. 235, eff. 8-1-75; am. (3) (c) 1. and 2., Register, June, 1976, No. 246, eff. 7-1-76; emerg. am. (3) (c), eff. 3-16-78;

am. (3) (c), Register, June, 1978, No. 270, eff. 7-1-78; correction in (3) (c) made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1996, No. 488; **correction in (3) (e) 24. made under s. 13.92 (4) (b) 7., Stats., Register March 2012 No. 675.**

**Trans 230.06 General permits. (1) APPLICATION REQUIREMENTS.** The application requirements for general permits shall be as set forth in s. Trans 230.01 (3) (a), and the following:

(a) Applications for general permits for movement over state trunk highways shall be directed to the Chief Traffic Engineer, Division of Highways, Madison, Wisconsin, 53702.

(b) Applications for general permits for movement over highways other than state trunk highways shall be made to the officer or agency in charge of the maintenance of the highway.

**(2) AUTHORIZATION TO ISSUE GENERAL PERMITS.** (a) The officer of agency authorized by s. 348.27, Stats., may issue general permits for operation on highways for the maintenance of which the officer or agency is responsible.

(b) General permits for transportation over state trunk highways shall be issued only on specific approval of the commission.

**(3) GENERAL LIMITATIONS ON ISSUANCE OF GENERAL PERMITS.** The issuance of general permits shall be subject to the following limitations:

(a) General permits may be issued for the transportation of equipment or materials for specified construction or maintenance operations, and for good cause in specified instances or periods for other special types of operations.

(b) General permits may be issued for loads which exceed statutory size or weight limitations or both.

(c) General permits may be issued at the discretion of the commission for transportation over state highways in connection with specified construction or maintenance operations on other classes of highways.

(d) General permits may be issued for the operation of a vehicle combination consisting of three empty vehicles in transit from manufacturer or dealer to purchaser or dealer or for the purpose of repair. The towing vehicle shall be a truck-tractor or a road tractor.

(e) The authority issuing a general permit or its authorized representatives may impose such additional reasonable conditions as are required.

(f) General permits will not be issued by the commission for the transportation on state trunk highways of miscellaneous contractor's equipment, such as bins, conveyors, bunk houses, etc.

**(4) INSURANCE AND LIABILITY CONDITIONS.** General permits are issued subject to the insurance and liability conditions set forth in s. Trans 230.01 (3) (d), and the following:

(a) The permittee shall present evidence on a form furnished by the division of highways that at least the following insurance coverage, or in lieu thereof a bond in a form satisfactory to the authority issuing the permit, is or will be in full force and effect on the vehicle and load designated in the permit while operating on the public highway, except when insurance requirements are specifically waived by the issuing authority:

Bodily injury liability—each person . . . . .	\$100,000
Bodily injury liability—each accident . . . . .	\$300,000
Property damage liability—each accident . . . . .	\$100,000

**(5) GENERAL CONDITIONS.** General permits are issued subject to the general conditions set forth in s. Trans 230.01 (3) (e) 1., 3., 4., 5., 6., 7., 8., 9., 10. 11., 12., 13., 14., 17., 20., 22., 24., 25., 26., 27., 29. and 30., and the following:

(a) The gross size and weight limitations on vehicles which may be operated on a public highway under a general permit shall be determined in each particular instance by the issuing authority. The maximum size limitations and the maximum axle, axle combination and vehicle weights authorized by the permit shall not be exceeded.

(b) A general permit issued by the commission for a movement which is partly on the state highway system and partly on other classes of highways, is valid only on state highways.

**History:** Cr. Register, June 1962, No. 78, eff. 7-1-62; am. (1) (a), Register, February, 1969, No. 158, eff. 3-1-69; am. (5) intro. par., Register, July, 1969, No. 163, eff. 8-1-69; am. (3) (d), (4) (a) and (5) intro. par., Register, September, 1970, No. 177, eff. 10-1-70; am. (5) intro., Register, December, 1973, No. 216, eff. 1-1-74; am. (5) (intro.), Register, July, 1975, No. 235, eff. 8-1-75; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1996, No. 488.

**Trans 230.08 Industrial interplant permits.**

**(1) APPLICATION REQUIREMENTS.** The application requirements for industrial interplant permits shall be as set forth in s. Trans 230.01 (3) (a), and the following:

(a) Industrial interplant permit applications shall be directed to the Chief Traffic Engineer, Division of Highways, Madison, Wisconsin, 53702.

**(2) AUTHORIZATION TO ISSUE INDUSTRIAL INTERPLANT PERMIT.** Industrial interplant permits shall be issued only on specific approval of the commission.

**(3) GENERAL LIMITATIONS ON ISSUANCE OF INDUSTRIAL INTERPLANT PERMITS.** The issuance of industrial interplant permits shall be subject to the general limitations stated in s. Trans 230.01 (3) (c) 2. and 3., and the following:

(a) The commission will give consideration to applications for industrial interplant permits only when the application is accompanied by a written statement from the commissioner of public works in cities of the first class, and the officer in charge of highway maintenance in other cities, towns and villages, designating and approving the routes over which the vehicles for which industrial interplant permits are requested may be operated.

(b) An industrial interplant permit is valid only for the vehicle(s) described upon the face of the application and permit.

**(4) INSURANCE AND LIABILITY CONDITIONS.** Industrial interplant permits are issued subject to the insurance and liability conditions set forth in s. Trans 230.01 (3) (d) 1., 2., 3., 4., and 6., and the following:

(a) The permittee shall present evidence on a form furnished by the division of highways that at least the following insurance coverage, or in lieu thereof a bond in a form satisfactory to the division of highways, is or will be in full force and effect on the vehicle and load designated in the permit while operating on the public highway, except when insurance requirements are specifically waived by the commission:

Bodily injury liability—each person . . . . .	\$100,000
Bodily injury liability—each accident . . . . .	300,000
Property damage liability—each accident . . . . .	100,000
Casualty insurance (in the required form)—each accident . . . . .	50,000

(b) The permittee shall furnish casualty insurance of an approved type or a bond or deposit a certified check with the divi-

sion of highways in the amount indicated above determined by the commission as necessary to protect the state and its subdivisions against any damage which any highway, highway structure, or its appurtenances may sustain by reason of operation under the permit.

**(5) GENERAL CONDITIONS.** Industrial interplant permits are issued subject to the general conditions set forth in s. Trans 230.01 (3) (e) 1., 3., 4., 7., 8., 9., 10., 11., 12., 13., 14., 22., 25., 26., 27., 29. and 30., and the following:

(a) The size limitations on vehicles which may be operated on a public highway under an industrial interplant permit will be determined in each particular instance by the commission.

(b) An industrial interplant permit is valid only for the vehicle(s) described upon the face of the application and permit.

**History:** Cr. Register, June, 1962, No. 78, eff. 7-1-62; am. (1) (intro. par., (1) (a); (4) (a) intro. par., (4) (b), Register, February, 1969, No. 158, eff. 3-1-69; am. (5) intro. par., Register, July, 1969, No. 163, eff. 8-1-69; cr. (3) (b) and am. (5) intro. par., Register, September, 1970, No. 177, eff. 10-1-70; am. (5) intro. and cr. (1) (b), Register, December, 1973, No. 216, eff. 1-1-74; am. (5) (intro. par.), Register, July, 1975, No. 235, 8-1-75; correction in (3) (intro.) made under s. 13.92 (4) (b) 7., Stats., Register March 2012 No. 675.

**Trans 230.09 Application form for industrial interplant permits.**

In compliance with s. 348.25 (3), Stats., the commission designates the following described form for use of any industry owning and operating motor vehicles and trailers which exceed the maximum permissible dimensions set out in ss. 348.05, 348.06 and 348.07, Stats., in connection with its interplant operations in this state, in applying for an industrial interplant permit.

**(1)** The application shall be directed to the commission, shall state that the applicant is the owner and operator of motor vehicles and trailers which exceed the maximum permissible dimensions set out in ss. 348.05, 348.06 and 348.07, Stats., in connection with its interplant operations in Wisconsin, that the applicant desires an industrial interplant permit as provided for in s. 348.27 (4), Stats., and that the applicant certifies that he has read, understands, and agrees to the conditions which are a part of the application. The form shall provide space for the applicant to indicate the routes over which he desires to operate the motor vehicles and trailers, for the name and address of the applicant, the name and address of the owner and/or lessee of the transporting equipment, and for the date of application, and for the fleet number, make, gross weight, serial number and license number of each vehicle for which a permit is desired.

**(2)** The form shall provide space for showing the amount of the permit fee, and for the authorized representative of the commission to acknowledge receipt thereof.

**(3)** The conditions contained in s. Trans 230.08 (4) and (5) inclusive, shall be a part of the application form.

**History:** Cr. Register, June, 1962, No. 78, eff. 7-1-62; am. (1) (a), Register, December, 1973, No. 216, eff. 1-1-74; renum. (1) (b) to be (1) (c) and cr. (1) (b), Register, July, 1975, No. 235, eff. 8-1-75; corrections made under s. 13.93 (2m) (b) 1., Stats., Register, August, 1996, No. 488.