

Chapter Trans 275

APPLICATION FOR AND ISSUANCE OF SINGLE TRIP PERMITS BY TELEPHONE

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Note: Chapter Trans 275 as it existed on December 31, 1990 was repealed and a new Chapter Trans 275 was created effective January 1, 1991.

Trans 275.01 Purpose. The purpose of this chapter is to establish procedures for the application and issuance of single trip permits by telephone as authorized under s. 348.26 (1m), Stats.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.02 Definitions. Unless otherwise stated, the definitions of words and phrases in ss. 340.01 and 348.01 (2), Stats., and s. Trans 250.02 apply to this chapter.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.03 Persons authorized to use telephone procedure. (1) The department may accept an application for a single trip permit by telephone from, and may issue a permit to, only a person who has received prior approval from the department to use the telephone procedure.

(2) An application for prior approval to use the telephone procedure shall be submitted to the department of transportation, motor carrier permit unit, p.o. box 7980, Madison, Wisconsin 53707-7980, on a form approved the department. An application shall include:

(a) An acknowledgement that, if approval is granted, the applicant will pay all permit fees within 21 days after receipt of the department's invoice.

(b) The address to which invoices and other correspondence concerning permits issued by telephone may be sent. An applicant may request separate invoices. The department shall assign a separate account number to each address.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.04 Bond. (1) An applicant for prior approval for use of the telephone procedure shall deposit with the department a surety bond guaranteeing payment of fees for permits issued by the department by telephone to the applicant. The amount of the bond shall be not less than twice the total fees which the applicant estimates may be incurred in any calendar month. The form of the bond and the surety shall be in a form approved by the department.

(2) Any bond filed with the department under this section shall contain a clause stating that the bonding company shall notify the department at least 30 days prior to the effective date of any suspension, revocation or cancellation of a bond. No suspension, revocation or cancellation of a bond under this section is effective until 30 days after the date it is received by the department.

(3) Any bond filings, notices of suspension, revocation or cancellation of bonds and any correspondence relating to bonds shall be submitted to the department of transportation, motor carrier permit unit, p.o. box 7980, Madison, Wisconsin 53707-7980.

(4) In lieu of a bond, an applicant may deposit a sum of money not less than twice the total fees which the applicant estimates may be incurred in any calendar month. The deposit may be in the form of cash, certified check, cashiers check, corporate check or personal check. The invoice and payment provisions of ss. Trans 275.08 and 275.09 apply to an applicant utilizing this subsection. A deposit made under this subsection shall be returned to the applicant upon the applicant's request, less any unpaid invoices. An applicant's authority to use the telephone procedure shall be immediately terminated upon the department's receipt of a request for the return of the deposit.

Note: The department does not have a standard form for this bond. Standard forms normally used by bonding companies should be used.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.05 Authorization code. (1) An applicant shall select an authorization code consisting of any combination of letters or numerals, or both, and shall consist of any 5 digits, but may not include the numeral zero. An applicant shall notify the department in writing of the code selected before applying for any permit. If more than one address has been designated under s. Trans 275.03 (2) (b), different authorization codes shall be selected for each address.

(2) When a permit is requested by telephone, the department shall ask the caller for the authorization code and no permit may be issued unless the authorization code is correctly provided.

(3) After an application is approved, an applicant may change the authorization code at any time by notifying the department in writing of the new authorization code for each account number assigned under s. Trans 275.07 (1).

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; **correction in (1) made under s. 13.93 (2m) (b) 7., Stats.**

Trans 275.06 Caller code. In addition to assigning an authorization code to each account, an applicant may assign up to 35 caller codes to individuals who are authorized by an applicant to request permits on the applicant's behalf. Each caller code shall consist of a single letter or single numeral from 1 to 9. If caller codes are assigned, the department's invoices shall show the caller code for each permit used.

Note: The caller codes are intended to assist the applicant in reviewing the invoices and permits issued. The department will not determine the validity of a caller code before issuing permits.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.07 Approval for use of telephone procedure. Upon receipt of an application to use the telephone procedure which complies with ss. Trans 275.03 and 275.04, the department may approve the application and may notify the applicant in writing. If an application is approved, the department shall:

(1) Assign an account number for each billing address the applicant has requested and notify the applicant of the number or numbers.

(2) Notify the applicant of the telephone number to be used in applying for permits.

(3) Furnish the applicant with a supply of approved forms to be used when a permit is issued by telephone.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.08 Invoices. The department shall mail monthly invoices to each applicant issued a permit during the preceding billing period. All invoices shall include the permit number of each permit issued, the caller code, if any, of the person who requested the permit, the fee for each permit, and the total amount payable to the department.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.09 Payment of invoices. An applicant shall pay each invoice within 21 days of its receipt.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.10 Limitations on applying for permits.

(1) Applications by telephone for single trip permits may be received by the department between 7:45 a.m. and 3:30 p.m. Monday through Friday except on New Year's Day, Dr. Martin Luther King Jr.'s Day, Good Friday afternoon, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve Day, Christmas Day, and New Year's Eve Day. When any of these holidays fall on Sunday and is celebrated on the following Monday, permit applications may not be received on the day celebrated as the holiday.

(2) Approved applicants may apply for single trip permits by telephone provided the overall size and weight of the loaded vehicle or vehicles do not exceed:

- (a) Length of 100 feet for a combination of vehicles.
- (b) Length of 80 feet for a trailer, semi-trailer, mobile home, or modular building section.
- (c) Length of 50 feet for a single motor vehicle, except 60 feet for a mobile crane.
- (d) Width of 14 feet.
- (e) Height of 15 feet.
- (f) Gross weight of 150,000 pounds.

(3) The department may decline to accept applications for more than 2 permits during a single telephone call.

Note: This provision is intended to allow the department to free its telephone lines for use by other applicants during periods of high workloads. If workload is low and other telephone lines are free, additional applications may be accepted.

(4) An approved applicant may only apply for permits for loads to be carried on a vehicle which is owned, leased or controlled by the applicant and not on a vehicle which is controlled by any other person. Application may be made only by the applicant or its authorized employee, but not by any other agent.

(5) A permit which is requested by telephone may be issued only by telephone.

(6) No permit which is requested by any means other than by telephone may be issued by telephone.

(7) The department may not accept collect telephone calls.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.11 Permit application procedure. (1) To request a single trip permit, an applicant shall telephone the department using the number provided under s. Trans 275.07 (2) and shall provide the assigned account number. All calls may be tape-recorded by the department.

(2) When requested by the department as required under s. Trans 275.05 (2), an applicant shall provide any required authorization code and caller code.

(3) When requested by the department, an applicant shall provide all other information regarding the proposed transportation as shown on the department's permit application form.

(4) When a permit is issued, the applicant shall copy all relevant information dictated by the department, on the form provided under s. Trans 275.07 (3), and shall sign and date the form.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.12 Permit retransmittal. An applicant may retransmit an approved permit by telephone provided that the person to whom it is retransmitted copies it on the form provided under s. Trans 275.07 (3), or may transmit the permit by facsimile.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.13 Permit to be carried. A copy of the permit, on the form provided under s. Trans 275.07 (3), shall be carried in the vehicle to which it applies whenever it is operated under the permit.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.14 Denial, suspension or revocation of permit. (1) The department may deny, suspend, or revoke approval to use the telephone procedure, pursuant to s. 348.25 (7), Stats. Grounds for the denial, suspension, or revocation of approval to use the telephone procedure include:

- (a) Violation of any condition of a permit.
- (b) Preventing an employe of an issuing authority or a law enforcement officer from performing his or her official duties, or interfering with the lawful performance of his or her duties.
- (c) Physically assaulting an employe of an issuing authority or a law enforcement officer while performing his or her official duties.
- (d) Making a material misstatement in an application for a permit.
- (e) Unauthorized alteration of a permit.
- (f) Refusal or failure, without just cause, to produce required records.
- (g) Payment of an application fee with a worthless check.
- (h) Cancellation, suspension, revocation, or expiration of a bond.
- (i) Violation of any other applicable provision under ch. 348, Stats., or this chapter.

(2) A permittee shall immediately return a suspended or revoked approval form to the issuing authority, after receiving notice from the issuing authority of the suspension or revocation approval to use the telephone procedure.

Note: If approval is denied, suspended, or revoked, an applicant or permittee may request a hearing before the division of hearings and appeals, pursuant to s. 348.25 (9), Stats.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 275.15 Permit services. For persons whose business is obtaining permits for others and who have entered into a contract with the department for placing communication equipment in the department's office and guaranteeing payment of fees, the department may waive the requirements of ss. Trans 275.04 and 275.10 (4).

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.