



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 231
[2015 Senate Bill 390]

**Lines Transporting Manure Within
Highway Rights-of-Way**

2015 Wisconsin Act 231 specifies a process for authorizing pipelines or hoses transmitting liquid manure within or across a highway right-of-way.

BACKGROUND

Under Wisconsin law, no person may excavate, fill, install a culvert in, or otherwise alter or disturb any highway without a permit from the authority maintaining the highway. A permit authorizing these activities is commonly called a driveway permit. Also under Wisconsin law, a utility permit, issued by the authority maintaining the highway, is required to construct and operate utility lines along, across, or within the limits of the highway.

2015 WISCONSIN ACT 231

Act 231 requires a person constructing a subterranean pipeline or hose transmitting liquid manure within or across a highway right-of-way to obtain a utility permit from the authority maintaining the highway. If the pipeline or hose is not subterranean but crosses or lies within the right-of-way of a state-trunk highway, the person is required to obtain a utility permit issued by the Department of Transportation.

Under the Act, a person constructing or placing a pipeline or hose transmitting liquid manure that is not subterranean and that does not cross or lie within the right-of-way of a state trunk highway may obtain a utility permit, but it is not required. If the person does not obtain a utility permit under these circumstances, however, he or she is required to obtain a driveway permit from the local highway maintaining authority.

The Act specifies that a driveway permit authorizing the permittee to lay out or install any manure hose within or across a highway right-of-way may also authorize the permittee to temporarily affix a manure hose to a “support structure” under the jurisdiction of the highway

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.

authority. Support structure is defined to mean “a bridge, a box culvert, or any other structure that is less than 20 feet in length and capable of supporting a manure hose.”

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