



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2011 Senate Bill 181

**Senate
Substitute Amendment 1**

Memo published: October 3, 2011

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Senate Bill 181 authorizes the Department of Transportation (DOT) to issue permits to transport loads of hay or straw that exceed the statutory height limit.

Current Law

Under current law, with certain exceptions, no person may operate, on a highway, a vehicle that exceeds 13 feet 6 inches in height. DOT may issue permits for vehicles transporting loads that exceed this height if, with some exceptions, the load cannot reasonably be divided or reduced. Vehicles transporting hay or straw are not currently eligible for these permits because loads of hay and straw can be divided or reduced to comply with the statutory limit.

2011 Senate Bill 181

The bill authorizes DOT to issue annual or consecutive month permits to transport loads of hay or straw on a vehicle, or combination of vehicles, that exceeds the statutory height limit, regardless of the load's divisibility. The bill requires these permits to designate the route to be used by the permittee. If the desired route includes highways other than those within the state trunk highway system, the permit application must include a written statement of route approval by the officer in charge of maintenance of the other highway.

Senate Substitute Amendment 1

The substitute amendment makes the following changes to Senate Bill 181:

- A permit may authorize a vehicle, or combination of vehicles, with an overall height up to 14 feet 6 inches to transport loads of hay or straw on a highway in an urban area, or with an overall height up to 15 feet on any other highway.

- DOT must define, by rule, “urban area” for the above purposes, and provide each permit holder with the meaning of this term. DOT shall initially promulgate the rules required by this provision as emergency rules and submit them to the Legislative Council staff in proposed form no later than the first day of the 3rd month beginning after publication.
- DOT may promulgate rules relating to the configuration of overheight hay or straw loads and how these loads are to be secured.
- All applications for overheight straw or hay load permits shall be made utilizing an electronic process prescribed by DOT.
- The bill requires a permit to designate the route to be used; the substitute amendment removes this requirement.
- DOT may also issue *general* oversize or overweight permits without regard to whether the load can reasonably be divided. This provision applies to vehicles transporting loads other than hay or straw.

Legislative History

The Senate Committee on Transportation and Elections offered Senate Substitute Amendment 1 on September 20, 2011. On September 28, 2011 the Senate Committee on Transportation and Elections unanimously recommended adoption of Senate Substitute Amendment 1 and passage of Senate Bill 181, as amended.

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