



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3992/1
ARG:ahe

2015 SENATE BILL 448

December 11, 2015 - Introduced by Senators PETROWSKI, COWLES, GUDEx, MARKLEIN, MOULTON, OLSEN and VINEHOUT, cosponsored by Representatives RIPP, KREMER and A. OTT, by request of Wisconsin Farm Bureau Federation. Referred to Committee on Transportation and Veterans Affairs.

1 **AN ACT** *to renumber and amend* 348.05 (2g) (b) and 348.09 (3); *to amend*
2 100.47 (3) (b), 340.01 (16), 341.05 (7), 347.02 (1) (a), 347.21 (1), 347.22 (title) and
3 (1), 347.22 (2), 347.24 (1) (a), 347.24 (3) (b) (intro.), 347.24 (3) (bm) (intro.),
4 347.245 (1), 347.245 (2), 347.245 (4), 347.245 (5), 347.25 (2g), 347.27 (3), 347.45
5 (2) (intro.), 347.45 (2) (a), 348.05 (2) (am), 348.05 (2g) (a) (intro.), 348.05 (3m)
6 (a), 348.05 (3m) (b), 348.05 (3m) (c), 348.06 (2) (intro.), 348.07 (2) (e) 2., 348.07
7 (2r), 348.15 (3) (b), 348.15 (3) (g) (intro.), 348.15 (9) (a), 348.15 (9) (b), 348.15 (9)
8 (c) 2., 348.15 (9) (cm), 348.15 (9) (e) 2., 348.15 (9) (e) 4., 348.15 (9) (f) 1m., 348.27
9 (19) (b) 1., 348.27 (19) (b) 5. a., 348.27 (19) (c) 1m., 348.27 (19) (cm) and 348.27
10 (19) (d) 1. (intro.); and *to create* 348.01 (2) (cm), 348.05 (2g) (c), 348.05 (3r),
11 348.05 (3t), 348.09 (3) (b), 348.27 (19) (c) 11., 348.27 (19) (cr) and 348.27 (19) (d)

SENATE BILL 448

- 1 1m. of the statutes; **relating to:** implements of husbandry and agricultural
2 commercial motor vehicles operated or transported on highways.
-

Analysis by the Legislative Reference Bureau

This bill makes changes related to the permissible width of, and other matters pertaining to, implements of husbandry and agricultural commercial motor vehicles (agricultural CMVs) operated or transported on highways.

Current law defines an implement of husbandry as a self-propelled or towed vehicle that is manufactured, designed, or reconstructed to be used and that is exclusively used in the conduct of agricultural operations. An implement of husbandry may include a farm tractor, a towed vehicle such as a manure trailer, or other farm equipment such as a combine, harvester, or other vehicles harvesting farm products, applying fertilizer, spray, or seeds, or distributing feed to livestock. An implement of husbandry may include a combination of vehicles. An agricultural CMV is a commercial motor vehicle that 1) is substantially designed or equipped, or materially altered from its original construction, for the purpose of agricultural use; 2) was designed and manufactured primarily for highway use and, with an exception, was manufactured to meet federal motor vehicle highway safety standards; and 3) is used exclusively in the conduct of agricultural operations and for specified agricultural purposes, including applying fertilizer, spray, or seeds to a farm field, assisting another vehicle harvesting farm products, or distributing feed to livestock. An agricultural CMV is not an implement of husbandry.

Current law imposes certain lighting and marking requirements for vehicles operated on highways, including requirements specifically applicable to implements of husbandry that are more than 15 feet wide or that partly extend over the center of the roadway (wide implements of husbandry). With an exception, a person may not operate on a highway a wide implement of husbandry manufactured before January 1, 2014, unless it is equipped with all of the following: 1) at least two amber flashing warning lamps, visible from both the front and rear; 2) red retroreflective conspicuity material, visible to the rear; 3) at least two strips of yellow retroreflective conspicuity material, visible to the front; and 4) at least two red tail lamps. The required lamps must be lighted and visible when the wide implement of husbandry is operated on a highway and the lamps and conspicuity material must generally be mounted so as to indicate the lateral extremities of the implement of husbandry. Under the exception, if the wide implement of husbandry manufactured before January 1, 2014, is operated during daylight hours, it may be operated if it is accompanied by an escort vehicle with hazard lights activated and it has attached to the rear two orange or red flags marking the extreme left and extreme right of the implement of husbandry. A wide implement of husbandry manufactured before January 1, 2014, must also display on the rear a slow moving vehicle (SMV) emblem. In addition, a self-propelled implement of husbandry manufactured before January 1, 2014, that is more than 12 feet wide may not be operated on a highway unless it is equipped with a yellow or amber strobe or beacon light, or two flashing amber

SENATE BILL 448

lights, which are activated. An implement of husbandry manufactured on or after January 1, 2014, may not be operated on a highway unless it is equipped with all lighting and marking devices with which the implement of husbandry was originally equipped by the manufacturer and all such lighting and marking devices are in good working order and visible at the time of operation.

Under this bill, these lighting and marking requirements that currently apply to wide implements of husbandry manufactured before January 1, 2014, instead apply to all wide implements of husbandry, regardless of the date of manufacture. Wide implements of husbandry manufactured on or after January 1, 2014, must still have all lighting and marking devices with which they were originally manufactured. The bill also requires the display of an SMV emblem on the rear of any implement of husbandry, not just a wide implement of husbandry, but only if the implement of husbandry usually travels at speeds of less than 25 miles per hour. The bill eliminates authorization to use an SMV emblem instead of a reflector or light on the side of certain agricultural vehicle trains.

Under current law, no person may operate on a highway any vehicle or combination of vehicles that exceeds certain statutory size or weight limits unless the person obtains a permit issued by the Department of Transportation (DOT) or a local highway authority or unless an exception applies. Statutory restrictions on vehicle size and weight generally apply to the vehicle as loaded.

Under current law, unless an exception applies, a person may not, without a permit, operate on a highway any vehicle having a total width in excess of eight feet six inches. Under one exception, there is no width limit for implements of husbandry operated on a highway, although wide implements of husbandry are subject to the lighting and marking requirements discussed above. Under another exception, an agricultural CMV may be operated without a permit if it does not exceed 10 feet in total width or 12 feet if it is operated for purposes of spraying pesticides or spreading lime or fertilizer and has extending tires, fenders, or fender flares.

Under this bill, this width exception for an agricultural CMV does not apply on an interstate highway, so the width limit on an interstate highway for an agricultural CMV is the standard limit of eight feet six inches.

Under another width exception in current law, there is no width limit for an implement of husbandry being operated or transported by an implement dealer or farmer for purposes of repair, servicing, or delivery if certain conditions are met, although wide implements of husbandry are subject to the lighting and marking requirements discussed above.

This bill modifies this exception for transported implements of husbandry. Under the bill, this exception does not apply on an interstate highway if the implement of husbandry is being transported by trailer or semitrailer, but does apply if the implement of husbandry is being towed. Also, if the implement of husbandry is a wide implement of husbandry being transported by trailer or semitrailer, the bill provides that the lighting and marking requirements described above do not apply except the requirement that the wide implement of husbandry have at least two amber flashing warning lamps, lighted and visible from both the front and rear, and mounted to indicate the lateral extremities.

SENATE BILL 448

The bill also creates a new width exception for agricultural CMVs under which the 10 feet or 12 feet width limit for agricultural CMVs described above also applies to agricultural CMVs being operated or transported by trailer or semitrailer by an implement dealer or farmer for purposes of repair, servicing, or delivery if certain conditions are met. However, this exception does not apply to an agricultural CMV operated or transported on an interstate highway. Also, a person may not transport by trailer or semitrailer an agricultural CMV exceeding eight feet six inches in width unless the agricultural CMV has at least two amber flashing warning lamps, lighted and visible from both the front and rear, that are mounted to indicate the lateral extremities.

Under another width exception in current law, there is no width limit for implements of husbandry being transported by trailer or semitrailer on a highway from farm to field, from field to field, or from farm to farm, during daylight hours, although wide implements of husbandry are subject to the lighting and marking requirements described above and this authorization does not apply to interstate highways except a portion of I 39.

This bill modifies this exception in several ways. First, under the bill, this exception applies to an implement of husbandry being transported to or from a farm-related destination, instead of from farm to field, from field to field, or from farm to farm. The bill defines "to or from a farm-related destination" to mean movement between or among farms, fields, agricultural storage or processing facilities, locations where an implement of husbandry is stored, or any combination of these. Second, the bill specifies that this exception does not apply on any interstate highway, including I 39. Third, the bill provides that, if the implement of husbandry being transported is a wide implement of husbandry, the lighting and marking requirements described above do not apply except the requirement that the wide implement of husbandry have at least two amber flashing warning lamps, lighted and visible from both the front and rear, and mounted to indicate the lateral extremities.

The bill also creates a new width exception for agricultural CMVs under which the 10 feet or 12 feet width limit for agricultural CMVs described above also applies to agricultural CMVs being transported by trailer or semitrailer on a highway, except an interstate highway, to or from a farm-related destination, during daylight hours. The bill defines "to or from a farm-related destination" to mean movement between or among farms, fields, agricultural storage or processing facilities, locations where an agricultural commercial motor vehicle is stored, or any combination of these. However, if the agricultural CMV exceeds eight feet six inches in width, it must have at least two amber flashing warning lamps, lighted and visible from both the front and rear, and mounted to indicate the lateral extremities.

Under current law, DOT and local authorities issue annual or consecutive month permits, referred to as "no-fee permits," for implements of husbandry and agricultural CMVs that exceed statutory length or weight limits. These permits may also be issued for two-vehicle combinations transporting by trailer or semitrailer an implement of husbandry or agricultural CMV from farm to field, from field to field, or from farm to farm. Various provisions of current law relating to vehicle size or

SENATE BILL 448

weight also apply to two-vehicle combinations transporting by trailer or semitrailer an implement of husbandry or agricultural CMV from farm to field, from field to field, or from farm to farm.

This bill replaces, in these provisions relating to vehicle size and weight and no-fee permits, the phrase “from farm to field, from field to field, or from farm to farm” with the phrase “to or from a farm-related destination,” which the bill defines as described above. The bill also provides that a wide implement of husbandry being transported under a no-fee permit is required to be equipped with at least two amber flashing warning lamps, lighted and visible from both the front and rear, and mounted to indicate the lateral extremities, but is not otherwise required to comply with all of the lighting and marking requirements described above. In addition, an agricultural CMV exceeding eight feet six inches in width and being transported under a permit must have at least two amber flashing warning lamps, lighted and visible from both the front and rear, and mounted to indicate the lateral extremities.

The bill also provides for issuance of a single no-fee permit to identify multiple identical implements of husbandry or agricultural CMVs to be operated on the same highways under the permit. The permittee may make copies of the permit and carry a copy, in lieu of the original, on any implement of husbandry or agricultural CMV identified in the permit.

Under current law, with exceptions, no person in the business of selling a tractor or other machinery used in the business of farming (farm equipment) may sell farm equipment that can be operated on a highway unless, at the time of sale, the person who sells the farm equipment discloses to the buyer the gross vehicle weight and axle weights of the farm equipment.

This bill requires this disclosure to be in writing and specifies that the weights disclosed are the weights of the unladen farm equipment at the point of sale.

Under current law, a farm tractor is not required to be registered with DOT, even if it is operated on the highway, if the farm tractor is used exclusively in agricultural operations; used exclusively to provide power for other machinery; used for special occasions such as parades or vehicle club events; or used for occasional personal use, but not for regular daily transportation.

Under this bill, this registration exemption for a farm tractor operated on the highway applies to a farm tractor used for testing, maintenance, and storage purposes, but no longer applies to a farm tractor used for occasional personal use. The bill also modifies the definition of farm tractor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 100.47 (3) (b) of the statutes, as affected by 2015 Wisconsin Act 15,
2 is amended to read:

SENATE BILL 448**SECTION 1**

1 100.47 (3) (b) No person in the business of selling farm equipment may sell
2 farm equipment that can be operated on a highway unless, at the time of sale, the
3 person who sells the farm equipment discloses to the buyer in writing the gross
4 vehicle weight and axle weights of the unladen farm equipment at the point of sale.

5 **SECTION 2.** 340.01 (16) of the statutes is amended to read:

6 340.01 (16) "Farm tractor" means a motor vehicle designed and used primarily
7 as ~~a farm~~ an implement of husbandry for drawing plows, ~~mowing machines and, or~~
8 having attached to it, other implements of husbandry.

9 **SECTION 3.** 341.05 (7) of the statutes, as affected by 2015 Wisconsin Act 55, is
10 amended to read:

11 341.05 (7) The vehicle is a farm tractor used exclusively in agricultural
12 operations, including threshing, or used exclusively to provide power to drive other
13 machinery, or to transport from job to job machinery driven by a farm tractor; used
14 for special occasions such as display and parade purposes or for participation in
15 tractor or antique vehicle clubs, including traveling to and from such events; or used
16 for ~~occasional personal use, but not for regular daily transportation testing,~~
17 maintenance, and storage purposes.

18 **SECTION 4.** 347.02 (1) (a) of the statutes is amended to read:

19 347.02 (1) (a) Farm tractors ~~and self-propelled farm implements.~~

20 **SECTION 5.** 347.21 (1) of the statutes is amended to read:

21 347.21 (1) No person shall operate on a highway during hours of darkness any
22 train of vehicles authorized by s. 348.08 (1) (d) unless there is mounted on each side
23 of every vehicle in such train, including farm tractors and implements of husbandry,
24 at least one lamp emitting a red or amber light visible from a distance of 500 feet to
25 the side of the vehicle on which mounted or, in lieu thereof, at least one red or amber

SENATE BILL 448

1 reflector or, notwithstanding s. 347.245, one slow moving vehicle emblem visible
2 from all distances within 500 feet to 50 feet of the side of the vehicle when directly
3 in front of lawful upper beams of headlamps.

4 **SECTION 6.** 347.22 (title) and (1) of the statutes are amended to read:

5 **347.22 (title) Lamps on farm tractors, self-propelled farm implements**
6 **of husbandry, and lightweight utility vehicles.** (1) No person shall operate or
7 park a farm tractor, self-propelled farm implement of husbandry, or lightweight
8 utility vehicle, as defined in s. 346.94 (21) (a) 2., upon a highway during hours of
9 darkness unless such tractor, implement of husbandry, or lightweight utility vehicle
10 carries the lighted headlamps and tail lamps which would be required of other motor
11 vehicles under similar circumstances.

12 **SECTION 7.** 347.22 (2) of the statutes, as affected by 2013 Wisconsin Act 377,
13 is amended to read:

14 347.22 (2) Except as provided in s. 347.25 (2g), no person shall operate or park
15 a farm tractor, self-propelled farm implement of husbandry, or lightweight utility
16 vehicle, as defined in s. 346.94 (21) (a) 2., upon a highway during hours of darkness
17 with any lamp thereon showing any light to the rear other than red or amber in color.

18 **SECTION 8.** 347.24 (1) (a) of the statutes is amended to read:

19 347.24 (1) (a) Except as provided under pars. (b) and (c) and s. 347.22 (1), no
20 person may operate on a highway during hours of darkness any implement of
21 husbandry or any other vehicle not specifically required by law to be equipped with
22 lamps or other lighting devices unless such implement or vehicle is equipped with
23 at least 2 lighted lamps or lanterns exhibiting a white light visible from a distance
24 of 500 feet ahead and 2 lighted lamps or lanterns exhibiting a red light visible from
25 a distance of 500 feet to the rear or, as an alternative to the red lamps or lanterns,

SENATE BILL 448**SECTION 8**

1 2 red reflectors mounted as specified in s. 347.18 and meeting the visibility
2 requirements of s. 347.19 may be displayed on the rear of such vehicle or implement
3 of husbandry.

4 **SECTION 9.** 347.24 (3) (b) (intro.) of the statutes, as created by 2013 Wisconsin
5 Act 377, is amended to read:

6 347.24 (3) (b) (intro.) Except as provided in par. (bm), no person may operate
7 on a highway any wide implement of husbandry ~~manufactured before January 1,~~
8 ~~2014,~~ unless it is equipped with all of the following and any lamp or light required
9 under this paragraph is lighted and visible at the time of operation:

10 **SECTION 10.** 347.24 (3) (bm) (intro.) of the statutes, as created by 2013
11 Wisconsin Act 377, is amended to read:

12 347.24 (3) (bm) (intro.) A person may operate on a highway, at times other than
13 hours of darkness, a wide implement of husbandry ~~manufactured before January 1,~~
14 ~~2014,~~ that does not comply with par. (b) if all of the following apply:

15 **SECTION 11.** 347.245 (1) of the statutes, as affected by 2013 Wisconsin Act 377,
16 is amended to read:

17 347.245 (1) ~~After January 1, 1970, no~~ No person may operate on a highway, ~~day~~
18 ~~or night,~~ any vehicle or equipment, any implement of husbandry, any animal-drawn
19 vehicle, or any other machinery, including all road machinery, that usually travels
20 at speeds of less than 25 miles per hour or any vehicle operated under a special
21 restricted operator's license issued under s. 343.135 or any lightweight utility
22 vehicle, as defined in s. 346.94 (21) (a) 2., ~~or any wide implement of husbandry, as~~
23 ~~defined in s. 347.24 (3) (a), that is manufactured before January 1, 2014,~~ unless there
24 is displayed on the most practicable visible rear area of the vehicle or combination
25 of vehicles, a slow moving vehicle (SMV) emblem as described in and displayed as

SENATE BILL 448**SECTION 11**

1 provided in sub. (2). Any towed vehicle or machine is exempt from this provision if
2 the towing vehicle is visible from the rear and is in compliance with this section. All
3 road machinery is excluded when it is engaged in actual construction or maintenance
4 work either guarded by a flagman or clearly visible warning signs. ~~Except as~~
5 ~~provided in s. 347.21 (1), the~~ The requirement of the emblem shall be in addition to
6 any lighting devices required or permitted by law. Mopeds and motor bicycles are
7 excluded from the provisions of this section unless they are operated under a special
8 restricted operator's license issued under s. 343.135. Electric personal assistive
9 mobility devices are excluded from the provisions of this section. The SMV emblem
10 need not be displayed on vehicles moving directly across the highway.

11 **SECTION 12.** 347.245 (2) of the statutes is amended to read:

12 347.245 (2) Standards and specifications for the design and position of
13 mounting of the SMV emblem shall be established by rule by the secretary. ~~Except~~
14 ~~as provided in s. 347.21 (1), the~~ The standards and specifications for SMV emblems
15 shall correlate with and, so far as possible, conform with those approved by the
16 American society of agricultural engineers. The secretary shall submit such
17 standards and specifications, and any subsequent changes therein, to the assembly
18 and senate committees having jurisdiction over transportation matters as
19 determined by the speaker of the assembly and the president of the senate acting
20 jointly for their approval.

21 **SECTION 13.** 347.245 (4) of the statutes is amended to read:

22 347.245 (4) ~~Except as provided in s. 347.21 (1), no~~ No person shall display such
23 emblem on any vehicle or equipment not specified in sub. (1).

24 **SECTION 14.** 347.245 (5) of the statutes, as affected by 2013 Wisconsin Act 377,
25 is amended to read:

SENATE BILL 448**SECTION 14**

1 347.245 (5) This section does not apply to any vehicle or combination of vehicles
2 to the left rear of which is attached a yellow or amber flashing light at least 4 inches
3 in diameter, except to ~~a wide an implement of husbandry, as defined in s. 347.24 (3)~~
4 ~~(a), that is manufactured before January 1, 2014.~~

5 **SECTION 15.** 347.25 (2g) of the statutes, as created by 2013 Wisconsin Act 377,
6 is amended to read:

7 347.25 (2g) No person may operate on a highway any self-propelled implement
8 of husbandry ~~manufactured before January 1, 2014, and~~ having a total width in
9 excess of 12 feet, unless it is equipped with a 360-degree yellow or amber rotating
10 strobe or beacon light, mounted at the highest practicable point, or 2 flashing amber
11 lights visible to the front and rear, and the light or lights are activated.

12 **SECTION 16.** 347.27 (3) of the statutes is amended to read:

13 347.27 (3) In this section, "vehicle" includes farm tractors ~~and self-propelled~~
14 ~~farm implements~~, implements of husbandry, animal-drawn vehicles, lightweight
15 utility vehicles as defined in s. 346.94 (21) (a) 2., and road machinery.

16 **SECTION 17.** 347.45 (2) (intro.) of the statutes is amended to read:

17 347.45 (2) (intro.) No person shall operate on a highway any vehicle, including
18 farm tractors, ~~self-propelled farm implements~~, implements of husbandry,
19 animal-drawn vehicles and road machinery, if such vehicle has on the periphery of
20 any of its tires any block, stud, flange, cleat, spike or other protuberance of any
21 material other than rubber which projects beyond the tread of the traction surface
22 of the tire, except that:

23 **SECTION 18.** 347.45 (2) (a) of the statutes is amended to read:

SENATE BILL 448**SECTION 18**

1 347.45 (2) (a) Farm tractors, ~~self-propelled farm implements~~, implements of
2 husbandry, bicycles, animal-drawn vehicles, and road machinery may be operated
3 with metal tires or tires having protuberances that will not injure the highway.

4 **SECTION 19.** 348.01 (2) (cm) of the statutes is created to read:

5 348.01 (2) (cm) “To or from a farm-related destination,” with respect to
6 operating or transporting an implement of husbandry or agricultural commercial
7 motor vehicle, means movement between or among farms, fields, agricultural
8 storage or processing facilities, locations where the implement of husbandry or
9 agricultural commercial motor vehicle is stored, or any combination of the foregoing.

10 **SECTION 20.** 348.05 (2) (am) of the statutes is amended to read:

11 348.05 (2) (am) Ten feet for an agricultural commercial motor vehicle, except
12 that, if the agricultural commercial motor vehicle is operated for purposes of
13 spraying pesticides or spreading lime or fertilizer but not including manure
14 application and has extending tires, fenders, or fender flares, the total outside width
15 of the agricultural commercial motor vehicle may not exceed 12 feet. This paragraph
16 does not apply to an agricultural commercial motor vehicle on a highway that is a
17 part of the national system of interstate and defense highways.

18 **SECTION 21.** 348.05 (2g) (a) (intro.) of the statutes, as affected by 2013
19 Wisconsin Act 377, is amended to read:

20 348.05 (2g) (a) (intro.) ~~Subject~~ Except as provided in par. (c), and subject to par.
21 (b), subsection sub. (2) (a) also applies to implements of husbandry while being
22 operated or transported by an implement dealer or farmer for purposes of delivery,
23 repair, or servicing of the implement of husbandry if the implement of husbandry is
24 being operated or transported under either of the following circumstances:

SENATE BILL 448**SECTION 22**

1 **SECTION 22.** 348.05 (2g) (b) of the statutes, as created by 2013 Wisconsin Act
2 377, is renumbered 348.05 (2g) (b) 1. and amended to read:

3 348.05 **(2g)** (b) 1. Paragraph (a) applies to a person operating or towing an
4 implement of husbandry only if the person operating or transporting the implement
5 of husbandry complies with ss. 347.24 (3), 347.245 (1), and 347.25 (2g), as applicable.
6 For purposes of this subdivision, the requirements under ss. 347.24 (3), 347.245 (1),
7 and 347.25 (2g) shall apply to an implement of husbandry being towed to the same
8 extent as if the implement of husbandry were being operated.

9 2. Paragraph (a) applies to a person transporting by trailer or semitrailer an
10 implement of husbandry only if the person complies with s. 347.24 (3) (b) 1. For
11 purposes of this ~~paragraph~~ subdivision, the requirements under ss. s. 347.24 (3),
12 347.245 (1), and 347.25 (2g) (b) 1. shall apply to an implement of husbandry being
13 transported by trailer or semitrailer to the same extent as if the implement of
14 husbandry were being operated.

15 **SECTION 23.** 348.05 (2g) (c) of the statutes is created to read:

16 348.05 **(2g)** (c) This subsection does not apply to implements of husbandry
17 being transported by trailer or semitrailer on a highway that is a part of the national
18 system of interstate and defense highways, but does apply to implements of
19 husbandry being operated or towed on a highway that is a part of the national system
20 of interstate and defense highways.

21 **SECTION 24.** 348.05 (3m) (a) of the statutes, as affected by 2015 Wisconsin Act
22 15, is amended to read:

23 348.05 **(3m)** (a) Subject to par. (c), implements of husbandry of any width may
24 be transported by trailer or semitrailer, without a permit, on a highway ~~from farm~~

SENATE BILL 448**SECTION 24**

1 to field, ~~from field to field, or from farm to farm~~ to or from a farm-related destination,
2 at times other than hours of darkness.

3 **SECTION 25.** 348.05 (3m) (b) of the statutes, as created by 2015 Wisconsin Act
4 15, is amended to read:

5 348.05 **(3m)** (b) This subsection does not apply to the national system of
6 interstate and defense highways, ~~except for that portion of I 39 between USH 51 and~~
7 ~~I 90/94.~~

8 **SECTION 26.** 348.05 (3m) (c) of the statutes, as created by 2015 Wisconsin Act
9 15, is amended to read:

10 348.05 **(3m)** (c) Paragraph (a) applies only if the person transporting the
11 implement of husbandry complies with ~~ss. s. 347.24 (3), 347.245 (1), and 347.25 (2g),~~
12 ~~as applicable. (b) 1.~~ For purposes of this paragraph, the requirements under ~~ss. s.~~
13 ~~347.24 (3), 347.245 (1), and 347.25 (2g) (b) 1.~~ shall apply to an implement of
14 husbandry being transported to the same extent as if the implement of husbandry
15 were being operated.

16 **SECTION 27.** 348.05 (3r) of the statutes is created to read:

17 348.05 **(3r)** (a) Except as provided in par. (b), and subject to s. 348.09 (3) (b),
18 sub. (2) (am) also applies to agricultural commercial motor vehicles while being
19 operated or transported by trailer or semitrailer by an implement dealer or farmer
20 for purposes of delivery, repair, or servicing of the agricultural commercial motor
21 vehicle if the agricultural commercial motor vehicle is being operated or transported
22 by trailer or semitrailer under either of the following circumstances:

23 1. Directly from a farmer's owned or leased land to the business location of an
24 implement dealer that is within a 75-mile radius of the farmer's owned or leased
25 land.

SENATE BILL 448**SECTION 27**

1 2. Directly from the business location of an implement dealer to a farmer's
2 owned or leased land that is within a 75-mile radius of the implement dealer's
3 business location.

4 (b) This subsection does not apply to agricultural commercial motor vehicles
5 being operated or transported by trailer or semitrailer on a highway that is a part
6 of the national system of interstate and defense highways.

7 **SECTION 28.** 348.05 (3t) of the statutes is created to read:

8 348.05 (3t) (a) Subject to par. (b) and s. 348.09 (3) (b), agricultural commercial
9 motor vehicles not exceeding the width specified in sub. (2) (am) may be transported
10 by trailer or semitrailer, without a permit, on a highway to or from a farm-related
11 destination, at times other than hours of darkness.

12 (b) This subsection does not apply to the national system of interstate and
13 defense highways.

14 **SECTION 29.** 348.06 (2) (intro.) of the statutes, as affected by 2015 Wisconsin
15 Act 15, is amended to read:

16 348.06 (2) (intro.) Implements of husbandry, and 2-vehicle combinations
17 transporting by trailer or semitrailer implements of husbandry ~~from farm to field,~~
18 ~~from field to field, or from farm to farm~~ to or from a farm-related destination, of any
19 height may be operated upon a highway without a permit for excessive height. The
20 operator of the implement of husbandry or 2-vehicle combination is responsible for
21 ensuring that there is adequate height clearance between the implement of
22 husbandry being operated or transported and any overhead structure or obstruction,
23 other than a structure or obstruction that is any of the following:

24 **SECTION 30.** 348.07 (2) (e) 2. of the statutes, as affected by 2015 Wisconsin Act
25 15, is amended to read:

SENATE BILL 448**SECTION 30**

1 348.07 (2) (e) 2. Except as provided in subd. 3., 100 feet for implements of
2 husbandry that are 2-vehicle combinations and for 2-vehicle combinations
3 transporting by trailer or semitrailer implements of husbandry ~~from farm to field,~~
4 ~~from field to field, or from farm to farm~~ to or from a farm-related destination.

5 **SECTION 31.** 348.07 (2r) of the statutes, as created by 2015 Wisconsin Act 15,
6 is amended to read:

7 348.07 (2r) Subsection (2) (e) also applies to implements of husbandry while
8 being transported by trailer or semitrailer on a highway ~~from farm to field, from field~~
9 ~~to field, or from farm to farm~~ to or from a farm-related destination.

10 **SECTION 32.** 348.09 (3) of the statutes, as affected by 2015 Wisconsin Act 15,
11 is renumbered 348.09 (3) (a) and amended to read:

12 348.09 (3) (a) ~~This~~ Subject to par. (b), this section does not apply if the load is
13 an implement of husbandry being transported as provided in s. 348.05 (2g) or (3m)
14 or an agricultural commercial motor vehicle being transported as provided in s.
15 348.05 (3r) or (3t).

16 **SECTION 33.** 348.09 (3) (b) of the statutes is created to read:

17 348.09 (3) (b) No person may transport by trailer or semitrailer on a highway
18 an agricultural commercial motor vehicle exceeding 8 feet 6 inches in total outside
19 width unless the agricultural commercial motor vehicle is equipped with at least 2
20 amber flashing warning lamps that are lighted and visible from both the front and
21 rear. When lighted, these lamps shall be capable of being seen and distinguished
22 under normal atmospheric conditions during hours of darkness at a distance of 500
23 feet from the front and rear of the agricultural commercial motor vehicle. These
24 lamps shall be mounted, as nearly as practicable, to indicate the extreme width of

SENATE BILL 448**SECTION 33**

1 the agricultural commercial motor vehicle, but not more than 16 inches from the
2 lateral extremities of the agricultural commercial motor vehicle.

3 **SECTION 34.** 348.15 (3) (b) of the statutes, as affected by 2015 Wisconsin Act 15,
4 is amended to read:

5 348.15 (3) (b) The gross weight imposed on the highway by the wheels of any
6 one axle may not exceed 20,000 pounds or, if the vehicle or combination of vehicles
7 is an implement of husbandry or agricultural commercial motor vehicle, or is a
8 2-vehicle combination transporting by trailer or semitrailer an implement of
9 husbandry or agricultural commercial motor vehicle ~~from farm to field, from field to~~
10 ~~field, or from farm to farm~~ to or from a farm-related destination, and is operated on
11 or before January 1, 2020, 23,000 pounds. In addition, the gross weight imposed on
12 the highway by the wheels of the steering axle of a truck tractor may not exceed
13 13,000 pounds unless the manufacturer's rated capacity of the axle and the tires is
14 sufficient to carry the weight, but not to exceed 20,000 pounds.

15 **SECTION 35.** 348.15 (3) (g) (intro.) of the statutes, as affected by 2015 Wisconsin
16 Act 15, is amended to read:

17 348.15 (3) (g) (intro.) Notwithstanding par. (c), if the vehicle or combination of
18 vehicles is an implement of husbandry or agricultural commercial motor vehicle, or
19 is a 2-vehicle combination transporting by trailer or semitrailer an implement of
20 husbandry or agricultural commercial motor vehicle ~~from farm to field, from field to~~
21 ~~field, or from farm to farm~~ to or from a farm-related destination, and is operated on
22 or before January 1, 2020, the gross weight imposed on the highway by any group
23 of 2 or more consecutive axles of the vehicle or vehicle combination may not exceed
24 the maximum gross weights in the following table for each of the respective distances

SENATE BILL 448**SECTION 35**

1 between axles and the respective numbers of axles of a group: [See Figure 348.15 (3)
2 (g) following]

3 **SECTION 36.** 348.15 (9) (a) of the statutes, as affected by 2015 Wisconsin Act 15,
4 is amended to read:

5 348.15 (9) (a) Except as provided in pars. (c), (cm), (e), and (f), the increased
6 weight allowance for implements of husbandry and agricultural commercial motor
7 vehicles under sub. (3) (b) and (g) applies in lieu of, not in addition to, any other
8 increased weight allowance for implements of husbandry or agricultural commercial
9 motor vehicles authorized under this chapter.

10 **SECTION 37.** 348.15 (9) (b) of the statutes, as affected by 2015 Wisconsin Act 15,
11 is amended to read:

12 348.15 (9) (b) Except as provided in par. (e), the maximum gross weight for an
13 implement of husbandry or agricultural commercial motor vehicle operated on a
14 highway without a permit may not exceed 92,000 pounds. Except as provided in par.
15 (e), the maximum gross weight for a 2-vehicle combination transporting by trailer
16 or semitrailer an implement of husbandry or agricultural commercial motor vehicle
17 ~~from farm to field, from field to field, or from farm to farm to~~ or from a farm-related
18 destination, and operated on a highway without a permit, may not exceed 92,000
19 pounds.

20 **SECTION 38.** 348.15 (9) (c) 2. of the statutes is amended to read:

21 348.15 (9) (c) 2. A potato harvester is not required to be accompanied by any
22 escort vehicle under subd. 1. if the potato harvester is traveling ~~between fields or~~
23 ~~between a farm and a field~~ to or from a farm-related destination and is operated on
24 the highway for a distance of 0.5 miles or less.

SENATE BILL 448**SECTION 39**

1 **SECTION 39.** 348.15 (9) (cm) of the statutes, as created by 2015 Wisconsin Act
2 15, is amended to read:

3 348.15 **(9)** (cm) 1. Notwithstanding sub. (3) (a), (b), (c), and (g), there is no
4 weight limitation per wheel, axle, or group of axles for a 2-vehicle combination
5 transporting by trailer or semitrailer an empty potato harvester ~~from farm to field,~~
6 ~~from field to field, or from farm to farm to~~ or from a farm-related destination if,
7 subject to subd. 2., the 2-vehicle combination is accompanied by one or more escort
8 vehicles operating with hazard lights activated, except that such a 2-vehicle
9 combination is subject to any weight limitation posted as provided in s. 348.17 (1).
10 Except as provided in par. (e), such a 2-vehicle combination transporting a potato
11 harvester is subject to the maximum gross weight limitation for 2-vehicle
12 combinations transporting implements of husbandry specified in par. (b).

13 2. A 2-vehicle combination transporting a potato harvester is not required to
14 be accompanied by any escort vehicle under subd. 1. if the potato harvester is being
15 transported ~~from farm to field, from field to field, or from farm to farm to~~ or from a
16 farm-related destination on a highway for a distance of 0.5 miles or less.

17 **SECTION 40.** 348.15 (9) (e) 2. of the statutes, as affected by 2015 Wisconsin Act
18 15, is amended to read:

19 348.15 **(9)** (e) 2. Notwithstanding par. (c) and sub. (3) (a), (b), (c), and (g), but
20 subject to subd. 3., there is no weight limitation per wheel, axle, or group of axles,
21 and no gross weight limitation, for an implement of husbandry described in s. 340.01
22 (24) (a) 1. b., or for an agricultural commercial motor vehicle used as described in s.
23 340.01 (1o) (e) 1., that is traveling ~~between fields or between a farm and a field to~~ or
24 from a farm-related destination and is operated on the highway for a distance of 0.5
25 miles or less.

SENATE BILL 448**SECTION 41**

1 **SECTION 41.** 348.15 (9) (e) 4. of the statutes, as created by 2015 Wisconsin Act
2 15, is amended to read:

3 348.15 **(9)** (e) 4. Notwithstanding par. (cm) and sub. (3) (a), (b), (c), and (g), but
4 subject to subd. 3., there is no weight limitation per wheel, axle, or group of axles,
5 and no gross weight limitation, for a 2-vehicle combination transporting by trailer
6 or semitrailer an implement of husbandry described in s. 340.01 (24) (a) 1. b. or
7 agricultural commercial motor vehicle used as described in s. 340.01 (1o) (e) 1. ~~from~~
8 ~~farm to field, from field to field, or from farm to farm to~~ or from a farm-related
9 destination, on a highway for a distance of 0.5 miles or less.

10 **SECTION 42.** 348.15 (9) (f) 1m. of the statutes, as created by 2015 Wisconsin Act
11 15, is amended to read:

12 348.15 **(9)** (f) 1m. Notwithstanding par. (cm) and sub. (3) (a), (b), (c), and (g),
13 and except as provided in subd. 3. and par. (e), there is no weight limitation per wheel,
14 axle, or group of axles, and no gross weight limitation other than that specified in par.
15 (b), for a 2-vehicle combination transporting by trailer or semitrailer an implement
16 of husbandry described in s. 340.01 (24) (a) 1. b. or agricultural commercial motor
17 vehicle used as described in s. 340.01 (1o) (e) 1. ~~from farm to field, from field to field,~~
18 ~~or from farm to farm to~~ or from a farm-related destination, on a highway that is not
19 designated under subd. 2. a.

20 **SECTION 43.** 348.27 (19) (b) 1. of the statutes, as affected by 2015 Wisconsin Act
21 15, is amended to read:

22 348.27 **(19)** (b) 1. Subject to subds. 3. and 5. b. and par. (c), a person may apply
23 to the maintaining authority of a highway for an annual or consecutive month,
24 no-fee permit to operate an implement of husbandry or agricultural commercial
25 motor vehicle that exceeds limitations on length or weight, or both, imposed by this

SENATE BILL 448**SECTION 43**

1 chapter. Subject to subds. 3. and 5. b. and par. (c), a person may also apply to the
2 maintaining authority of a highway for an annual or consecutive month, no-fee
3 permit to operate a 2-vehicle combination transporting by trailer or semitrailer an
4 implement of husbandry or agricultural commercial motor vehicle that exceeds
5 limitations on length or weight, or both, imposed by this chapter and that is being
6 transported on the highway ~~from farm to field, from field to field, or from farm to farm~~
7 to or from a farm-related destination. Upon receiving a complete application for a
8 no-fee permit under this subsection, the maintaining authority shall provide the
9 applicant with a final decision on the application within 3 weeks of its receipt. If the
10 maintaining authority fails to approve or deny the application within this 3-week
11 period, the application is considered approved until the applicant receives a denial
12 meeting the requirements under subd. 4. or until 6 weeks from receipt of the
13 application. If the maintaining authority fails to approve or deny the application
14 within 6 weeks of its receipt, the application is approved.

15 **SECTION 44.** 348.27 (19) (b) 5. a. of the statutes, as affected by 2015 Wisconsin
16 Act 15, is amended to read:

17 348.27 (19) (b) 5. a. The governing body of a municipality or county may, by
18 resolution or ordinance, authorize operation on any or all highways under the
19 municipality's or county's jurisdiction of implements of husbandry and agricultural
20 commercial motor vehicles that exceed limitations on length or weight, or both,
21 imposed by this chapter. The governing body of a municipality or county may also,
22 by resolution or ordinance, authorize operation on any or all highways under the
23 municipality's or county's jurisdiction of 2-vehicle combinations transporting by
24 trailer or semitrailer an implement of husbandry or agricultural commercial motor
25 vehicle that exceeds limitations on length or weight, or both, imposed by this chapter

SENATE BILL 448**SECTION 44**

1 and that is being transported ~~from farm to field, from field to field, or from farm to~~
2 ~~farm to~~ or from a farm-related destination. If the governing body of a municipality
3 or county adopts a resolution or ordinance under this subd. 5. a., the resolution or
4 ordinance shall be valid for at least one calendar year. For a resolution or ordinance
5 under this subd. 5. a. to be effective in any calendar year, the resolution or ordinance
6 must be adopted on or before November 30 of the prior year. No amendment to a
7 resolution or ordinance is effective in a calendar year unless the amendment was
8 adopted on or before November 30 of the prior year.

9 **SECTION 45.** 348.27 (19) (c) 1m. of the statutes, as created by 2015 Wisconsin
10 Act 15, is amended to read:

11 348.27 (19) (c) 1m. With respect to any highway under its jurisdiction, and as
12 provided in subd. 9. and par. (b) 4m. b., a maintaining authority may issue an annual
13 or consecutive month, no-fee permit authorizing operation on the highway of a
14 2-vehicle combination transporting by trailer or semitrailer an implement of
15 husbandry or agricultural commercial motor vehicle that exceeds limitations on
16 length or weight, or both, imposed by this chapter and that is being transported ~~from~~
17 ~~farm to field, from field to field, or from farm to farm to~~ or from a farm-related
18 destination, if the applicable requirements of this subsection are satisfied.

19 **SECTION 46.** 348.27 (19) (c) 11. of the statutes is created to read:

20 348.27 (19) (c) 11. If an application for a no-fee permit identifies multiple
21 identical implements of husbandry or agricultural commercial motor vehicles to be
22 operated on the same highways, as provided in par. (d) 1m., the maintaining
23 authority shall issue a no-fee permit that identifies, and authorizes operation of,
24 each implement of husbandry or agricultural commercial motor vehicle identified in
25 the application. The permittee may make copies of the no-fee permit and, for

SENATE BILL 448**SECTION 46**

1 purposes of s. 348.28, carry a copy of the permit, in lieu of the original, on any
2 implement of husbandry or agricultural commercial motor vehicle identified in the
3 no-fee permit.

4 **SECTION 47.** 348.27 (19) (cm) of the statutes, as created by 2015 Wisconsin Act
5 15, is amended to read:

6 348.27 (19) (cm) If a no-fee permit is issued under this subsection authorizing
7 a 2-vehicle combination to transport by trailer or semitrailer an implement of
8 husbandry, the permit shall require the person transporting the implement of
9 husbandry to comply with ~~ss. s. 347.24 (3), 347.245 (1), and 347.25 (2g), as applicable.~~
10 (b) 1. For purposes of this paragraph, the requirements under ~~ss. s. 347.24 (3),~~
11 ~~347.245 (1), and 347.25 (2g)~~ (b) 1. shall apply to an implement of husbandry being
12 transported to the same extent as if the implement of husbandry were being
13 operated.

14 **SECTION 48.** 348.27 (19) (cr) of the statutes is created to read:

15 348.27 (19) (cr) If a no-fee permit is issued under this subsection authorizing
16 a 2-vehicle combination to transport by trailer or semitrailer an agricultural
17 commercial motor vehicle exceeding 8 feet 6 inches in total outside width, the permit
18 shall require the person transporting the agricultural commercial motor vehicle to
19 comply with s. 348.09 (3) (b).

20 **SECTION 49.** 348.27 (19) (d) 1. (intro.) of the statutes is amended to read:

21 348.27 (19) (d) 1. (intro.) The department shall prescribe an application form
22 for no-fee permits, and amendments to no-fee permits, under this subsection.
23 Except with respect to permits under par. (b) 5. b., this form shall be used by each
24 maintaining authority. ~~The~~ Subject to subd. 1m., the application form shall require

SENATE BILL 448

1 the applicant to provide, on the form or as an attachment, all of the following
2 information:

3 **SECTION 50.** 348.27 (19) (d) 1m. of the statutes is created to read:

4 348.27 **(19)** (d) 1m. The application form under subd. 1. for a no-fee permit
5 shall provide the applicant an opportunity to identify, in one application, multiple
6 identical vehicles or vehicle combinations constituting implements of husbandry or
7 agricultural commercial motor vehicles for which application is made if each such
8 implement of husbandry or agricultural motor vehicle will be operated on the same
9 highways identified by the applicant under par. (c) 3.

10 **(END)**