

be filed in the office of the city clerk a petition in writing signed by not less than ten per cent in number of the voters who voted in said city at the last general state election, asking for a submission of the question of issuing such bonds to a vote of the people, in which case such question shall be submitted as provided for in this section; and, in case the common council of any city has heretofore, by resolution or ordinance, authorized the issuing of any bonds for said purposes, the electors of such city shall have thirty days within which to file such petition after the passage and publication of this act.

SECTION 4. This act shall take effect upon passage and publication.

Approved July 3, 1919.

No. 525, S.]

[Published July 10, 1919.

### CHAPTER 493.

AN ACT to create sections 1636—57a to 1636—57n of the statutes, regulating the capacity, dimensions, speed and equipment of motor trucks, tractors, trailers, and wagons, and their loads; providing for the preservation of public streets and highways; and providing a penalty.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. There are added to the statutes fourteen new sections to be numbered and to read: Section 1636—57a. The term "motor truck," when used in sections 1636—57a to 1636—57n, inclusive, shall include every type of self-propelled vehicle used for commercial purposes carrying its loads as a single unit with non-detachable propelling power, except those exclusively running on rails or tracks. The term "tractor" when used in sections 1636—57a to 1636—57n, inclusive, shall mean a self-propelled vehicle used exclusively for commercial hauling purposes to haul one or more articles or vehicles, except those exclusively running on rails or tracks. The term "trailer" when used in sections 1636—57a to 1636—57n, inclusive, shall mean a vehicle which is not self-propelled, and which is attached to another vehicle when operated, except those exclusively running on rails or tracks. The term "wagon" when used in sections 1636—57a to 1636—57n, inclusive, shall mean any animal drawn vehicle regardless of the number of wheels, except those exclusively running on rails or tracks.

Section 1636—57b. It shall be unlawful for any person, firm or corporation to operate, or to cause or permit any of his or its agents or employes to operate, any motor truck, tractor,

trailer or wagon, on any public highway or street, contrary to the provisions of sections 1636—57c to 1636—57n, inclusive, or unless the same shall comply in all respects as to equipment, size, weight, width of tires, weight of load, speed and all other provisions set forth in sections 1636—57c to 1636—57n, inclusive. All motor trucks or tractors, operating on any public highway or street, shall have tires of rubber or some material or construction of equal resiliency, of the width provided for in section 1636—57c.

Section 1636—57e. No motor truck, tractor, trailer or wagon shall be so loaded or operated that the total weight of the portion of the vehicle and load combined resting upon any wheel of the same shall exceed eight hundred pounds for each inch of width of tire upon such wheel, and no such vehicle shall carry a load of such weight that the maximum gross weight of vehicle and load combined shall exceed twenty-four thousand pounds, nor shall such load be so carried that the maximum gross weight of vehicle and load combined upon an axle of same shall exceed eighteen thousand pounds.

Section 1636—57d. No motor truck, tractor, trailer or wagon, except when loaded with loose hay or straw or similar material, shall be operated on any public highway or street when the overall dimensions exceed ninety-six inches in width, including load, or thirty feet in length, including load, except under a special permit as provided for under sections 1636—57e or 1636—57f.

Section 1636—57e. (a) The commissioner of public works of any city of the first class, or the executive in charge of the maintenance of the highways or streets desired to be used in other units of government, is hereby authorized to issue permits for the operation of trains consisting of tractors, trailers, or wagons not exceeding one hundred feet total length between the hours of eight o'clock p. m. and five o'clock a. m. on such route or routes as may be designated in the permit. Such trains shall carry in addition to the lights prescribed by statute and the existing ordinances of the unit of government in which it is moved, a red light at the rear end, and a white light on each side of each trailer, so placed as to make the train visible from all sides.

(b) No motor truck, tractor or trailer shall have any load or part of a load projecting more than four feet beyond the rear end of the body or carrying part of such vehicle, unless during the period from one-half hour after sunset of any day to one-half hour before sunrise of the next succeeding day, there shall be a red light firmly attached to the rear end of the upper sides of

such projecting load or part of a load. Such red light shall be in addition to any other light required to be carried by vehicles under any law of the state or any existing ordinance of the unit of government in which the same is operated.

Section 1636—57f. Whenever it shall be necessary to transport a single article which cannot be divided and which exceeds eighteen thousand pounds total load on any axle over any public highway or street, the same shall be done only after the issuance of a special permit for a single trip with the load so to be transported. The commissioner of public works in cities of the first class, and the executive in charge of the maintenance of the highways or streets desired to be used in other units of government, is hereby authorized, upon proper application in writing, to grant such special permit for the moving of any such heavy single article which cannot be divided, provided that the person, firm or corporation making such application for such permit shall furnish a bond, or certified check in a suitable sum, running to the unit of government and conditioned so as to save the unit of government harmless from any claim, loss or damage that may result from the granting of such permit, or that may arise from or on account of any work done thereunder, and further conditioned that the grantee shall restore to a condition satisfactory to the executive in charge of the maintenance of any such highway or street, any pavement, bridge, culvert, sewer, pipe or other public utility that may be injured by reason of the transportation of such heavy article under such permit. If after such article has been moved over the highway, no damage is found to have resulted therefrom, the certified check or bond shall be returned to the person or persons furnishing same, but in the event of any damage having resulted therefrom, the executive in charge shall repair same, or if necessary replace the damaged portion of the highway and the cost of the same shall be paid by the owner of the vehicle causing same, and for failure to pay such costs, the executive officer shall deduct the required amount from the proceeds of the certified check, or shall require the surety furnishing the bond to pay such costs.

Section 1636—57g. The executive officer in charge of the maintenance of any road or street may prohibit the moving of any load over any highway when such load produces a weight of more than 400 pounds per inch of width of tire in contact with the surface, at periods of the year when frost is leaving the ground or when from any other cause, the highway or street in question is liable to be destroyed or seriously damaged by the moving of such load. Notice of such additional restriction shall

be given by placing at the beginning and end of each section of road or street over which loads in excess of 400 pounds per inch width of tire are prohibited a sign plainly stating the maximum load per inch of tire allowed on such road. Traffic shall not be so restricted on any portion of highway or street for periods totalling more than sixty days in any one calendar year.

Section 1636—57h. No vehicle weighing more than three tons and less than six tons, including the weight of vehicle and load, if equipped with pneumatic tires, shall be operated at a speed to exceed twenty (20) miles per hour, and if equipped with two or more solid rubber tires, the speed shall not exceed sixteen (16) miles per hour. No vehicle weighing six tons or more, including the weight of vehicle and load, shall be operated in excess of sixteen (16) miles per hour if equipped with pneumatic tires or in excess of twelve (12) miles per hour if equipped with two or more solid rubber tires. All vehicles weighing more than three tons, including the weight of vehicle and load, provided with metal tires shall be limited to a speed not to exceed six miles per hour whenever operated, which provision shall apply to trailers having steel tires drawn either by animals or by motor vehicles. These speed limits shall supplement and not replace those specified elsewhere in the statutes.

Section 1636—57i. Cities of the first, second or third class may enact additional rules and regulations in regard to the size, weight, speed, equipment, and loads of vehicles when operated in said cities over streets maintained by such cities.

Section 1636—57j. No wagon or other wheeled vehicle, except animal drawn pleasure vehicles seating less than eight persons, having metal tires less than three (3) inches in width shall be sold in the state of Wisconsin from and after July 1, 1920.

Section 1636—57k. On and after January 1, 1920, except when engaged in actual highway construction or maintenance on unfinished highways, no person shall propel or draw, or cause to be propelled or drawn, along, over or across any public highway any tractor or traction engine equipped with any flange, cleat, lug, spud, or other projection extending more than two inches beyond the outside surface of any wheel or tractive rim thereof. No flange, cleat, lug, spud, rim or other projection on any wheel or tractive rim thereof, shall come to a sharp edge or point and no angle iron or V shaped cleats or rims shall be used unless they are so mounted that the ends of both legs of such angle iron or V shaped cleats are on the wheel or tractive rim. In all cases the cleats or lugs shall be so arranged on all driving wheels so that two or more cleats or lugs are in contact with the road sur-

face at all times. Provided also that the weight on any wheel or tractive rim shall not exceed eight hundred pounds per inch of tire width.

Section 1636—57l. Except when making absolutely necessary repairs, no person shall park or leave any vehicle along, upon, or within the limits of any public highway in such manner as to interfere with the free passage of vehicles over and along such highway. In all cases there shall be left a free and usable passageway of at least eighteen feet so that vehicles going in opposite directions may pass without interference from any standing vehicle.

Section 1636—57m. Any person, firm, or corporation violating or failing to comply with any of the provisions of sections 1636—57a to 1636—57n, inclusive, shall be guilty of a misdemeanor and shall be fined in any sum not exceeding one hundred dollars for each offense, and whenever any motor truck, wagon, tractor or trailer shall be operated contrary to the provisions of sections 1636—57a to 1636—57n, inclusive, such unlawful operation shall be deemed a distinct and separate offense on each day that it is continued, and the owner, driver, operator or mover of any such motor truck, wagon, tractor or trailer shall be responsible for all damages which said highway, street, alley or bridge may sustain as a result of said violation, and the amount thereof may be recovered in an action brought by the unit of government wherein such highway, street, alley or bridge is located.

Section 1636—57n. The provisions of sections 1636—57a to 1636—57m, inclusive, insofar as they apply to the width of tires or wagons used or sold and the load per inch of width of tires on wagons, shall not be in effect in any county if the county board shall, by a majority vote of all members thereof, determine that the provisions of said sections shall not apply to wagons used and sold in said counties.

SECTION 2. This act shall take effect upon passage and publication.

Approved July 2, 1919.