AN ACT to repeal 348.15 (2) and 348.16 (1) (a); to renumber 348.01 (2) (a); to
renumber and amend 348.15 (1) (a) and (3) (b) (intro.), 1 and 2 and 348.25 (2); to
amend 348.02 (2), 348.15 (3) (a) and (c) (intro.), (4), (5) and (5r), 348.21 (2) (b) and (3) (intro.), (a) and (b) (intro.) and 348.25 (4) (intro.) and (8) (a) (intro.); to repeal and recreate 348.15 (3) (intro.), (c) (figure) and (d); and to create
348.01 (2) (c), 348.15 (3) (bx) and (8), 348.25 (2) (b) and (8) (de), (dm) and (f) and 348.26 (5) of the statutes, relating to revising the weight limits for vehicles, establishing fees for certain single trip permits, permitting backhaul permits and creating a penalty.

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

SECTION 1. 348.01 (2) (a) of the statutes is renumbered 348.01 (2) (b).

SECTION 2. 348.01 (2) (c) of the statutes is created to read:

348.01 (2) (c) “Tandem axle” means any 2 or more consecutive axles whose centers
are 42 or more inches apart and which are individually attached to or articulated from, or
both, a common attachment to the vehicle including a connecting mechanism designed to
equalize the load between axles.

SECTION 3. 348.02 (2) of the statutes is amended to read:

348.02 (2) The provisions of this chapter restricting the size and weight of vehicles
apply to the vehicle and any load which it is carrying except as otherwise provided in s.
348.27 (5) this chapter.

SECTION 4. 348.15 (1) (a) of the statutes is renumbered 348.01 (2) (a) and
amended to read:

348.01 (2) (a) “Axle” includes all wheels of a vehicle imposing weight on the highway, the centers of which are included between 2 parallel transverse vertical planes less than 42 inches apart, extending across the full width of vehicle and load.

SECTION 5. 348.15 (2) of the statutes is repealed.

SECTION 6. 348.15 (3) (intro.) of the statutes is repealed and recreated to read:

348.15 (3) (intro.) Subject to any modifications made by a 1st class city under s.
349.15 (3), no person, without a permit, may operate on a class “A” highway any vehicle
or combination of vehicles unless the vehicle or combination of vehicles complies with the
following weight limitations:

SECTION 7. 348.15 (3) (a) of the statutes is amended to read:

348.15 (3) (a) The gross weight imposed on the highway by any one wheel or multiple
wheels supporting one end of an axle exceeds may not exceed 11,000 pounds; or
SECTION 8. 348.15 (3) (b) (intro.), 1 and 2 of the statutes are renumbered 348.15 (3) (b), (bg) and (br) and amended to read:

348.15 (3) (b) The gross weight imposed on the highway by the wheels of any one axle exceeds may not exceed 20,000 pounds except that, In addition, the gross weight imposed on the highway by the wheels of the steering axle of a truck tractor shall may not exceed 13,000 pounds except the department may allow a higher limit on the steering axle of a truck tractor if the rated tire capacity of bigger sized tires or ones with a heavier ply rating are used, or unless the manufacturer's rated capacity of the axle and the tires is sufficient to carry the weight, but not to exceed 20,000 pounds.

(bg) The gross weight imposed on the highway by the wheels of any one axle exceeds 21,000 pounds in In the case of a 2-axle motor truck transporting exclusively milk from the point of production to the primary market and the return of dairy supplies and dairy products from such primary market to the farm when operated on highways not a part of the national system of interstate and defense highways, the gross weight imposed on the highway by the wheels of any one axle may not exceed 21,000 pounds. This paragraph does not apply to the national system of interstate and defense highways.

(br) The In the case of a vehicle or combination of vehicles transporting exclusively peeled or unpeeled forest products cut crosswise or in the case of a vehicle or combination of vehicles transporting exclusively scrap metal, the gross weight imposed on the highway by the wheels of any one axle exceeds may not exceed 21,500 pounds or, for 2 axles 8 or less than 7 feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c) or (d), but not to exceed 80,000 pounds when transporting peeled or unpeeled forest products cut crosswise or metal scrap. This section paragraph shall does not apply to the national system of interstate and defense highways.

SECTION 8m. 348.15 (3) (bx) of the statutes is created to read:

348.15 (3) (bx) In the case of a vehicle transporting exclusively sand and gravel the gross weight imposed on the highway by 3 consecutive axles 7.5 to 8 feet apart may not exceed 42,000 pounds. This paragraph does not apply on or after July 1, 1985.

SECTION 9. 348.15 (3) (c) (intro.) of the statutes is amended to read:

348.15 (3) (c) (intro.) The gross weight imposed on the highway by any group of 2 or more consecutive axles of a vehicle or combination of vehicles exceeds may not exceed the maximum gross weights in the following table for each of the respective distances between axles and the respective numbers of axles of a group: [See Figure 348.15 (3) (c) following]

SECTION 10. 348.15 (3) (c) (figure) and (d) of the statutes are repealed and recreated to read:
(d) Notwithstanding par. (c), 2 consecutive sets of tandem axles may impose on the highway a gross load of 34,000 pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is 36 feet or more.

SECTION 11. 348.15 (4) and (5) of the statutes are amended to read:

348.15 (4) The Notwithstanding the possibility of increased weight on a particular wheel or axle or group of axle due to practical operating problems, including, but not limited to, accumulation of snow, ice, mud or dirt, the use of tire chains or minor shifting of load, the maximum weights set forth in sub. (3) include absolutely all tolerances weights allowable for enforcement purposes and in judging violations of the law.

(5) For enforcement of weight limitations specified by this chapter the gross weight, measured in pounds, imposed on the highway by any wheel or any one axle or by any
group of 2 or more axles shall be determined by weighing the vehicles and load, either by
single draft or multiple draft weighing on scales in good working order which are tested
periodically by the department of agriculture, trade and consumer protection or other
authorized testing agencies for accuracy to within standard accepted tolerances. The
weighing operation shall be performed in accordance with and under conditions accepted
as good weighing technique and practice. In multiple draft weighing the sum of the
weight of respective components shall be used to establish the weight of a combination of
the components. It is recognized that the weight, determined in accordance with methods
herein prescribed in this chapter, includes all statutory tolerances weights and represents
the momentary load force or reaction imposed on the scale at the time of weighing. Such
tolerances weights include any variation due to the following factors:

(a) **positioning** Positioning or tilt of the vehicle on the scale platform and adjacent
bearing surface;

(b) **momentary** Momentary position of axle centers with respect to wheel bearings and
vehicle body;

(c) **temporary** Temporary distribution of loading on the wheel or axle; and

(d) **miscellaneous** Miscellaneous variable factors of spring flexure, shackle friction,
clutch engagement, brake pressure, tire compression and other variable factors.

SECTION 12. 348.15 (5r) of the statutes is amended to read:

348.15 (5r) Irrespective of sub. (5), in determining overweight under sub. (3) (b) the
results of weighing by means of portable scales shall be admissible as evidence,
but the operator may request reweighing on a certified stationary scale. Portable
scales shall be checked by weighing in comparison to certified stationary scales within 10
days immediately prior to any weighing operation. In all cases where a vehicle is weighed on a
certified stationary scale, axles less than 6 feet apart shall be weighed as one unit.

SECTION 13. 348.15 (8) of the statutes is created to read:

348.15 (8) (a) Unless the department provides otherwise by rule, any axle of a vehicle
or combination of vehicles which does not impose on the highway at least 8% of the gross
weight of the vehicle or combination of vehicles may not be counted as an axle for the
purposes of sub. (3) (c).

(b) Notwithstanding par. (a), any axle which is attached to a vehicle registered in this
state and in use on April 1, 1982, shall be counted as an axle for the purposes of sub. (3)
(c) until April 1, 1985.

SECTION 14. 348.16 (1) (a) of the statutes is repealed.

SECTION 15. 348.21 (2) (b) and (3) (intro.), (a) and (b) (intro.) of the statutes
are amended to read:

348.21 (2) (b) If the load on any wheel, axle or group of axles does not exceed the
weight prescribed in s. 348.15 (3) (a), (b) or (c) or 348.16 or in a declaration issued
under s. 348.175 by more than 1,000 pounds and provided if such excess can be
reloaded within the normal load carrying areas, on any other wheel, axle or axles, so that all wheels
and axles are then within the tolerated statutory limits, the official shall direct the operator
to reload. If such reloading is accomplished and all axles or group of axles are within
the legal limits, a forfeiture of $10 shall be imposed. This forfeiture shall be paid upon
the basis of the citation issued by the official to the court named in the citation. Failure to pay
shall subject the operator to the penalty in par. (a) or sub. (3) (a). Violations under this
section shall not be considered as violations or prior convictions under par. (a), or sub.
(3) (a) or (b).

(3) (intro.) Any person violating s. 348.15 or 348.16 or any weight limitation posted
as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized in an
overweight permit issued under s. 348.26 or 348.27 may be penalized as follows:
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(a) If the weight exceeds by 1,000 pounds or less the maximum set forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized in an overweight permit issued under s. 348.26 or 348.27, a forfeiture of not less than $50 nor more than $100 upon the first conviction and, upon the 2nd and each subsequent conviction within a 12-month period, a forfeiture of not less than $100 nor more than $200.

(b) If the weight exceeds by more than 1,000 pounds the maximum set forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized in an overweight permit issued under s. 348.26 or 348.27, the forfeiture shall be computed according to the following schedule:

SECTION 16. 348.25 (2) of the statutes is renumbered 348.25 (2) (a) and amended to read:

348.25 (2) (a) Vehicles or articles transported under permit are exempt from the restrictions and limitations imposed by this chapter on size, weight and load to the extent stated in the permit. Any person who violates a condition of a permit under which he is operating is subject to the same penalties as would be applicable if he were operating without a permit.

SECTION 17. 348.25 (2) (b) of the statutes is created to read:

348.25 (2) (b) If an overweight permit has been obtained under s. 348.26 or 348.27, and the vehicle exceeds the weight stated in the permit, any overweight violation shall be computed on the basis of the weight authorized in the permit. The amount of the forfeiture for overweight violations determined under this paragraph shall be calculated as provided in s. 348.21 (3). This paragraph does not apply if any other conditions of an overweight permit are violated.

SECTION 18. 348.25 (4) (intro.) of the statutes is amended to read:

348.25 (4) (intro.) Except as provided under s. 348.26 (5), permits shall be issued only for the transporting of a single article or vehicle which exceeds statutory size, weight or load limitations and which cannot reasonably be divided or reduced to comply with statutory size, weight or load limitations, except that:

SECTION 19. 348.25 (8) (a) (intro.) of the statutes, as affected by chapter 20, laws of 1981, is amended to read:

348.25 (8) (a) (intro.) The department shall charge the following fees for each permit issued under s. 348.26:

SECTION 20. 348.25 (8) (de), (dm) and (f) of the statutes are created to read:

348.25 (8) (de) For the purpose of computing the fee under par. (a) for the issuance of a single trip permit for a vehicle or combination of vehicles for which an annual permit has been obtained under s. 348.27:

1. For size or weight authorized by the annual permit, the fee for a single trip permit is $5.

2. For gross weight in excess of that authorized by the annual permit, the fee is $15 for each 10,000-pound increment or fraction thereof by which the gross weight authorized by the single trip permit exceeds the gross weight authorized by the annual permit.

(dm) If the annual permit for a vehicle or combination of vehicles is suspended for the purpose of protecting the highways and a single trip permit is issued for the vehicle or combination of vehicles, the fee for the single trip permit is $5.
(f) Any local officer or agency authorized to issue a permit under s. 348.26 or 348.27 may charge a permit issuance fee for each permit issued under s. 348.26 and for the first and each subsequent or revalidated permit issued under s. 348.27.

SECTION 21. 348.26 (5) of the statutes is created to read:

348.26 (5) BACKHAUL PERMITS. If an oversize permit has been issued for an oversize vehicle or combination of oversize vehicles under this section or s. 348.27, the authority issuing the permit may also issue a backhaul permit to enable such vehicle or combination to transport a load which does not exceed statutory size and weight limits. A backhaul permit may be issued only when an oversize load is transported on the return trip or outgoing trip. The fee for the backhaul permit is $3.