

**1983 Senate Bill 321**

Date of enactment: **November 10, 1983**  
Date of publication: **November 16, 1983**

**1983 Wisconsin Act 78**

**AN ACT** *to repeal* 348.05 (2) (e), 348.05 (2) (em), 348.05 (2) (j), 348.07 (2) (d) and 348.27 (6); *to amend* 348.05 (1), 348.05 (2) (i), 348.05 (3), 348.07 (1), 348.07 (3), 348.08 (1) (a), 348.08 (1) (b), 348.08 (1) (d), 348.10 (1), 348.26 (5), 348.27 (4), 348.27 (5) and 348.27

(13); to repeal and recreate 348.07 (2) (f) and 348.07 (2) (g); and to create 340.01 (4e), 340.01 (15f), 340.01 (23d) and (23e), 340.01 (67r), 341.10 (11), 341.63 (1) (d), 348.05 (2m), 348.05 (4), 348.07 (2) (fm), 348.07 (2) (gm), 348.07 (2) (i), 348.07 (4), 348.07 (5), 348.08 (1) (e) and 348.08 (1) (f) of the statutes, relating to vehicle length and width limits, granting rule-making authority and making appropriations.

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

SECTION 1. 340.01 (4e) of the statutes is created to read:

340.01 (4e) "Automobile haulaway" means a combination of 2 vehicles specially designed, constructed and used to transport operational motor vehicles.

SECTION 2. 340.01 (15f) of the statutes is created to read:

340.01 (15f) "Double bottom" means a combination of 3 vehicles consisting of a truck tractor, a semitrailer and a trailer, or of a truck tractor and 2 semitrailers. For purposes of this paragraph, "truck tractor" includes road tractor.

SECTION 3. 340.01 (23d) and (23e) of the statutes are created to read:

340.01 (23d) "Household goods" means personal effects and property used or to be used in a dwelling when such effects and property are a part of the equipment or supply of the dwelling, but does not include property moving from a factory to a store except such property as a householder has purchased with intent to use in his or her dwelling and which is transported at the request of, and for which the transportation charges are paid to the carrier by, the householder.

(23e) "Household goods carrier" means any person engaged in the transportation of household goods for hire by motor vehicle upon the public highways.

SECTION 4. 340.01 (67r) of the statutes is created to read:

340.01 (67r) "Tractor-semitrailer combination" means a combination of 2 vehicles consisting of either a truck tractor and a semitrailer or a road tractor and a semitrailer.

SECTION 5. 341.10 (11) of the statutes is created to read:

341.10 (11) The applicant has failed to furnish proof of payment, in the form prescribed by the U.S. secretary of the treasury, that the federal heavy vehicle use tax imposed by section 4481 of the internal revenue code has been paid.

SECTION 6. 341.63 (1) (d) of the statutes is created to read:

341.63 (1) (d) The applicant fails, upon reasonable notice and demand, to furnish proof of payment, in the form prescribed by the U.S. secretary of the treasury, that the federal heavy vehicle use tax imposed by section 4481 of the internal revenue code has been paid.

SECTION 7. 348.05 (1) of the statutes is amended to read:

348.05 (1) No person without a permit therefor, shall operate on a highway any vehicle having a total width in excess of 8 feet 6 inches, except as otherwise provided in this section.

SECTION 8. 348.05 (2) (e) of the statutes is repealed.

SECTION 9. 348.05 (2) (em) of the statutes is repealed.

SECTION 10. 348.05 (2) (i) of the statutes is amended to read:

348.05 (2) (i) A realistic body width of 8 feet 6 inches for mobile homes;

SECTION 11. 348.05 (2) (j) of the statutes is repealed.

SECTION 12. 348.05 (2m) of the statutes is created to read:

348.05 (2m) The secretary, by rule, shall designate safety devices which may not be included in the calculation of width under subs. (1) and (2). The designation of safety devices under this subsection may not be inconsistent with the safety devices designated by the U.S. secretary of transportation under P.L. 97-369, section 321.

SECTION 13. 348.05 (3) of the statutes is amended to read:

348.05 (3) **OVERWIDTH FARM MACHINERY.** Farm tractors exceeding 12 feet in width and all other farm machinery and implements of husbandry exceeding 8 feet 6 inches in width not being operated in the course of performance of its work may be moved, towed or hauled over the highways without special permit between one-half hour before sunrise and sunset on Mondays to Thursdays and from one-half hour before sunrise to 2 p.m. on Fridays. Such overwidth machinery shall not be moved on any Wisconsin highway which is part of the national system of interstate highways without special permit.

SECTION 14. 348.05 (4) of the statutes is created to read:

348.05 (4) Notwithstanding sub. (1), the secretary may restrict vehicles to a width of less than 8 feet 6 inches on any portion of any state or local highway if he or she deems such restriction necessary to protect the public safety. Any such restriction shall be indicated by official signs. If the secretary restricts vehicles to a width of less than 8 feet 6 inches on any local highway, the local authority in charge of maintenance shall be responsible for erecting the appropriate signs on the local highway.

SECTION 15. 348.07 (1) of the statutes is amended to read:

348.07 (1) No person, without a permit therefor, may operate on a highway any single vehicle with an overall length in excess of 40 feet or any combination of 2 vehicles with an overall length in excess of ~~55~~ 60 feet, except as otherwise provided in subs. (2) and (2a).

SECTION 16. 348.07 (2) (d) of the statutes is repealed.

SECTION 17. 348.07 (2) (f) of the statutes is repealed and recreated to read:

348.07 (2) (f) No overall length limitation for a tractor-semitrailer combination, a double bottom or an automobile haulaway when such tractor-semitrailer combination, double bottom or automobile haulaway is operated on a highway designated under sub. (4).

SECTION 18. 348.07 (2) (fm) of the statutes is created to read:

348.07 (2) (fm) No length limitation for a truck tractor or road tractor when such truck tractor or road tractor is operated in a tractor-semitrailer combination or as part of a double bottom or an automobile haulaway on a highway designated under sub. (4).

SECTION 19. 348.07 (2) (g) of the statutes is repealed and recreated to read:

348.07 (2) (g) 48 feet for a semitrailer or trailer operated as part of a 2-vehicle combination.

SECTION 20. 348.07 (2) (gm) of the statutes is created to read:

348.07 (2) (gm) 28 feet 6 inches for a semitrailer or trailer operated as part of a double bottom.

SECTION 21. 348.07 (2) (i) of the statutes is created to read:

348.07 (2) (i) 66 feet for an automobile haulaway plus an additional overhang of 4 feet to the front of the vehicle and 5 feet to the rear of the vehicle.

SECTION 22. 348.07 (3) of the statutes is amended to read:

348.07 (3) The overall length of a ~~semitrailer or~~ mobile home shall be measured from the rear thereof to the rear of the vehicle to which it is attached, ~~except that, for purposes of sub. (2) (g), the overall~~. The length of the semitrailer or trailer shall be measured from the front thereof to the rear of the semitrailer or trailer or cargo, whichever is longer, excluding bumpers, stake pockets, air deflectors and refrigeration units.

SECTION 23. 348.07 (4) of the statutes is created to read:

348.07 (4) The secretary shall, by rule, designate the highways to which sub. (2) (f), (fm) and (gm) and s. 348.08 (1) (e) apply. The designation of highways under this subsection may not be inconsistent with the designation of highways made by the U.S. secretary of transportation under P.L. 97-424, section 411. The secretary may also designate additional highways by rule. In adopting a rule designating other highways, which may include 2-lane highways, the secretary shall specify the factors which resulted in the determination to designate the highways. These factors shall include, but are not limited to, safety, economics, energy savings, industry productivity and competition. Vehicles to which sub. (2) (f), (fm) and (gm) and s. 348.08 (1) (e) apply may also operate on undesignated highways for a distance of 5 miles or less in order to obtain access to a designated highway or to reach fuel, food, maintenance, repair, rest, staging, terminal or vehicle assembly facilities or points of loading or unloading. The secretary may, by rule, designate an access route of more than 5 miles from a designated highway when the longer route provides safer and better access to a location which is within the 5-mile limit. Household goods carriers may operate between highways designated in this subsection and points of loading and unloading.

SECTION 24. 348.07 (5) of the statutes is created to read:

348.07 (5) As often as it deems necessary, the department shall publish maps required for its own use and for free distribution showing the highways designated under sub. (4) and such other main highways and other features as the department deems desirable.

SECTION 25. 348.08 (1) (a) of the statutes is amended to read:

348.08 (1) (a) Two vehicles may, without such permit, be drawn or attached when such vehicles are being transported by the drive-away method in saddle-mount combination and the ~~over-all~~ overall length of such combination of vehicles does not exceed ~~55~~ 60 feet; ~~or,~~

SECTION 26. 348.08 (1) (b) of the statutes is amended to read:

348.08 (1) (b) Two trailers used primarily as implements of husbandry in connection with seasonal agricultural activities or one such trailer and any other implement of husbandry may, without such permit, be drawn by a farm tractor if the operation of such combination of vehicles is exclusively a farming operation and not for the transportation of property for hire and if the overall length of such combination of vehicles does not exceed ~~55~~ 60 feet.

SECTION 27. 348.08 (1) (d) of the statutes is amended to read:

348.08 (1) (d) Two trailers transporting empty pressurized or nonpressurized tanks used for hauling or storing liquid agricultural fertilizer may, without such permit, be drawn by a motor truck if the overall length of such combination of vehicles ~~does not exceed 55 feet and the overall length of such vehicles~~ and load does not exceed ~~59~~ 60 feet. For purposes of this paragraph, "empty" means less than 20% full.

SECTION 28. 348.08 (1) (e) of the statutes is created to read:

348.08 (1) (e) A double bottom may be operated on highways designated by the secretary under s. 348.07 (4).

SECTION 29. 348.08 (1) (f) of the statutes is created to read:

348.08 (1) (f) A double bottom transporting dairy products from the point of production to the first point of processing may operate on any highway not designated under s. 348.07 (4) if the overall length of such double bottom does not exceed 60 feet. If the double bottom operates on a highway designated under s. 348.07 (4), s. 348.07 (2) (f), (fm) and (gm) applies.

SECTION 30. 348.10 (1) of the statutes is amended to read:

348.10 (1) No person, without a permit therefor, ~~shall~~ may operate on a highway any vehicle or combination of vehicles with any load thereon extending more than 3 feet beyond the front of the foremost vehicle, except as provided in s. 348.07 (2) (i), and except that a vehicle carrying another vehicle equipped with a crane or boom which extends more than 3 feet beyond the front of the foremost vehicle may be operated without permit if the total length of the vehicle or combination of vehicles, measuring from the end of the foremost projection of the load to the rear of the rearmost vehicle, does not exceed statutory length limitations.

SECTION 31. 348.26 (5) of the statutes is amended to read:

348.26 (5) VEHICLE TRAIN PERMITS. The department and those local officials who are authorized to issue permits under sub. (2) may issue a single trip permit for not more than 3 vehicles being drawn or attached if the vehicles are being transported by the drive-away method in saddle-mount combination. No vehicle train permit issued by a local official for use of a highway outside the corporate limits of a city or village is valid until approved by the department. No permit may be issued for any train exceeding 65 feet in total length. Every permit issued pursuant to this subsection shall designate the route to be used by the permittee.

SECTION 32. 348.27 (4) of the statutes is amended to read:

348.27 (4) INDUSTRIAL INTERPLANT PERMITS. The department may issue, to industries and to their agent motor carriers owning and operating oversize vehicles in connection with interplant, and from plant to state line, operations in this state, annual permits for the operation of such vehicles over designated routes, provided that such permit shall not be issued under this section to agent motor carriers or from plant to state line for vehicles or loads of width exceeding ~~96~~ 102 inches upon routes of the national system of interstate and defense highways. If the routes desired to be used by the applicant involve city or village streets or county or town highways, the application shall be accompanied by a written statement of route approval by the officer in charge of maintenance of the highway in question.

SECTION 33. 348.27 (5) of the statutes is amended to read:

348.27 (5) (title) POLE AND PIPE PERMITS. Except as further provided in this subsection, the department may issue an annual permit to pipeline companies or operators or public service corporations for transportation of poles, pipe, girders and similar materials and to companies and individuals hauling peeled or unpeeled pole-length forest products used in its business ~~and to auto carriers operating "haulaways" specially constructed to transport motor vehicles and which exceed the maximum limitations on length of vehicle and load imposed by this chapter.~~ Such permits issued to companies and individuals hauling peeled or unpeeled pole-length forest products shall limit the length of vehicle and load to a maximum of 10 feet in excess of the limitations in s. 348.07 (1) and shall be valid only on a class "A" highway as defined in s. 348.15 (1) (b). Permits issued to companies or individuals hauling pole-length forest products may not exempt such companies or individuals from the maximum limitations on vehicle load imposed by this chapter. ~~Such permits issued to auto carriers shall limit the length of the vehicle to a maximum of 10 feet in excess of the limitations in s. 348.07 (1) and shall be valid only on a class "A" highway as defined in s. 348.15 (1) (b). For the purpose of determining maximum vehicle and load length, s. 348.02 (2) shall not apply to auto carriers except that such permits issued to auto carriers shall limit the load overhang to not more than 4 feet in the front of the vehicle and not more than 5 feet in the rear of the vehicle.~~

SECTION 34. 348.27 (6) of the statutes is repealed.

SECTION 35. 348.27 (13) of the statutes is amended to read:

348.27 (13) VEHICLE TRAIN PERMITS. The department for the state trunk highways or the officer in charge of maintenance in the case of other highways may issue an annual permit for not more than 3 vehicles being drawn or attached if the vehicles are being

transported by the drive-away method in saddle-mount combination. No vehicle train permit issued by a local official for use of a highway outside the corporate limits of a city or village is valid until approved by the department. No permit may be issued for any train exceeding 65 feet in total length.

**SECTION 36. Appropriation changes; transportation.** (1) **HEAVY VEHICLE USE TAX.** The appropriation to the department of transportation under section 20.395 (5) (cq) of the statutes, as affected by the acts of 1983, is increased by \$10,000 for fiscal year 1983-84 and by \$10,000 for fiscal year 1984-85 to provide the data processing necessary for the enforcement of the heavy vehicle use tax as required by federal law.

(2) **TRUCK ROUTE MAPS.** The appropriation to the department of transportation under section 20.395 (5) (aq) of the statutes, as affected by the acts of 1983, is increased by \$100,000 for fiscal year 1983-84 and by \$40,000 for fiscal year 1984-85 to provide for publishing the truck route maps under section 348.07 (5) of the statutes.

**SECTION 37. Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

(1) **TRANSPORTATION.**

(a) *Permits.*

| <b>A</b>         | <b>B</b>                      | <b>C</b>                      |
|------------------|-------------------------------|-------------------------------|
| Statute Sections | Old Cross-References          | New Cross-References          |
| 348.25 (3)       | 348.27 (2) and (4)<br>to (10) | 348.27 (2) and (4)<br>to (13) |
| 348.27 (1)       | subs. (2) and (4)<br>to (10)  | subs. (2) and (4)<br>to (13)  |

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