

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0473/P1dn
ARG:wlj:rs

November 8, 2004

ATTN: Beth

As we discussed, the attached draft increases the maximum overall length, from 65 feet to 75 feet, of a two-vehicle combination (e.g., a truck and trailer) that may be operated on *any* highway (not just state trunk highways) without a permit.

As we discussed, there are certain limitations imposed by federal law on a state's ability to set overall vehicle length limits on vehicle combinations. It is possible that a court may find that the changes in the attached draft cannot be applied to some two-vehicle combinations on interstate and federal-aid highways on the basis that, under federal law, states may not impose overall vehicle length limits on truck tractor-semitrailer combinations on these highways. 49 USC 31111 (b); 23 CFR 658.13.

The attached draft increases the maximum overall length for most two-vehicle combinations. However, under existing law, an "automobile haulaway," which is a two-vehicle combination used to transport operational motor vehicles (s. 340.01 (4e)), may not exceed 66 feet in length, plus a specified overhang, except on specified highways. See s. 348.07 (2) (j). Do you want to increase the maximum permitted length for these vehicles as well?

Existing law allows the operation, without a permit, of vehicle combinations consisting of, for example, a truck pulling two or three trailers ("vehicle trains") if the trailers are being "transported by the drive-away method in saddlemount combination" and the overall length of the vehicle combination does not exceed 65 feet. See s. 348.08 (1) (a). See also s. 348.08 (1) (f). The attached draft does not increase the permissible length of these vehicle trains. Is this consistent with your intent? I should note that federal law may prohibit states from allowing longer vehicle trains than those that lawfully could be operated on June 1, 1991. See 23 USC 127 (d).

Existing s. 348.07 (2) (im) establishes a length limit of 75 feet for two-vehicle combinations transporting livestock if certain requirements are met. The attached draft repeals this provision because the draft increases the length limit for two-vehicle combinations to 75 feet, unless a specific exception applies. Is this consistent with your intent?

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