

## 2005 ASSEMBLY BILL 315

1     **AN ACT** *to amend* 348.07 (2) (g), 348.07 (4) and 348.07 (5); and *to create* 348.07  
2           (2) (fs), 348.07 (2) (gv) and 348.07 (4m) of the statutes; **relating to:** allowing the  
3           operation of certain 2-vehicle combinations on certain highways without a  
4           permit, extending the time limit for emergency rule procedures, providing an  
5           exemption from emergency rule procedures and from rule-making procedures,  
6           and granting rule-making authority.

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*Analysis by the Legislative Reference Bureau*

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

7           **SECTION 1.** 348.07 (2) (fs) of the statutes is created to read:  
8           348.07 (2) (fs) 75 feet for a tractor-semitrailer combination that is operated on  
9           any part of the state trunk highway system, except as provided in par. (f) or sub. (4m).  
10          **SECTION 2.** 348.07 (2) (g) of the statutes is amended to read:

**ASSEMBLY BILL 315****SECTION 2**

1           348.07 (2) (g) 48 feet for a semitrailer or trailer operated as part of a 2-vehicle  
2 combination, except as provided in par. (gr) or (gv).

3           **SECTION 3.** 348.07 (2) (gv) of the statutes is created to read:

4           348.07 (2) (gv) 53 feet for a semitrailer whose length from kingpin to axle does  
5 not exceed 43 feet and which is operated as part of a 2-vehicle combination on any  
6 part of the state trunk highway system, except as provided in par. (gr) or sub. (4m).

7           **SECTION 4.** 348.07 (4) of the statutes is amended to read:

8           348.07 (4) The secretary shall, by rule, designate the highways to which sub.  
9 (2) (f), (fm), ~~(gm)~~ and (gr) and s. 348.08 (1) (e) ~~and (h)~~ apply. The designation of  
10 highways under this subsection may not be inconsistent with the designation of  
11 highways made by the U.S. secretary of transportation under P.L. 97-424, section  
12 411. The secretary may also designate additional highways by rule. In adopting a  
13 rule designating other highways, which may include 2-lane highways, the secretary  
14 shall specify the factors which resulted in the determination to designate the  
15 highways. These factors shall include, but are not limited to, safety, economics,  
16 energy savings, industry productivity and competition. Vehicles to which sub. (2) (f),  
17 (fm), ~~(gm)~~ and (gr) and s. 348.08 (1) (e) ~~and (h)~~ apply may also operate on  
18 ~~undesignated highways~~ not designated under this subsection for a distance of ~~5~~ 15  
19 miles or less in order to obtain access to a ~~designated highway~~ designated under this  
20 subsection or to reach fuel, food, maintenance, repair, rest, staging, terminal or  
21 vehicle assembly facilities or points of loading or unloading. The secretary may, by  
22 rule, designate an access route of more than ~~5~~ 15 miles from a ~~designated highway~~  
23 designated under this subsection when the longer route provides safer and better  
24 access to a location which is within the ~~5-mile~~ 15-mile limit. Household goods

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1 carriers may operate between highways designated ~~in~~ under this subsection and  
2 points of loading and unloading.

3 **SECTION 5.** 348.07 (4m) of the statutes is created to read:

4 348.07 **(4m)** The secretary shall, by rule, designate those parts of the state  
5 trunk highway system to which sub. (2) (fs) and (gv) do not apply. For each part of  
6 the state trunk highway system designated under this subsection, the secretary  
7 shall specify the factors that resulted in the determination to designate the part as  
8 not suitable to accommodate vehicle lengths as specified in sub. (2) (fs) and (gv).

9 **SECTION 6.** 348.07 (5) of the statutes is amended to read:

10 348.07 **(5)** As often as it deems necessary, the department shall publish maps  
11 required for its own use and for free distribution showing the highways designated  
12 under sub- subs. (4) and (4m), those parts of the state trunk highway system not  
13 designated under sub. (4m), and such other main highways and other features as the  
14 department deems desirable.

15 **SECTION 7. Nonstatutory provisions.**

16 (1) The department of transportation shall submit in proposed form the rules  
17 required under section 348.07 (4m) of the statutes, as created by this act, to the  
18 legislative council staff under section 227.15 (1) of the statutes no later than the first  
19 day of the 3rd month beginning after the effective date of this subsection.

20 (2) Using the emergency rules procedure under section 227.24 of the statutes,  
21 the department of transportation shall promulgate the rules required under section  
22 348.07 (4m) of the statutes, as created by this act, for purposes of implementing this  
23 act, for the period before the effective date of the rules submitted under subsection  
24 (1). The department shall promulgate these emergency rules no later than the first  
25 day of the 3rd month beginning after the effective date of this subsection.

**ASSEMBLY BILL 315****SECTION 7**

1 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules  
2 may remain in effect until June 30, 2007, or the date on which permanent rules take  
3 effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the  
4 statutes, the department is not required to provide evidence that promulgating a rule  
5 under this subsection as an emergency rule is necessary for the preservation of the  
6 public peace, health, safety, or welfare and is not required to provide a finding of  
7 emergency for a rule promulgated under this subsection.

8 **SECTION 8. Initial applicability.**

9 (1) This act first applies to violations committed on the effective date of this  
10 subsection, but does not preclude the counting of other violations as prior violations  
11 for purposes of sentencing a person.

12 **SECTION 9. Effective dates.** This act takes effect on the first day of the 3rd  
13 month beginning after publication, except as follows:

14 (1) SECTION 7 (1) and (2) of this act takes effect on the day after publication.

15 (END)