



# State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

## **RESEARCH APPENDIX -** **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: ARG (Per: 11/16/2004)



☞ The 2003 drafting file for LRB 03-3393

has been transferred to the drafting file for

# **2005 LRB 05-0108**

☞ This cover sheet, the final request sheet, and the final version of the 2003 draft were copied on yellow paper, and returned to the original 2003 drafting file.

☞ The attached 2003 draft was incorporated into the new 2005 draft listed above. For research purposes, this cover sheet and the complete drafting file were transferred, as a separate appendix, to the 2005 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

**2003 DRAFTING REQUEST**

**Bill**

Received: **09/30/2003**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Jerry Petrowski (608) 266-1182**

By/Representing: **Kathy Marschman (aide)**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**  
**Transportation - motor vehicles**

Extra Copies: **TNF, PJH**

Submit via email: **YES**

Requester's email: **Rep.Petrowski@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Length of semitrailers and tractor-trailer combinations

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/P1	agary 10/01/2003	jdye 10/22/2003	jfrantze 10/23/2003	_____	Inorthro 10/23/2003		State
		jdye 10/22/2003		_____			
				_____			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P2	agary 11/11/2003	jdyer 11/12/2003	rschluet 11/12/2003	_____	sbasford 11/12/2003		State
		jdyer 11/12/2003		_____			
/P3	agary 12/15/2003	jdyer 12/16/2003	rschluet 12/18/2003	_____	lemery 12/18/2003		
		jdyer 12/18/2003		_____			

FE Sent For:

<END>

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/?							State
/P1	agary 10/01/2003	jdyer 10/22/2003 jdyer 10/22/2003	jfrantze 10/23/2003		Inorthro 10/23/2003		State

*P3 12/18 jld*

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/P2	agary 11/11/2003	jdye 11/12/2003	rschluet 11/12/2003	_____	sbasford 11/12/2003		
		jdye 11/12/2003		_____			
				_____			

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By/Representing: Kathy Marschman (aide)

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Transportation - motor vehicles

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Instructions:

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/?							State

/P1	agary 10/01/2003	jdyer 10/22/2003 jdyer 10/22/2003	jfrantze 10/23/2003		lnorthro 10/23/2003		
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*Handwritten notes and signatures:*  
 K2 Rjld  
 11/23  
 [Signature]

10/23/2003 12:23:34 PM

Page 2

FE Sent For:

<END>

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1?	agary	<i>PI 10/22 jcd</i>	<i>10/23</i>	<i>JRS</i>			

FE Sent For:

<END>



**Gary, Aaron**

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**From:** Marschman, Kathy  
**Sent:** Monday, September 29, 2003 5:13  
**To:** Gary, Aaron  
**Subject:** Drafting Request - Long Trucks

Aaron-

Jerry would like a bill drafted to amend 348.07. The following points are goals for the bill.

1. Allow 53' semitrailers and 75' tractor-trailer combinations on any road on the national network, all state trunk highways, all long truck routes currently designated under Trans 276.07, all access routes currently designated under Trans 276.075, and all routes permissible for mobile homes under Trans. 261.12. (75' overall combination length and 53' trailer length must both be specified.)
2. The bill only applies to long trailers/combinations, NOT to double-bottoms. We want to maintain the current law requirement that double-bottoms travel only on routes designated by the DOT under s. 347.07 (4).
3. Notwithstanding item #2, increase access under s. 348.07 (4), as it relates to vehicles included in point #1) to seven miles.

You can see that we want to separate long trucks from double-bottoms, so everything related to double-bottoms must remain as it is under current law. Additionally, there should be no change in weight limits.

Let me know if you have any questions.  
Kathy

*Kathy Marschman*  
*Research Assistant/Committee Clerk*  
*Representative Jerry Petrowski*  
*86th Assembly District*  
*608.266.1182/Toll-Free: 888.534.0086*

10/01/2003

SOL  
moved in  
10/1

JLD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-Note

Gen

1 AN ACT ...; relating to: allowing the operation of certain 2-vehicle combinations  
2 on certain highways without a permit.

*Analysis by the Legislative Reference Bureau*

Under current law, with certain exceptions, no person may operate on a highway any single vehicle with an overall length in excess of 40 feet or any combination of two vehicles with an overall length in excess of 65 feet, unless the person has a permit to exceed these lengths. One exception allows a semitrailer or trailer up to 48 feet in overall length to be operated, without a permit, as part of a two-vehicle combination on any highway. Another exception allows a semitrailer up to 53 feet in overall length and having a kingpin-to-axle length not exceeding 43 feet to be operated, without a permit, as part of a two-vehicle combination on certain highways designated by the Department of Transportation (DOT). An exception also allows a tractor-semitrailer combination to be operated on designated highways without limitation on length. Another exception allows certain vehicles to operate on undesignated highways for a distance of five miles or less in order to access a designated highway or to reach certain services or destinations.

This bill creates an exception that allows a tractor-trailer combination up to 75 feet in overall length to be operated, without a permit, on designated highways and on all state trunk highways (including interstate highways). The bill also allows a semitrailer up to 53 feet in overall length, regardless of kingpin-to-axle length, to be operated, without a permit, as part of a two-vehicle combination on designated highways and on all state trunk highways (including interstate highways). The bill further allows these tractor-trailer combinations and semitrailers to operate on undesignated highways for access purposes for a distance of up to seven miles.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1           SECTION 1. 348.07 (2) (fs) of the statutes is created to read:

2           348.07 (2) (fs) 75 feet for a tractor-trailer combination that is operated on a  
3 highway designated under sub. (4) or designated by the department as part of the  
4 state trunk highway system.

5           SECTION 2. 348.07 (2) (g) of the statutes is amended to read:

6           348.07 (2) (g) 48 feet for a semitrailer or trailer operated as part of a 2-vehicle  
7 combination, except as provided in ~~par.~~ pars. (fs) and (gr). check

8           SECTION 3. 348.07 (2) (gr) of the statutes is amended to read:

9           348.07 (2) (gr) 53 feet for a semitrailer ~~whose length from kingpin to axle does~~  
10 ~~not exceed 43 feet and which~~ that is operated as part of a 2-vehicle combination on  
11 a highway designated under sub. (4) or designated by the department as part of the  
12 state trunk highway system.

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

14           348.07 (4) The secretary shall, by rule, designate the highways to which sub.  
15 (2) (f), (fm), (fs), (gm) and (gr) and s. 348.08 (1) (e) and (h) apply. The designation of  
16 highways under this subsection may not be inconsistent with the designation of  
17 highways made by the U.S. secretary of transportation under P.L. 97-424, section  
18 411. The secretary may also designate additional highways by rule. In adopting a  
19 rule designating other highways, which may include 2-lane highways, the secretary  
20 shall specify the factors which resulted in the determination to designate the  
21 highways. These factors shall include, but are not limited to, safety, economics,

1 energy savings, industry productivity and competition. Vehicles to which sub. (2) (f),  
2 (fm), and (gm) ~~and (gr)~~ and s. 348.08 (1) (e) and (h) apply may also operate on  
3 undesignated highways for a distance of 5 miles or less, and vehicles to which sub.  
4 (2) (fs) and (gr) apply may also operate on undesignated highways for a distance of  
5 7 miles or less, in order to obtain access to a designated highway or to reach fuel, food,  
6 maintenance, repair, rest, staging, terminal or vehicle assembly facilities or points  
7 of loading or unloading. The secretary may, by rule, designate an access route of more  
8 than 5 miles or, with respect to vehicles to which sub. (2) (fs) and (gr) apply, 7 miles,  
9 from a designated highway when the longer route provides safer and better access  
10 to a location which is within the 5-mile or 7-mile limit. Household goods carriers  
11 may operate between highways designated in this subsection and points of loading  
12 and unloading.

13 **SECTION 5. Initial applicability.**

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

17 (END)

*D-Note*

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3393/P1dn

ARG:.....

*JLD*

ATTN: Kathy Marschman

The drafting instructions refer to the following highways: "the national network, all state trunk highways, all long truck routes currently designated under Trans 276.07, all access routes currently designated under Trans 276.075, and all routes permissible for mobile homes under Trans 261.12." The attached ~~draft~~ <sup>bill</sup> uses the language "highways designated by [DOT] as part of the state trunk highway system." Under existing law, all highways that are part of the national system of interstate and defense highways within Wisconsin are part of the state trunk highway system, as are all state trunk highways. See ss. 84.02, 84.29, and 340.01 (60). Also under existing law, the highways designated under Trans 276.07 are ~~co~~<sup>extensive</sup> with the designation under s. 348.07 (4). Since the only highway identified in Trans 276.075 is an interstate highway (USH 12), it is not necessary to identify this highway separately in the ~~draft~~. Similarly, with respect to Trans 261.12 (1), it is not necessary to identify USH 45 and I 94 separately in the ~~draft~~, and the reference in Trans 261.12 (2) to "any highways of the state" is not consistent with my understanding of the intent of the ~~draft~~. <sup>bill</sup>

The attached ~~draft~~ <sup>bill</sup> increases the vehicle length limitation for tractor-trailer combinations and expands the exception for semitrailers that may be operated on a highway without a permit. Of particular significance, the ~~draft~~ expands "permissible routes" to include interstate and federal-aid highways. The changes to state law in the attached ~~draft~~ <sup>bill</sup> regarding permissible vehicle length may conflict with federal law. Federal law imposes limitations both on a state's ability to restrict vehicle length on interstate and federal-aid highways and on a state's ability to increase the permissible length of vehicles operated on highways after 1991. See 49 USC 31111; 23 CFR 658.13; 23 USC 127. Whether the statutory changes effected by this bill are permissible under federal law may require a ruling from US DOT. I suggest that you consult with WisDOT as to whether the attached bill is likely to create a conflict with federal law.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3393/P1dn  
ARG:jld:jf

October 23, 2003

ATTN: Kathy Marschman

The drafting instructions refer to the following highways: “the national network, all state trunk highways, all long truck routes currently designated under Trans 276.07, all access routes currently designated under Trans 276.075, and all routes permissible for mobile homes under Trans 261.12.” The attached bill uses the language “highways designated by [DOT] as part of the state trunk highway system.” Under existing law, all highways that are part of the national system of interstate and defense highways within Wisconsin are part of the state trunk highway system, as are all state trunk highways. See ss. 84.02, 84.29, and 340.01 (60). Also under existing law, the highways designated under Trans 276.07 are coextensive with the designation under s. 348.07 (4). Since the only highway identified in Trans 276.075 is an interstate highway (USH 12), it is not necessary to identify this highway separately in the bill. Similarly, with respect to Trans 261.12 (1), it is not necessary to identify USH 45 and I 94 separately in the bill, and the reference in Trans 261.12 (2) to “any highways of the state” is not consistent with my understanding of the intent of the bill.

The attached bill increases the vehicle length limitation for tractor-trailer combinations and expands the exception for semitrailers that may be operated on a highway without a permit. Of particular significance, the bill expands “permissible routes” to include interstate and federal-aid highways. The changes to state law in the attached bill regarding permissible vehicle length may conflict with federal law. Federal law imposes limitations both on a state’s ability to restrict vehicle length on interstate and federal-aid highways and on a state’s ability to increase the permissible length of vehicles operated on highways after 1991. See 49 USC 31111; 23 CFR 658.13; 23 USC 127. Whether the statutory changes effected by this bill are permissible under federal law may require a ruling from US DOT. I suggest that you consult with WisDOT as to whether the attached bill is likely to create a conflict with federal law.

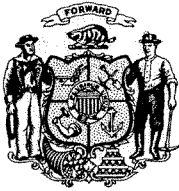
Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

LRB 3393

11/6/03

Telephone conference with Kathy Marschman. Wants significant revisions; different approach. AM 348.07 (1) from 65 to 75 ft. for all combo vehicles. Then, bill sec. 1, allow 75 ft. on STHs or highways designated under sub. (4) (not necessarily included in 75 ft.) in sub. (1); in bill sec. 2, not sure; in bill sec. 3, eliminate and leave current law; in bill sec. 4, should apply for both long trailers and double bottoms, everybody should have the longer 7 miles, also want to include all of STH system unless sec. designates specific route on STH system exempted or opted out plus additional routes not on STH system designated by sec. Not sure how to accomplish this dual designation, perhaps something under (2) (fs). Point is that sec. can designate part of STH as routes where 75' trailer can't go. Not sure whether to try to put it all in sub. (4) or to create another par. or sub. But the 75' change in sub. (1) would only apply to STHs not designated for exemption; but sec. can designate under sub. (4) other routes such as CTHs.

ARG



State of Wisconsin  
2003 - 2004 LEGISLATURE

soon  
turned  
in 11/11

LRB-3393/04 P2

ARG:jld:jf

PMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-Note

Reger

1 AN ACT to amend 348.07 (2) (g), 348.07 (2) (gr) and 348.07 (4); and to create  
2 348.07 (2) (fs) of the statutes; relating to: allowing the operation of certain  
3 2-vehicle combinations on certain highways without a permit. ✓

*Analysis by the Legislative Reference Bureau*

✓  
Insert  
ANAL

Under current law, with certain exceptions, no person may operate on a highway any single vehicle with an overall length in excess of 40 feet or any combination of two vehicles with an overall length in excess of 65 feet, unless the person has a permit to exceed these lengths. One exception allows a semitrailer or trailer up to 48 feet in overall length to be operated, without a permit, as part of a two-vehicle combination on any highway. Another exception allows a semitrailer up to 53 feet in overall length and having a kingpin-to-axle length not exceeding 43 feet to be operated, without a permit, as part of a two-vehicle combination on certain highways designated by the Department of Transportation (DOT). An exception also allows a tractor-semitrailer combination to be operated on designated highways without limitation on length. Another exception allows certain vehicles to operate on undesignated highways for a distance of five miles or less in order to access a designated highway or to reach certain services or destinations.

This bill creates an exception that allows a tractor-trailer combination up to 75 feet in overall length to be operated, without a permit, on designated highways and on all state trunk highways (including interstate highways). The bill also allows a semitrailer up to 53 feet in overall length, regardless of kingpin-to-axle length, to be operated, without a permit, as part of a two-vehicle combination on designated highways and on all state trunk highways (including interstate highways). The bill



further allows these tractor-trailer combinations and semitrailers to operate on undesignated highways for access purposes for a distance of up to seven miles.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

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**SECTION 1.** 348.07 (2) (fs) of the statutes is created to read:

348.07 (2) (fs) 75 feet for a tractor-trailer combination that is operated on a highway designated under sub. (4) or designated by the department as part of the state trunk highway system.

**SECTION 2.** 348.07 (2) (g) of the statutes is amended to read:

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

**SECTION 3.** 348.07 (2) (gr) of the statutes is amended to read:

348.07 (2) (gr) 53 feet for a semitrailer whose length from kingpin to axle does not exceed 43 feet and which that is operated as part of a 2-vehicle combination on a highway designated under sub. (4) or designated by the department as part of the state trunk highway system.

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

348.07 (4) The secretary shall, by rule, designate the highways to which sub. (2) (f), (fm), (fs), (gm) and (gr) and s. 348.08 (1) (e) and (h) 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

1 highways. These factors shall include, but are not limited to, safety, economics,  
2 energy savings, industry productivity and competition. Vehicles to which sub. (2) (f),  
3 (fm), and (gm) and (gr) and s. 348.08 (1) (e) and (h) apply may also operate on  
4 undesignated highways for a distance of 5 miles or less, and vehicles to which sub.  
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6 7 miles or less, in order to obtain access to a designated highway or to reach fuel, food,  
7 maintenance, repair, rest, staging, terminal or vehicle assembly facilities or points  
8 of loading or unloading. The secretary may, by rule, designate an access route of more  
9 than 5 miles or, with respect to vehicles to which sub. (2) (fs) and (gr) apply, 7 miles,  
10 from a designated highway when the longer route provides safer and better access  
11 to a location which is within the 5-mile or 7-mile limit. Household goods carriers  
12 may operate between highways designated in this subsection and points of loading  
13 and unloading.

14 **SECTION 5. Initial applicability.**

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

18 (END)

D-Note  
↓

**2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3393/P2ins  
ARG:.....

**INSERT ANAL:**

Under current law, with certain exceptions, no person may operate on a highway any single vehicle with an overall length in excess of 40 feet or any combination of two vehicles with an overall length in excess of 65 feet, unless the person has a permit to exceed these lengths. Some exceptions allow specified vehicles to be operated, without a permit, on certain highways designated by the Department of Transportation (DOT). An exception also allows specified vehicles to operate on highways not designated by DOT for a distance of five miles or less in order to access a highway designated by DOT or to reach certain services or destinations.

This bill increases, from 65 feet to 75 feet, the maximum overall length of a two-vehicle combination that may be operated, without a permit, on a highway that is part of the state trunk highway system including interstate highways or that is designated for such operation by DOT. The bill maintains the existing maximum overall length limit of 65 feet for two-vehicle combinations on all other highways and allows DOT to, by rule, exempt any part of the state trunk highway system from the increased length limit. The bill also expands existing exceptions to the maximum overall length limit by including, along with highways currently designated by DOT, all parts of the state trunk highway system other than those specifically excluded by DOT designation. The bill also increases, from five miles to seven miles, the distance that specified vehicles may operate on highways not designated by DOT in order to access a highway designated by DOT or to reach certain services or destinations.

**INSERT 2-1:**

**SECTION 1.** 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 on any highway or any combination of 2 vehicles with an overall length in excess of 75 feet on, subject to sub. (3m), any part of the state trunk highway system or any highway designated under sub. (4) or in excess of 65 feet on any other highway, except as otherwise provided in subs. (2) and (2a).

**SECTION 2.** 348.07 (2) (f) of the statutes is amended to read:

348.07 (2) (f) No overall length limitation for a tractor-semitrailer combination, a double bottom or an automobile haulaway when such

NS 2-1  
cont

tractor-semitrailer combination, double bottom or automobile haulaway is operated on any part of the state trunk highway system not designated under sub. (3m) or on a highway designated under sub. (4).

**SECTION 3.** 348.07 (2) (fm) of the statutes is amended 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 any part of the state trunk highway system not designated under sub. (3m) or on a highway designated under sub. (4).

**SECTION 4.** 348.07 (2) (gr) of the statutes is amended to read:

348.07 (2) (gr) 53 feet for a semitrailer whose length from kingpin to axle does not exceed 43 feet and which is operated as part of a 2-vehicle combination on any part of the state trunk highway system not designated under sub. (3m) or on a highway designated under sub. (4).

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

348.07 (3m) The secretary shall, by rule, designate those parts of the state trunk highway system on which the maximum permissible overall length of a 2-vehicle combination operating without a permit shall be 65 feet and on which sub. (2) (f), (fm), (gm) and (gr) and s. 348.08 (1) (e) and (h) do not apply. For each part of the state trunk highway system designated under this subsection, the secretary shall specify the factors which resulted in the determination to designate the part.

**SECTION 6.** 348.07 (4) of the statutes is amended to read:

348.07 (4) The secretary shall, by rule, designate the highways, other than highways on the state trunk highway system, to which sub. (2) (f), (fm), (gm) and (gr) and s. 348.08 (1) (e) and (h) 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), (gm), and (gr) and s. 348.08 (1) (e) and (h) apply may also operate on undesignated highways for a distance of ~~5~~ <sup>7</sup> 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~~ <sup>7</sup> miles from a designated highway when the longer route provides safer and better access to a location which is within the ~~5-mile~~ <sup>7-mile</sup> limit. Household goods carriers may operate between highways designated in this subsection and points of loading and unloading.

SECTION 7. 348.07 (5) of the statutes is amended 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), those parts of the state trunk highway system not designated under sub. (3m), and such other main highways and other features as the department deems desirable.

SECTION 8. 348.08 (1) (e) of the statutes is amended to read:

348.08 (1) (e) A double bottom may be operated on any part of the state trunk highway system not designated under s. 348.07 (3m) or on highways designated by the secretary under s. 348.07 (4).



MS 2-1  
CONF

SECTION 9. 348.08 (1) (f) of the statutes is amended 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 that is not part of the state trunk highway system except a part of the state trunk highway system designated under s. 348.07 (3m) and that is 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 any part of the state trunk highway system not designated under s. 348.07 (3m) or on a highway designated under s. 348.07 (4), s. 348.07 (2) (f), (fm) and (gm) applies.

(end ins)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3393/P2dn

ARG:.....

JG

ATTN: Kathy Marschman

Is this closer to what you wanted?

In the attached draft, s. 348.07 (1) (j) is not repealed because it has continuing applicability to such vehicles operated on highways that are not state trunk highways or highways designated under s. 348.07 (4).

The attached draft does not increase the maximum permissible length (currently 65 feet) of vehicles described in s. 348.08 (1) (a). Is this consistent with your intent?

I believe that existing provisions of ss. 348.07 and 348.08 could use some "clean up" in that there seems to be an inconsistency between the cross-references in s. 348.07 (4) and ss. 348.07 (1) (gm) and 348.08 (1) (h). If ss. 348.07 (1) (gm) and 348.08 (1) (h) are intended to be limited to highways designated by DOT, such a limitation should be expressed in the provision, as it is in ss. 348.07 (1) (f), (fm), (gr), and 348.08 (1) (e). In addition, a cross-reference to s. 348.08 (1) (f) should be added to s. 348.07 (4). The attached draft does not undertake this "clean up." Do you want me to do so?

plain  
and

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3393/P2dn  
ARG:jld:rs

November 12, 2003

ATTN: Kathy Marschman

Is this closer to what you wanted?

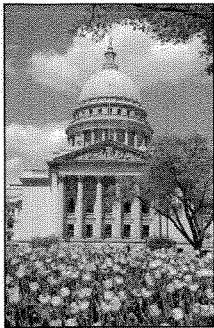
In the attached draft, s. 348.07 (2) (j) is not repealed because it has continuing applicability to such vehicles operated on highways that are not state trunk highways or highways designated under s. 348.07 (4).

The attached draft does not increase the maximum permissible length (currently 65 feet) of vehicles described in s. 348.08 (1) (a). Is this consistent with your intent?

I believe that existing provisions of ss. 348.07 and 348.08 could use some "clean up" in that there seems to be an inconsistency between the cross-references in s. 348.07 (4) and ss. 348.07 (2) (gm) and 348.08 (1) (h). If ss. 348.07 (2) (gm) and 348.08 (1) (h) are intended to be limited to highways designated by DOT, such a limitation should be expressed in the provision, as it is in ss. 348.07 (2) (f), (fm), and (gr) and 348.08 (1) (e). In addition, a cross-reference to s. 348.08 (1) (f) should be added to s. 348.07 (4). The attached draft does not undertake this "clean up." Do you want me to do so?

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
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STATE REPRESENTATIVE  
**JERRY PETROWSKI**  
86<sup>TH</sup> ASSEMBLY DISTRICT

STATE CAPITOL:  
P.O. Box 8953  
Madison, WI 53708-8953

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TOLL-FREE  
(888) 534-0086

DISTRICT:  
720 North 136th Avenue  
Marathon, WI 54448-9580

(715) 845-6193

To: Aaron Gary

From: Kathy Marschman

Date: 4 December 2003

Re: Request Change to LRB-3393 (Long Trucks)

---

Aaron-

Attached is a document in which I've attempted to capture the goals of the long trucks bill, LRB-3393.

I apologize for not being clear with my original and subsequent drafting request. I think I was trying to please all and ended up with the wrong thing.

Anyway, Jerry's overall goals for the bill are to:

- ◆ Allow 53' trailers anywhere without the need for road designation (Trans 276) subject to DOT designation of sections that cannot be traveled by 53' trailers.
- ◆ Increase the overall length to 75' for all two-vehicle combinations on roads that are currently designated in Trans 276, state trunk highways, and mobile home routes. I believe the easiest way to accomplish this is to actually identify each specific section currently listed in Trans 276 in statute.
- ◆ Maintain current law with respect to double-bottom routes to require they travel only on designated roads (Trans 276).
- ◆ Ensure the bill does not unintentionally impose restrictions on the national network.

I've also enclosed a color-coded map, which I request you return when you're done with it. It is my understanding that mobile home routes are not identified in rule, but the DOT limits issuance of permits for mobile homes to the routes identified in pink on the map. Kathleen Nichols, the oversize permit person at DOT, should be able to assist if you need additional information related to these routes.

Please let me know if you have questions about this request.

Thanks-  
Kathy

goal of bill (for LRB 3393/3)

1 trailer

double-bottom

348.07(1) 75' overall, subject to (2)

75' overall, subject to (2)

348.07(2)(f) subject to new (3m)

subject to (4)

348.07(2)(fm) subject to (3m)

subject to (4)

348.07(2)(gm) N/A

28'6" d-b trailer length

348.07(2)(gr) 53 ft subject to (3m)

N/A

348.07(3m) 'undesignate' hwy for 65' max.

N/A

348.07(4) N/A

DOT designate d-b routes.

348.07(5) maps of 65' max (2)(gr)+(3m) map of d-b routes (4)

348.08(1)(e) N/A

subject to (4)

348.08(1)(f) N/A (delete from state ref to (2)(f), (fm))

subject to (gm)

no overall restriction on currently designated roads, interstate, current mobil home routes.

no overall restriction on currently designated roads, interstate, current mobil home routes.

## Gary, Aaron

---

**From:** Marschman, Kathy  
**Sent:** Monday, December 15, 2003 1:11 PM  
**To:** Gary, Aaron  
**Subject:** RE: LRB-3393/P3

Maybe I shouldn't have mentioned 348.08 (1) (f). I don't want to change the treatment of double bottom dairy haulers with this bill. It appears that current law gives the dairy haulers a little more leeway on hauls from the production location, and we don't want to restrict that with the bill. Does that answer your question?

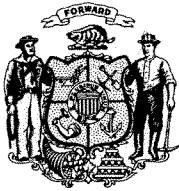
-----Original Message-----

**From:** Gary, Aaron  
**Sent:** Monday, December 15, 2003 12:58 PM  
**To:** Marschman, Kathy  
**Subject:** LRB-3393/P3

Hi Kathy,

I'm wrapping up this redraft and trying to figure out whether I understand your intent correctly with regard to the handwritten notes re s. 348.08 (1) (f) - double bottoms hauling milk. Do you want to treat double bottoms hauling milk differently (more restrictively) than other double bottoms? Thanks. Aaron

Aaron R. Gary  
*Legislative Attorney*  
*Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us



State of Wisconsin  
2003 - 2004 LEGISLATURE

soon  
turned in  
12/15

LRB-3393/P3  
ARG:jld:rs

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-Note

Reger

1 AN ACT to amend 348.07 (1), 348.07 (2) (f), 348.07 (2) (fm), 348.07 (2) (gr), 348.07  
 2 (4), 348.07 (5), 348.08 (1) (e) and 348.08 (1) (f); and to create 348.07 (3m) of the  
 3 statutes; relating to: allowing the operation of certain 2-vehicle combinations  
 4 on certain highways without a permit.

insert  
1-4

**Analysis by the Legislative Reference Bureau**

Under current law, with certain exceptions, no person may operate on a highway any single vehicle with an overall length in excess of 40 feet or any combination of two vehicles with an overall length in excess of 65 feet, unless the person has a permit to exceed these lengths. Some exceptions allow specified vehicles to be operated, without a permit, on certain highways designated by the Department of Transportation (DOT). An exception also allows specified vehicles to operate on highways not designated by DOT for a distance of five miles or less in order to access a highway designated by DOT or to reach certain services or destinations.

This bill increases, from 65 feet to 75 feet, the maximum overall length of a two-vehicle combination that may be operated, without a permit, on a highway that is part of the state trunk highway system, including interstate highways, or that is designated for such operation by DOT. The bill maintains the existing maximum overall length limit of 65 feet for two-vehicle combinations on all other highways and allows DOT to exempt, by rule, any part of the state trunk highway system from the increased length limit. The bill ~~also~~ expands existing exceptions to the maximum overall length limit by including, along with highways currently designated by DOT,

for certain vehicles, including tractor-semitrailer combinations and semitrailers, but not for double bottoms,

*insert ANAL-A* ✓  
all parts of the state trunk highway system other than those specifically excluded by DOT designation. The bill also increases, from five miles to seven miles, the distance that specified vehicles may operate on highways not designated by DOT in order to access a highway designated by DOT or to reach certain services or destinations.

*insert ANAL-B* ✓ → For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

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

2 348.07 (1) No person, without a permit therefor, may operate on a highway any  
3 single vehicle with an overall length in excess of 40 feet on any highway or any  
4 combination of 2 vehicles with an overall length in excess of 75 feet on, subject to sub.  
5 (3m), any part of the state trunk highway system or any highway designated under  
6 sub. (4) *or (4m)* in excess of 65 feet on any other highway, except as otherwise provided in  
7 subs. (2) and (2a).

8 SECTION 2. 348.07 (2) (f) of the statutes is amended to read:

9 348.07 (2) (f) No overall length limitation for a tractor-semitrailer  
10 combination, ~~a double bottom~~ *strike* or an automobile haulaway when such  
11 tractor-semitrailer combination, ~~double bottom~~ *strike* or automobile haulaway is operated  
12 on any part of the state trunk highway system not designated under sub. (3m) or on  
13 a highway designated under sub. (4). *or (4m)* ✓

*insert 2-13* ✓ → 14 SECTION 3. 348.07 (2) (fm) of the statutes is amended to read:

15 348.07 (2) (fm) No length limitation for a truck tractor or road tractor when  
16 such truck tractor or road tractor is operated in a tractor-semitrailer combination  
17 ~~or as part of a double bottom~~ *strike* or an automobile haulaway on any part of the state  
18 trunk highway system not designated under sub. (3m) or on a highway designated  
19 under sub. (4). *or (4m)* ✓

*insert 2-19* ✓ →

SECTION 4. 348.07 (2) (gr) of the statutes is amended to read:

348.07 (2) (gr) 53 feet for a semitrailer whose length from kingpin to axle does not exceed 43 feet and which is operated as part of a 2-vehicle combination on any part of the state trunk highway system not designated under sub. (3m) or on a highway designated under sub. (4). or (4m)

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

348.07 (3m) The secretary shall, by rule, designate those parts of the state trunk highway system on which the maximum permissible overall length of a 2-vehicle combination operating without a permit shall be 65 feet and on which sub. (2) (f), (fm), (gm), and (gr) and s. 348.08 (1) (e) and (h) do not apply. For each part of the state trunk highway system designated under this subsection, the secretary shall specify the factors that resulted in the determination to designate the part.

SECTION 6. 348.07 (4) of the statutes is amended to read:

348.07 (4) The secretary shall, by rule, designate the highways, other than highways on the state trunk highway system, to which sub. (2) (f), (fm), (gm), and (gr) and s. 348.08 (1) (e) and (h) 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), (gm), and (gr) and s. 348.08 (1) (e) and (h) apply may also operate on undesignated highways for a distance of 5 7 miles or less in order to obtain access to a designated highway or to reach fuel, food,

and highways designated under sub. (4m)

1 maintenance, repair, rest, staging, terminal or vehicle assembly facilities or points  
 2 of loading or unloading. The secretary may, by rule, designate an access route of more  
 3 than 5 7 miles from a designated highway when the longer route provides safer and  
 4 better access to a location which is within the 5-mile 7-mile limit. Household goods  
 5 carriers may operate between highways designated in this subsection and points of  
 6 loading and unloading.

Insert  
4-6

7 SECTION 7. 348.07 (5) of the statutes is amended to read:

8 348.07 (5) As often as it deems necessary, the department shall publish maps  
 9 required for its own use and for free distribution showing the highways designated  
 10 under ~~sub. (4)~~ <sup>strike</sup> sub. (4), <sup>subs. and (4m)</sup> those parts of the state trunk highway system not designated under  
 11 sub. (3m), and such other main highways and other features as the department  
 12 deems desirable.

13 SECTION 8. 348.08 (1) (e) of the statutes is amended to read:

14 348.08 (1) (e) A double bottom may be operated on any part of the state trunk  
 15 highway system not designated under s. 348.07 (3m) or on highways designated by  
 16 the secretary under s. 348.07 (4).

17 SECTION 9. 348.08 (1) (f) of the statutes is amended to read:

18 348.08 (1) (f) A double bottom transporting dairy products from the point of  
 19 production to the first point of processing may operate on any highway that is not  
 20 part of the state trunk highway system except a part of the state trunk highway  
 21 system designated under s. 348.07 (3m) and that is not designated under s. 348.07  
 22 (4) if the overall length of such double bottom does not exceed 60 feet. If the double  
 23 bottom operates on any part of the state trunk highway system not designated under  
 24 s. 348.07 (3m) or on a highway designated under s. 348.07 (4), s. 348.07 (2) (f), (fm)  
 25 and (gm) applies.

Insert  
4-25

1           **SECTION 10. Initial applicability.**

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

(END)

5 →  
insert  
5-4 ✓



D - Note




2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-3393/P3ins  
ARG:.....


**INSERT 1-4:**

 extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures and from rule-making procedures, and granting rule-making authority 


**INSERT ANAL-A:**

 and all highways designated by DOT, as of December 15, 2003, as permissible routes for the movement of oversize mobile homes

**INSERT ANAL-B:**


 The bill requires DOT, within approximately two months, to submit proposed rules to administer the provisions of the bill to the Legislative Council Staff and to promulgate emergency rules to administer the provisions of the bill until the proposed rules submitted to the Legislative Council Staff become final. The bill delays the applicability of all other provisions for approximately two months.

**INSERT 2-13:**

 **SECTION 1.** 348.07 (2) (fg) of the statutes is created to read:


348.07 (2) (fg) No overall length limitation for a double bottom when the double bottom is operated on a highway designated under sub. (4).

**INSERT 2-19:**


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

348.07 (2) (fs) No length limitation for a truck tractor or road tractor when such truck tractor or road tractor is operated as part of a double bottom on a highway designated under sub. (4).

**INSERT 4-6:**

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

348.07 (4m) The secretary shall, by rule, designate, for purposes of subs. (1) and (2) (f), (fm), and (gr), all highways approved by the department as of December



MS 4-6 cont

15, 2003, as designated routes for the movement of oversized mobile homes under s. 348.26 (4).

**INSERT 4-25:**

**SECTION 4. Nonstatutory provisions.**

Auto ref B  
Auto ref A

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

Auto ref C

(2) Using the emergency rules procedure under section 227.24 of the statutes, the department of transportation shall promulgate the rules required under section 348.07 (3m) and (4m) of the statutes, as created by this act, for purposes of implementing this act, for the period before the effective date of the rules submitted under subsection (1). The department shall promulgate these emergency rules no later than the first day of the 3rd month beginning after the effective date of this subsection. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules may remain in effect until June 30, 2005, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

Auto ref B

**INSERT 5-4:**

**SECTION 5. Effective dates.** This act takes effect on the first day of the 3rd month beginning after publication, except as follows:

↓

INSERT  
5-4 CONT.

\*

(1) ~~The treatment of~~ SECTION 11 (1) and (2) of this act take effect on the day after publication.

↑  
auto  
REF  
A

↑  
auto  
REF  
C

↑  
auto  
REF  
B

(end ins 5-4)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3393/P3dn

ARG:.....

جان

ATTN: Kathy Marschman

Hopefully this will be closer to what you have in mind.

After reviewing Wis. Adm. Code Trans 276.07, I believe it would be rather unwieldy to codify in ch. 348 all designated routes under Trans 276.07.

The attached draft creates s. 348.07 (4m), which requires DOT to promulgate rules designating existing mobile home routes. To make this procedure workable, I have included a delayed effective date of approximately two months and required DOT to promulgate emergency rules to be used until the legislature approves the rules required under the statute. Is this okay?

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3393/P3dn  
ARG:jld:rs

December 18, 2003

ATTN: Kathy Marschman

Hopefully this will be closer to what you have in mind.

After reviewing Wis. Adm. Code Trans 276.07, I believe it would be rather unwieldy to codify in ch. 348 all designated routes under Trans 276.07.

The attached draft creates s. 348.07 (4m), which requires DOT to promulgate rules designating existing mobile home routes. To make this procedure workable, I have included a delayed effective date of approximately two months and required DOT to promulgate emergency rules to be used until the legislature approves the rules required under the statute. Is this okay?

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-3393/P3

ARG:jld:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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

---

***Analysis by the Legislative Reference Bureau***

Under current law, with certain exceptions, no person may operate on a highway any single vehicle with an overall length in excess of 40 feet or any combination of two vehicles with an overall length in excess of 65 feet, unless the person has a permit to exceed these lengths. Some exceptions allow specified vehicles to be operated, without a permit, on certain highways designated by the Department of Transportation (DOT). An exception also allows specified vehicles to operate on highways not designated by DOT for a distance of five miles or less in order to access a highway designated by DOT or to reach certain services or destinations.

This bill increases, from 65 feet to 75 feet, the maximum overall length of a two-vehicle combination that may be operated, without a permit, on a highway that

is part of the state trunk highway system, including interstate highways, or that is designated for such operation by DOT. The bill maintains the existing maximum overall length limit of 65 feet for two-vehicle combinations on all other highways and allows DOT to exempt, by rule, any part of the state trunk highway system from the increased length limit. The bill expands existing exceptions to the maximum overall length limit for certain vehicles, including tractor-semitrailer combinations and semitrailers, but not for double bottoms, by including, along with highways currently designated by DOT, all parts of the state trunk highway system other than those specifically excluded by DOT designation and all highways designated by DOT, as of December 15, 2003, as permissible routes for the movement of oversize mobile homes. The bill also increases, from five miles to seven miles, the distance that specified vehicles may operate on highways not designated by DOT in order to access a highway designated by DOT or to reach certain services or destinations.

The bill requires DOT, within approximately two months, to submit proposed rules to administer the provisions of the bill to the Legislative Council Staff and to promulgate emergency rules to administer the provisions of the bill until the proposed rules submitted to the Legislative Council Staff become final. The bill delays the applicability of all other provisions for approximately two months.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

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

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

2           348.07 (1) No person, without a permit therefor, may operate ~~on a highway~~ any  
3           single vehicle with an overall length in excess of 40 feet on any highway or any  
4           combination of 2 vehicles with an overall length in excess of 75 feet on, subject to sub.  
5           (3m), any part of the state trunk highway system or any highway designated under  
6           sub. (4) or (4m) or in excess of 65 feet on any other highway, except as otherwise  
7           provided in subs. (2) and (2a).

8           **SECTION 2.** 348.07 (2) (f) of the statutes is amended to read:

9           348.07 (2) (f) No overall length limitation for a tractor-semitrailer  
10           combination, ~~a double bottom~~ or an automobile haulaway when such  
11           tractor-semitrailer combination, ~~double bottom~~ or automobile haulaway is operated

1 on any part of the state trunk highway system not designated under sub. (3m) or on  
2 a highway designated under sub. (4) or (4m).

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

4 348.07 (2) (fg) No overall length limitation for a double bottom when the double  
5 bottom is operated on a highway designated under sub. (4).

6 **SECTION 4.** 348.07 (2) (fm) of the statutes is amended to read:

7 348.07 (2) (fm) No length limitation for a truck tractor or road tractor when  
8 such truck tractor or road tractor is operated in a tractor–semitrailer combination  
9 ~~or as part of a double bottom~~ or an automobile haulaway on any part of the state  
10 trunk highway system not designated under sub. (3m) or on a highway designated  
11 under sub. (4) or (4m).

12 **SECTION 5.** 348.07 (2) (fs) of the statutes is created to read:

13 348.07 (2) (fs) No length limitation for a truck tractor or road tractor when such  
14 truck tractor or road tractor is operated as part of a double bottom on a highway  
15 designated under sub. (4).

16 **SECTION 6.** 348.07 (2) (gr) of the statutes is amended to read:

17 348.07 (2) (gr) 53 feet for a semitrailer whose length from kingpin to axle does  
18 not exceed 43 feet and which is operated as part of a 2–vehicle combination on any  
19 part of the state trunk highway system not designated under sub. (3m) or on a  
20 highway designated under sub. (4) or (4m).

21 **SECTION 7.** 348.07 (3m) of the statutes is created to read:

22 348.07 (3m) The secretary shall, by rule, designate those parts of the state  
23 trunk highway system on which the maximum permissible overall length of a  
24 2–vehicle combination operating without a permit shall be 65 feet and on which sub.  
25 (2) (f), (fm), and (gr) do not apply. For each part of the state trunk highway system



1 designated under this subsection, the secretary shall specify the factors that resulted  
2 in the determination to designate the part.

3 **SECTION 8.** 348.07 (4) of the statutes is amended to read:

4 348.07 (4) The secretary shall, by rule, designate the highways, other than  
5 highways on the state trunk highway system and highways designated under sub.  
6 (4m), to which sub. (2) (f), (fg), (fm), (fs), (gm), and (gr) and s. 348.08 (1) (e) and ~~(h)~~  
7 (f) apply. The designation of highways under this subsection may not be inconsistent  
8 with the designation of highways made by the U.S. secretary of transportation under  
9 P.L. 97-424, section 411. The secretary may also designate additional highways by  
10 rule. In adopting a rule designating other highways, which may include 2-lane  
11 highways, the secretary shall specify the factors which resulted in the determination  
12 to designate the highways. These factors shall include, but are not limited to, safety,  
13 economics, energy savings, industry productivity and competition. Vehicles to which  
14 sub. (2) (f), (fg), (fm), (fs), (gm), and (gr) and s. 348.08 (1) (e) and ~~(h)~~ (f) apply may also  
15 operate on undesignated highways for a distance of ~~5~~ 7 miles or less in order to obtain  
16 access to a designated highway or to reach fuel, food, maintenance, repair, rest,  
17 staging, terminal or vehicle assembly facilities or points of loading or unloading. The  
18 secretary may, by rule, designate an access route of more than ~~5~~ 7 miles from a  
19 designated highway when the longer route provides safer and better access to a  
20 location which is within the ~~5-mile~~ 7-mile limit. Household goods carriers may  
21 operate between highways designated in this subsection and points of loading and  
22 unloading.

23 **SECTION 9.** 348.07 (4m) of the statutes is created to read:

24 348.07 (4m) The secretary shall, by rule, designate, for purposes of subs. (1)  
25 and (2) (f), (fm), and (gr), all highways approved by the department as of December

1 15, 2003, as designated routes for the movement of oversize mobile homes under s.  
2 348.26 (4).

3 **SECTION 10.** 348.07 (5) of the statutes is amended to read:

4 348.07 (5) As often as it deems necessary, the department shall publish maps  
5 required for its own use and for free distribution showing the highways designated  
6 under ~~sub. subs. (4) and (4m)~~, those parts of the state trunk highway system not  
7 designated under sub. (3m), and such other main highways and other features as the  
8 department deems desirable.

9 **SECTION 11. Nonstatutory provisions.**

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

14 (2) Using the emergency rules procedure under section 227.24 of the statutes,  
15 the department of transportation shall promulgate the rules required under section  
16 348.07 (3m) and (4m) of the statutes, as created by this act, for purposes of  
17 implementing this act, for the period before the effective date of the rules submitted  
18 under subsection (1). The department shall promulgate these emergency rules no  
19 later than the first day of the 3rd month beginning after the effective date of this  
20 subsection. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these  
21 emergency rules may remain in effect until June 30, 2005, or the date on which  
22 permanent rules take effect, whichever is sooner. Notwithstanding section 227.24  
23 (1) (a) and (3) of the statutes, the department is not required to provide evidence that  
24 promulgating a rule under this subsection as an emergency rule is necessary for the

1 preservation of the public peace, health, safety, or welfare and is not required to  
2 provide a finding of emergency for a rule promulgated under this subsection.

3 **SECTION 12. Initial applicability.**

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

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

9 (1) SECTION 11 (1) and (2) of this act takes effect on the day after publication.

10 (END)