

2005 ASSEMBLY BILL 510

1 **AN ACT** *to repeal* 348.17 (4); *to amend* 348.15 (3) (intro.), 348.19 (2), 348.21 (3)
2 (intro.), 348.21 (3) (a) and 348.21 (3) (b) (intro.); and *to create* 348.17 (5) of the
3 statutes; **relating to:** special or seasonal weight limitations for certain vehicles
4 transporting agricultural crops.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 348.15 (3) (intro.) of the statutes is amended to read:
6 348.15 **(3)** (intro.) Subject to any modifications made by a 1st class city under
7 s. 349.15 (3) and except as provided in s. 348.17 (5), no person, without a permit, may
8 operate on a class “A” highway any vehicle or combination of vehicles unless the
9 vehicle or combination of vehicles complies with the following weight limitations:

10 **SECTION 2.** 348.17 (4) of the statutes is repealed.

ASSEMBLY BILL 510**SECTION 3**

1 **SECTION 3.** 348.17 (5) of the statutes is created to read:

2 348.17 (5) From September 1 to November 30 of each year, no permit shall be
3 required for the transportation of corn, soybeans, potatoes, vegetables, or
4 cranberries from the field to storage on the grower's owned or leased land, from the
5 field to initial storage at a location not owned or leased by the grower, or from the field
6 to initial processing in a vehicle or combination of vehicles having a registered gross
7 weight of 50,000 pounds or more or described in s. 340.01 (24) (b) that exceeds the
8 weight limitations under s. 348.15 by not more than 15 percent. This subsection does
9 not apply to the national system of interstate and defense highways, except for that
10 portion of I 39 between USH 51 and I 90/94.

11 **SECTION 4.** 348.19 (2) of the statutes is amended to read:

12 348.19 (2) (a) Except as provided in par. (b), whenever after a weighing of a
13 vehicle and load as provided in sub. (1) a traffic officer determines that the weight
14 exceeds the limitations imposed by s. 348.15, 348.16 or 348.17 (3) or ~~(4)~~ (5) or any
15 limitations posted as provided in s. 348.17 (1), the operator of such vehicle shall not
16 proceed (except to drive to such place as directed by the traffic officer for the purpose
17 of reloading or unloading) until such portion of the load has been reloaded or
18 unloaded as may be necessary to reduce the weight of the vehicle and load to comply
19 with the limitations imposed by s. 348.15, 348.16 or 348.17 (3) or ~~(4)~~ (5) and any
20 limitations posted as provided in s. 348.17 (1). All material so reloaded or unloaded
21 shall be reloaded or unloaded and cared for by and at the risk of the owner or operator
22 of the vehicle.

23 (b) If upon weighing a vehicle transporting livestock a traffic officer determines
24 that the gross weight of the vehicle exceeds the limitations imposed by s. 348.15,
25 348.16 or 348.17 (3) ~~or (4)~~ or a limitation posted as provided in s. 348.17 (1), and if

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1 the point of apprehension is 15 miles or less from the destination of the vehicle, the
2 traffic officer shall permit the operator of the vehicle to proceed to such destination
3 without requiring the vehicle to be reloaded or unloaded as provided in par. (a). This
4 paragraph does not apply to vehicles transporting livestock on the national system
5 of interstate and defense highways, except for that portion of ~~USH 51 between~~
6 ~~Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94~~
7 ~~interchange near Portage upon their federal designation as I 39~~ between USH 51
8 and I 90/94.

9 **SECTION 5.** 348.21 (3) (intro.) of the statutes is amended to read:

10 348.21 **(3)** (intro.) Any person violating s. 348.15 or 348.16 or any weight
11 limitation posted as provided in s. 348.17 (1) or in a declaration issued under s.
12 348.175 or authorized under s. 348.17 (3) or ~~(4)~~ (5) or in an overweight permit issued
13 under s. 348.26 or 348.27 may be penalized as follows:

14 **SECTION 6.** 348.21 (3) (a) of the statutes is amended to read:

15 348.21 **(3)** (a) If the weight exceeds by 1,000 pounds or less the maximum set
16 forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or in a declaration
17 issued under s. 348.175 or authorized under s. 348.17 (3) or ~~(4)~~ (5) or in an overweight
18 permit issued under s. 348.26 or 348.27, a forfeiture of not less than \$50 nor more
19 than \$100 upon the first conviction and, upon the 2nd and each subsequent
20 conviction within a 12-month period, a forfeiture of not less than \$100 nor more than
21 \$200.

22 **SECTION 7.** 348.21 (3) (b) (intro.) of the statutes is amended to read:

23 348.21 **(3)** (b) (intro.) If the weight exceeds by more than 1,000 pounds the
24 maximum set forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or
25 in a declaration issued under s. 348.175 or authorized under s. 348.17 (3) or ~~(4)~~ (5)

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SECTION 7

1 or in an overweight permit issued under s. 348.26 or 348.27, the forfeiture shall be
2 computed according to the following schedule and in the case of violation of s. 348.15
3 (3) (bg) or (br) shall be computed on the basis of the weights stated in s. 348.15 (3)
4 (bg) or (br):

5 (END)