



## 2007 SENATE BILL 435

January 30, 2008 - Introduced by Senators DECKER and LEHMAN, cosponsored by Representatives PETROWSKI, SEIDEL, MONTGOMERY, TURNER and GUNDERSON. Referred to Committee on Transportation and Tourism.

1     **AN ACT** *to amend* 348.25 (4) (intro.); and *to create* 348.27 (9u) of the statutes;  
2             **relating to:** annual or consecutive month permits for overweight vehicle  
3             combinations transporting granular roofing material, providing an exemption  
4             from emergency rule procedures, and granting rule-making authority.

---

### *Analysis by the Legislative Reference Bureau*

Under current law, with limited exceptions, no person may operate upon a highway any vehicle or combination of vehicles that exceeds certain statutory weight limits unless the person obtains a permit issued by the Department of Transportation (DOT) or a local authority.

This bill allows DOT to issue annual or consecutive month permits for the transportation of granular roofing material in specially configured vehicle combinations that exceed, by not more than 10,000 pounds, the generally applicable statutory gross weight limitations of 80,000 pounds. The permit may not authorize the operation of any vehicle combination at a maximum gross weight in excess of 90,000 pounds and is not valid on highways designated as part of the national system of interstate and defense highways. If the roads desired to be used by the permit applicant involve highways other than those within the state trunk highway system, the application must be accompanied by a written statement of route approval by the officer in charge of maintenance of the other highway. DOT must establish by rule configuration requirements for vehicle combinations operating under the permit and these requirements may allow vehicle combinations to exceed statutory length requirements.

**SENATE BILL 435**

Because this bill concerns an exception to the vehicle weight limits specified in ch. 348, stats., the Department of Transportation, as required by law, will prepare a report to be printed as an appendix to this bill.

For further information see the *state and local* 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.** 348.25 (4) (intro.) of the statutes is amended to read:

2           348.25 (4) (intro.) Except as provided under s. 348.26 (5), (6), or (7) or 348.27  
3 (3m), (9), (9m), (9r), (9t), (9u), (10), (12), or (13), permits shall be issued only for the  
4 transporting of a single article or vehicle which exceeds statutory size, weight or load  
5 limitations and which cannot reasonably be divided or reduced to comply with  
6 statutory size, weight or load limitations, except that:

7           **SECTION 2.** 348.27 (9u) of the statutes is created to read:

8           348.27 (9u) TRANSPORTATION OF CERTAIN ROOFING MATERIAL. (a) The department  
9 may issue annual or consecutive month permits for the transportation of granular  
10 roofing material in specially configured vehicle combinations that exceed the  
11 maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000  
12 pounds. A permit issued under this paragraph does not authorize the operation of  
13 any vehicle combination at a maximum gross weight in excess of 90,000 pounds. A  
14 permit under this paragraph is not valid on highways designated as part of the  
15 national system of interstate and defense highways. If the roads desired to be used  
16 by the applicant involve highways other than those within the state trunk highway  
17 system, the application shall be accompanied by a written statement of route  
18 approval by the officer in charge of maintenance of the other highway.

**SENATE BILL 435**

1 (b) The department shall establish by rule configuration requirements for  
2 vehicle combinations under par. (a) and such requirements may permit vehicle  
3 combinations to exceed the length requirements of s. 348.07.

**SECTION 3. Nonstatutory provisions.**

4  
5 (1) The department of transportation shall submit in proposed form the rules  
6 required under section 348.27 (9u) (b) of the statutes, as created by this act, to the  
7 legislative council staff under section 227.15 (1) of the statutes no later than the 30th  
8 day after the effective date of this subsection.

9 (2) Using the emergency rules procedure under section 227.24 of the statutes,  
10 the department of transportation shall promulgate the rules required under section  
11 348.27 (9u) (b) of the statutes, as created by this act, for purposes of implementing  
12 this act, for the period before the effective date of the rules submitted under  
13 subsection (1). The department shall promulgate these emergency rules no later  
14 than the 30th day after the effective date of this subsection. Notwithstanding section  
15 227.24 (1) (c) and (2) of the statutes, these emergency rules may remain in effect until  
16 July 1, 2009, or the date on which permanent rules take effect, whichever is sooner.  
17 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not  
18 required to provide evidence that promulgating a rule under this subsection as an  
19 emergency rule is necessary for the preservation of the public peace, health, safety,  
20 or welfare and is not required to provide a finding of emergency for a rule  
21 promulgated under this subsection.

22 **SECTION 4. Effective dates.** This act takes effect on the 30th day after  
23 publication, except as follows:

24 (1) SECTION 3 of this act takes effect on the day after publication.

25 (END)