



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Senate Bill 562

Senate Amendments 1 and 2

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CURRENT LAW

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 highway authority. DOT **may issue annual or consecutive month permits for the transportation of raw forest products in vehicle combinations having a gross weight not exceeding 98,000 pounds if the vehicle combination has six or more axles and meets other criteria (RS permit)**. A vehicle combination operated under an RS permit is subject to certain operating restrictions, including that it cannot be operated on an interstate highway. “Raw forest products” includes logs, poles, cordwood, wood chips, sawdust, and pulpwood.
- DOT or a local highway authority may impose **special weight limits** on highways that, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of the special limits.
- If a vehicle’s per-axle weight is over limits prescribed by law **by not more than 2,000 pounds** and the vehicle’s load can be reloaded within the normal load carrying areas to eliminate the excess per-axle weight, the operator may **reload** up to 2,000 pounds and no forfeiture may be imposed. In lieu of reloading the vehicle, the operator may choose to continue operating the vehicle above the per-axle weight limit and pay a **forfeiture of \$50** for failure to reload the vehicle.

2009 SENATE BILL 562

Under Senate Bill 562, each RS permit must expressly authorize the vehicle combination to exceed any special weight limits imposed in connection with the thawing of frozen highways and to be operated at the full allowable weight of up to 98,000 pounds.

With reference to **reloading**, the bill affords, to raw forest product haulers, the same opportunity under current law to reload up to 2,000 pounds, or pay a forfeiture of \$50 for failure to reload, for a vehicle combination being operated under an RS permit if the vehicle combination exceeds, by not more than 2,000 pounds, any per-axle weight limit specified in the RS permit.

SENATE AMENDMENT 1

Senate Amendment 1 creates a provision for suspension of an RS permit for exceeding the weight limits. Under Senate Amendment 1, the DOT is required to suspend a permit if the person operating under the permit **does any of the following**:

- Violates any weight limitation specified in the permit **more than two times** during the valid period of the permit.
- Violates any weight limitation specified in the permit by exceeding the weight limitation **by 10,000 or more pounds**.

The suspension must be for a period of **six months**. If the remaining valid period of the permit at the time of the suspension is less than six months, the person **may not apply for, or operate** under, any other such permit issued for a period of six months from the suspension.

SENATE AMENDMENT 2

Senate Amendment 2 provides that an RS permit must **expressly authorize** the vehicle combination to exceed any special weight limits imposed in connection with the thawing of frozen highways and to be operated at the full allowable weight **only on state trunk highways and connecting highways**. (Note: “on state trunk highways and connected highways” is added in two places in the bill).

Legislative History

At an executive session on April 1, 2010, the Senate Committee on Transportation, Tourism, Forestry, and Natural Resources voted to introduce and adopt Senate Amendments 1 and 2, both on a vote of Ayes, 7; Noes, 0. The Committee then voted to recommend the bill, as amended, for passage on a vote of Ayes, 7; Noes, 0.

DLS:jal