October 6, 2011 – Introduced by Senators LAZICH, LASEE and GALLOWAY, cosponsored by Representatives PETROWSKI, ENDSLEY, STONE, RIPP, FARROW, A. OTT and TRANEL. Referred to Committee on Transportation and Elections.

1 **AN ACT to amend** 348.25 (3), 348.25 (8) (a) 3., 348.25 (8) (b) 3. (intro.), 348.25 (8) (d), 348.26 (1), 348.26 (2), 348.27 (1) and 348.28 (1); and **to create** 348.25 (8) (a) 4., 348.25 (8) (b) 4., 348.26 (8), 348.27 (17) and 348.29 of the statutes; relating to: permits for overweight vehicles or vehicle combinations transporting sealed containers or vehicles in international trade.

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**Analysis by the Legislative Reference Bureau**

Under current law, with limited exceptions, no person may operate on 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, as applicable.

This bill allows DOT to issue overweight permits for vehicles or vehicle combinations (vehicles) that have six or more axles and that are transporting sealed loads. The bill defines a “sealed load” as a container or vehicle, being transported in international trade, that has been sealed with a tamper-evident seal. The permit does not authorize the operation of any vehicle at a maximum gross weight in excess of 90,000 pounds. Permit applications must be made electronically to DOT utilizing an electronic process prescribed by DOT.

The bill further specifies that, as with all other vehicle size or weight permits, if DOT issues an agricultural emergency permit or farm machinery permit, the permit must be carried on the vehicle during operation.

Under current law, if any bill introduced in either house of the legislature directly or indirectly establishes an exception to vehicle weight limitations, DOT
must prepare a report, containing specified information, relating to the bill within six weeks after the bill is introduced and before any vote is taken on the bill. This bill directs DOT not to prepare such a report on this bill because DOT recently completed the Wisconsin Truck Size and Weight Study that contained the same or similar information that would be contained in a report on 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:

SECTION 1. 348.25 (3) of the statutes is amended to read:

348.25 (3) The department shall prescribe forms for applications for all single trip permits the granting of which is authorized by s. 348.26 (2) to (7) and for those annual, consecutive month or multiple trip permits the granting of which is authorized by s. 348.27 (2) and (4) to (15). The department shall prescribe an electronic application process for permits the granting of which is authorized by ss. 348.26 (8) and 348.27 (17). The department may impose such reasonable conditions prerequisite to the granting of any permit authorized by s. 348.26 or 348.27 and adopt such reasonable rules for the operation of a permittee thereunder as it deems necessary for the safety of travel and protection of the highways. The department may limit use of the highways under any permit issued to specified hours of the day or days of the week. Local officials granting permits may impose such additional reasonable conditions as they deem necessary in view of local conditions.

SECTION 2. 348.25 (8) (a) 3. of the statutes is amended to read:

348.25 (8) (a) 3. For Except as provided in subd. 4., for a vehicle or combination of vehicles, the weight of which exceeds any of the provisions of s. 348.15 (3), 10% of the fee specified in par. (b) 3. for an annual permit for the comparable gross weight, rounded to the nearest whole dollar.
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SECTION 3. 348.25 (8) (a) 4. of the statutes is created to read:

348.25 (8) (a) 4. For a permit issued under s. 348.26 (8), $30.

SECTION 4. 348.25 (8) (b) 3. (intro.) of the statutes is amended to read:

348.25 (8) (b) 3. (intro.) For Except as provided in subd. 4., for a vehicle or combination of vehicles, the weight of which exceeds any of the provisions of s. 348.15 (3):

SECTION 5. 348.25 (8) (b) 4. of the statutes is created to read:

348.25 (8) (b) 4. For a permit issued under s. 348.27 (17), $300.

SECTION 6. 348.25 (8) (d) of the statutes is amended to read:

348.25 (8) (d) For the purpose of computing the fees under this subsection, if the vehicle or combination of vehicles exceeds weight limitations, no fee in addition to the fee under par. (a) 3. or 4. (bm) shall be charged if the vehicle also exceeds length, width or height limitations or any combination thereof.

SECTION 7. 348.26 (1) of the statutes is amended to read:

348.26 (1) APPLICATIONS. All applications under subs. (2) to (7) for single trip permits for the movement of oversize or overweight vehicles or loads shall be made upon the form prescribed by the department and shall be made to the officer or agency designated by this section as having authority to issue the particular permit desired for use of the particular highway in question. All applications under sub. (8) shall be made to the department utilizing an electronic process prescribed by the department.

SECTION 8. 348.26 (2) of the statutes is amended to read:

348.26 (2) PERMITS FOR OVERSIZE OR OVERWEIGHT VEHICLES OR LOADS. Except as provided in sub. subs. (4) and (8), single trip permits for oversize or overweight vehicles or loads may be issued by the department for use of the state trunk highways
and by the officer in charge of maintenance of the highway to be used in the case of other highways. Such local officials also may issue such single trip permits for use of state trunk highways within the county or municipality which they represent. Every single trip permit shall designate the route to be used by the permittee. Whenever the officer or agency issuing such permit deems it necessary to have a traffic officer escort the vehicle through the municipality or county, a reasonable fee for such traffic officer’s services shall be paid by the permittee. All moneys received from fees imposed by the department under this subsection shall be deposited in the general fund and credited to the appropriation account under s. 20.395 (5) (dg).

SECTION 9. 348.26 (8) of the statutes is created to read:

348.26 (8) PERMITS FOR THE TRANSPORTATION OF SEALED LOADS IN INTERNATIONAL TRADE. (a) The department may issue single trip permits for the transportation of a sealed load, as defined in s. 348.27 (17) (a), to applicants eligible for an annual or consecutive month permit under s. 348.27 (17), subject to the same requirements and limitations for annual and consecutive month permits described in s. 348.27 (17). A permit under this subsection may be issued only by the department, regardless of the highways to be used.

(b) A person issued a permit under this subsection shall use the automated routing system specified in s. 348.25 (11).

SECTION 10. 348.27 (1) of the statutes is amended to read:

348.27 (1) APPLICATIONS. All applications for annual, consecutive month or multiple trip permits for the movement of oversize or overweight vehicles or loads shall be made to the officer or agency designated by this section as having authority to issue the particular permit desired for use of the particular highway in question. All applications under subs. (2) and (4) to (15) shall be made upon forms prescribed
by the department. All applications under sub. (17) shall be made utilizing an
electronic process prescribed by the department.

SECTION 11. 348.27 (17) of the statutes is created to read:

348.27 (17) PERMITS FOR THE TRANSPORTATION OF SEALED LOADS IN INTERNATIONAL
TRADE. (a) In this subsection, “sealed load” means a load consisting of a container
or vehicle, being transported in international trade, that has been sealed with a
tamper−evident seal affixed at the time of initial loading.

(b) The department may issue annual or consecutive month permits for the
transportation of a sealed load in a vehicle or vehicle combination that has 6 or more
axles and that exceeds the maximum gross weight limitations under s. 348.15 (3) (c)
if the vehicle or vehicle combination does not exceed the maximum gross weight
limitations under s. 348.29. Notwithstanding s. 348.15 (8), any axle of a vehicle or
vehicle combination that does not impose on the highway at least 8 percent of the
gross weight of the vehicle or vehicle combination may not be counted as an axle for
the purposes of this paragraph. A permit issued under this subsection does not
authorize the operation of any vehicle or vehicle combination at a maximum gross
weight in excess of 90,000 pounds.

SECTION 12. 348.28 (1) of the statutes is amended to read:

348.28 (1) Permits issued under ss. 348.25, 348.26 and 348.27 (1) to (10), (12)
to (13), and (15) shall be carried on the vehicle during operations so permitted.

SECTION 13. 348.29 of the statutes is created to read:

348.29 Weight limitations for certain permits. Notwithstanding s. 348.15
(3) (c), for any vehicle or vehicle combination operating under a permit issued under
s. 348.26 (8) or 348.27 (17), the gross weight imposed on the highway by any group
of 6 or more consecutive axles of a vehicle or combination of vehicles may not exceed
the maximum gross weights in the following table for each of the respective distances
between axles and the respective numbers of axles of a group: [See Figure 348.29 following]

<table>
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<th>Distances in feet between foremost and rearmost axles of a group</th>
<th>6 consecutive axles of any combination of vehicles having a total of 6 or more axles</th>
<th>7 consecutive axles of a 7-axle vehicle or of any vehicle or combination of vehicles having a total of 7 or more axles</th>
<th>8 consecutive axles of a 8-axle vehicle or of any vehicle or combination of vehicles having a total of 8 or more axles</th>
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Notwithstanding section 13.096 (2) of the statutes, the department of transportation shall not prepare a report on this bill under section 13.096 (2) and (3) of the statutes because the department recently completed the Wisconsin Truck Size and Weight Study, with a final report dated June 15, 2009, that contained the same or similar information that would be contained in a report on this bill under section 13.096 (2) and (3) of the statutes.

**SECTION 15. Effective date.**

(1) This act takes effect on the first day of the 7th month beginning after publication.