



2013 SENATE BILL 279

September 3, 2013 – Introduced by Senators PETROWSKI, TIFFANY, GROTHMAN and JAUCH, cosponsored by Representatives MURSAU, SWEARINGEN, CZAJA, T. LARSON, MURTHA, NYGREN, SPIROS and TITTL. Referred to Committee on Transportation, Public Safety, and Veterans and Military Affairs.

1 **AN ACT to repeal** 348.27 (9) (a) 1. c. and 348.27 (9) (a) 3. a.; and **to amend** 348.27
2 (9) (a) 1. (intro.) and a., 348.27 (9) (a) 1. b., 348.27 (9) (a) 1. d. and 348.27 (9) (a)
3 3. f. of the statutes; **relating to:** annual or consecutive month permits for
4 vehicles or combinations of vehicles transporting loads near the
5 Wisconsin–Michigan border.

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 (vehicle) that exceeds certain statutory limits on size, weight, or load unless that person possesses a permit issued by the Department of Transportation (DOT), which may issue an annual or consecutive month permit (Michigan border permit) for an oversize or overweight vehicle to: 1) transport loads within 11 miles of the Wisconsin–Michigan state line; 2) transport exclusively peeled or unpeeled forest products cut crosswise, wood chips, or forestry biomass on USH 2 in Iron County, Florence County, or Ashland County or in Bayfield County from the Ashland County line through Hart Lake Road, if the vehicle is traveling between this state and Michigan and does not violate Michigan law; 3) transport exclusively peeled or unpeeled forest products cut crosswise, wood chips, or forestry biomass on USH 2 from STH 13 in the city of Ashland through Hart Lake Road in Bayfield County; and 4) transport raw forest products or lumber on specified highway routes, including a portion of USH 8 in Oneida and Forest counties and STH 139 from the Wisconsin–Michigan border to USH 8, if the vehicle does not

SENATE BILL 279

violate Michigan law. Current law defines “raw forest products” as logs, pilings, posts, poles, cordwood products, wood chips, sawdust, pulpwood, intermediary lumber, fuel wood and Christmas trees not altered by a manufacturing process off the land, sawmill or factory from which they are taken.

This bill modifies operating authority for vehicles operating under a Michigan border permit in a way that standardizes certain requirements with respect to highway routes where a Michigan border permit is used. Under the bill, if a vehicle is operating on a route under items 2 to 4, above, the Michigan border permit authorizes the transportation of raw forest products, lumber, and forestry biomass. The bill also eliminates the requirement under item 2, above, that the vehicle travel between this state and Michigan. The bill adds an additional requirement for items 1 and 3, above, that the vehicle being operated not violate Michigan law. The bill allows a vehicle operating under a Michigan border permit as provided in item 4, above, to operate on additional segments of USH 8. The bill also specifies that a vehicle operated under a Michigan border permit on any route under items 1 to 4, above, may operate unladen on any of these routes when returning from the delivery of a load or when traveling to or from a point of fueling, servicing, or purchase or sale of the vehicle.

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.

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.** 348.27 (9) (a) 1. (intro.) and a. of the statutes are amended to read:
2 348.27 (9) (a) 1. (intro.) The department may issue annual or consecutive
3 month permits, for the transportation of loads on a vehicle or combination of vehicles
4 of loads exceeding statutory length or weight limitations and for the unladen
5 operation of such vehicles returning from the delivery of a load or operating to or from
6 a point of fueling, servicing, or purchase or sale of the vehicle, that authorize all of
7 the following:

SENATE BILL 279

1 a. The transportation of loads over any class of highway for a distance not to
2 exceed 11 miles from the Michigan–Wisconsin state line if the vehicle or combination
3 of vehicles does not violate length or weight limitations under Michigan law.

4 **SECTION 2.** 348.27 (9) (a) 1. b. of the statutes, as affected by 2013 Wisconsin Act
5 34, is amended to read:

6 348.27 (9) (a) 1. b. The transportation of ~~exclusively peeled or unpeeled forest~~
7 ~~products cut crosswise, wood chips, or~~ raw forest products, lumber, or forestry
8 biomass anywhere upon USH 2 in Iron County, Florence County, or Ashland County
9 or upon USH 2 in Bayfield County from the Ashland County line through Hart Lake
10 Road if the vehicle or combination of vehicles is ~~traveling between this state and~~
11 ~~Michigan and~~ does not violate length or weight limitations under Michigan law.

12 **SECTION 3.** 348.27 (9) (a) 1. c. of the statutes is repealed.

13 **SECTION 4.** 348.27 (9) (a) 1. d. of the statutes, as created by 2013 Wisconsin Act
14 20, is amended to read:

15 348.27 (9) (a) 1. d. The transportation of raw forest products ~~or, lumber, or~~
16 forestry biomass on any highway route specified in subd. 3. if the vehicle or
17 combination of vehicles does not violate length or weight limitations under Michigan
18 law.

19 **SECTION 5.** 348.27 (9) (a) 3. a. of the statutes, as created by 2013 Wisconsin Act
20 20, is repealed.

21 **SECTION 6.** 348.27 (9) (a) 3. f. of the statutes, as created by 2013 Wisconsin Act
22 20, is amended to read:

23 348.27 (9) (a) 3. f. USH 8, from ~~USH 45 to Ross Lake Road, in the town of~~
24 ~~Caswell in Oneida and Forest counties~~ the Wisconsin–Michigan border in Marinette
25 County to USH 45 in Oneida County.

SENATE BILL 279

SECTION 7. Nonstatutory provisions.

(1) EXCEPTION TO REVIEW BY THE DEPARTMENT OF TRANSPORTATION.
 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.

SECTION 8. Initial applicability.

(1) This act first applies to permits issued on the effective date of this subsection.

(END)