



2013 SENATE BILL 501

January 17, 2014 – Introduced by Senators PETROWSKI and HARS DORF, cosponsored by Representatives KULP, MURTHA and RIPP. Referred to Committee on Transportation, Public Safety, and Veterans and Military Affairs.

1 **AN ACT** *to renumber and amend* 348.27 (11m) (a); *to amend* 348.27 (11m) (b);
2 and *to create* 348.01 (2) (bu) and 348.27 (11m) (a) 1. and 2. of the statutes;
3 **relating to:** agricultural emergency permits issued by the Department of
4 Transportation for vehicles transporting oversize loads.

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 size or weight limits unless the person obtains a permit issued by the Department of Transportation (DOT) or a local authority, as applicable. The generally applicable width limit on highways, without a permit, is 8 feet 6 inches, subject to numerous exceptions. The generally applicable height limit on highways, without a permit, is 13 feet 6 inches, subject to limited exceptions.

Current law allows DOT, upon determination by the Department of Agriculture, Trade and Consumer Protection that an agricultural emergency exists, to issue permits (agricultural emergency permits) authorizing vehicles transporting any of the following loads to exceed the generally applicable width limitation of 8 feet 6 inches if the total outside width does not exceed 12 feet: 1) hay in bales; and 2) from September 15 to December 15 of each year, Christmas trees from the point of harvesting or staging to a Christmas tree yard or point of commercial shipment. However, this authorization is limited to the operation of commercial motor vehicles on interstate highways.

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This bill modifies the agricultural emergency permit issued by DOT. Under the bill, an agricultural emergency permit may also be issued for vehicles transporting baled straw, cornstalks, or stover if the straw, cornstalks, or stover is to be used for feed or bedding. Baled hay also may be transported under the permit only if the hay is to be used for feed or bedding. In addition, an agricultural emergency permit also authorizes the operation of vehicles up to 14 feet 6 inches tall and 12 feet 5 inches wide and is not limited to the operation of commercial motor vehicles on interstate highways.

For further information see the *state* 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.** 348.01 (2) (bu) of the statutes is created to read:

2 348.01 (2) (bu) “Stover” means the leaves and stalks of field crops, such as corn,
3 sorghum, or soybean, that are commonly left in a field after harvesting the grain.

4 **SECTION 2.** 348.27 (11m) (a) of the statutes is renumbered 348.27 (11m) (a)
5 (intro.) and amended to read:

6 348.27 (11m) (a) (intro.) If the secretary of agriculture, trade and consumer
7 protection determines that an agricultural emergency exists, the secretary of
8 transportation may authorize the issuance of permits to allow vehicles that are
9 transporting any of the following loads of hay in bales and, from September 15 to
10 December 15 of each year, loads of Christmas trees from the point of harvesting or
11 staging to a Christmas tree yard or point of commercial shipment to exceed the width
12 limitation under s. 348.05 (1) if the total outside width does not exceed 12 feet. ~~This~~
13 ~~authorization is limited to the operation of commercial motor vehicles upon routes~~
14 ~~of the national system of interstate and defense highways. 5 inches and the height~~
15 does not exceed 14 feet 6 inches:

16 **SECTION 3.** 348.27 (11m) (a) 1. and 2. of the statutes are created to read:

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1 348.27 (11m) (a) 1. Baled hay, baled straw, baled cornstalks, or baled stover if
2 the hay, straw, cornstalks, or stover is to be used for feed or bedding.

3 2. From September 15 to December 15 of each year, Christmas trees from the
4 point of harvesting or staging to a Christmas tree yard or point of commercial
5 shipment.

6 **SECTION 4.** 348.27 (11m) (b) of the statutes is amended to read:

7 348.27 (11m) (b) In authorizing the issuance of permits under this subsection,
8 the secretary of transportation shall specify in writing the factors which resulted in
9 the determination to issue permits under this subsection. The factors shall include
10 the effect of the increased ~~width~~ size limits on highway safety.

11

(END)