



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3898/2
ZDW:amn

2015 SENATE BILL 566

January 12, 2016 - Introduced by Senator PETROWSKI, cosponsored by Representative SPIROS. Referred to Committee on Transportation and Veterans Affairs.

1 **AN ACT** *to amend* 348.15 (3) (bg), 348.15 (3) (br), 348.15 (3) (bv), 348.15 (3) (e),
2 348.15 (9) (e) 1. (intro.), 348.15 (9) (e) 2., 348.15 (9) (e) 3., 348.17 (3), 348.17 (5)
3 (b), 348.175, 348.19 (2) (b), 348.19 (4), 348.27 (3), 348.27 (4), 348.27 (9m) (a) 1.,
4 348.27 (9r), 348.27 (10), 348.27 (15) (a) and 348.27 (19) (c) 4.; and **to create**
5 348.01 (2) (bc) and 348.15 (9) (e) 3m. of the statutes; **relating to:** size and
6 weight limits of vehicles operating on the I 39 and I 41 corridors.

Analysis by the Legislative Reference Bureau

This bill makes various changes relating to vehicle size and weight limit permits issued by the Department of Transportation (DOT) authorizing operation of vehicles that exceed weight and length limits on certain highways.

Under federal law, no motor vehicle may exceed specified weight limits on interstate highways. An exemption exists for portions of I 39 and I 41, allowing the operation of vehicles that would have been allowed to operate on those highways prior to their designation as interstate highways. Under state law, the portion of I 41 that is exempt from the federal weight limits is defined as the "I 41 corridor."

This bill creates a similar provision for the "I 39 corridor," which is defined as that portion of I 39 between I 94 near the city of Portage and STH 29 south of the city of Wausau. This bill also replaces numerous references to the highway section that is now defined as the "I 39 corridor" with the defined term.

In addition to federal law, current state law specifies weight and length limits for vehicles operating on highways in the state. Subject to certain requirements,

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DOT may issue permits to allow operation of vehicles that exceed these limits. Under this bill, these permits may not authorize the transportation of an article or vehicle that exceeds size, weight, or load limitations but that could reasonably be divided or reduced to comply with those limitations (“divisible load”) on an interstate highway other than the I 41 corridor.

Under current law, DOT may issue permits for the transportation of grain, coal, or iron on vehicles that exceed weight or length limits on any highway for a distance of not more than five miles from the state line. This permit is not applicable to interstate highways except for the I 41 corridor. This bill eliminates the exception for the I 41 corridor.

Under current law, DOT may issues permits for the transportation of granular roofing materials on vehicles that exceed weight or length limits. This permit is not applicable to interstate highways except for the I 41 corridor. This bill eliminates the exception for the I 41 corridor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 348.01 (2) (bc) of the statutes is created to read:

2 348.01 (2) (bc) “I 39 corridor” means that portion of I 39 between I 94 near the
3 city of Portage and STH 29 south of the city of Wausau.

4 **SECTION 2.** 348.15 (3) (bg) of the statutes, as affected by 2015 Wisconsin Act 55,
5 is amended to read:

6 348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting
7 exclusively milk from the point of production to the primary market and the return
8 of dairy supplies and dairy products from such primary market to the farm, the gross
9 weight imposed on the highway by the wheels of any one axle may not exceed 21,000
10 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more
11 consecutive axles more than 9 feet apart, a weight of 2,000 pounds more than is
12 shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply
13 to the national system of interstate and defense highways, except for the I-41 corridor

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1 ~~and that portion of I 39 between USH 51 and I 90/94~~ I 39 corridor and the I 41
2 corridor.

3 **SECTION 3.** 348.15 (3) (br) of the statutes, as affected by 2015 Wisconsin Act 55,
4 is amended to read:

5 348.15 (3) (br) In the case of a vehicle or combination of vehicles transporting
6 exclusively peeled or unpeeled forest products cut crosswise or in the case of a vehicle
7 or combination of vehicles transporting exclusively scrap metal, the gross weight
8 imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds
9 or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive
10 axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c),
11 but not to exceed 80,000 pounds. This paragraph does not apply to the national
12 system of interstate and defense highways, except for the ~~I 41 corridor and that~~
13 ~~portion of I 39 between USH 51 and I 90/94~~ I 39 corridor and the I 41 corridor.

14 **SECTION 4.** 348.15 (3) (bv) of the statutes, as affected by 2015 Wisconsin Act 55,
15 is amended to read:

16 348.15 (3) (bv) In the case of a vehicle or combination of vehicles used primarily
17 for the transportation of septage, as defined in s. 281.49 (1) (m), the gross weight
18 imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds
19 or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive
20 axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c)
21 or, for groups of 4 or more consecutive axles more than 10 feet apart, a weight of 6,000
22 pounds more than is shown in par. (c) or, for groups of 5 or more consecutive axles
23 more than 14 feet apart, a weight of 7,000 pounds more than is shown in par. (c), but
24 not to exceed 80,000 pounds. This paragraph does not apply to the national system

SENATE BILL 566**SECTION 4**

1 of interstate and defense highways, except for the ~~I 41 corridor and that portion of~~
2 ~~I 39 between USH 51 and I 90/94~~ I 39 corridor and the I 41 corridor.

3 **SECTION 5.** 348.15 (3) (e) of the statutes, as affected by 2015 Wisconsin Act 55,
4 is amended to read:

5 348.15 (3) (e) Notwithstanding pars. (a), (b) and (c), in the case of a vehicle or
6 combination of vehicles transporting exclusively livestock, the gross weight imposed
7 on the highway by the wheels of any one axle or axle group may exceed the applicable
8 weight limitation specified in pars. (a), (b) and (c) by 15% if the gross weight of the
9 vehicle or combination of vehicles does not exceed the maximum gross weight
10 specified for that vehicle or combination of vehicles under par. (c). This paragraph
11 does not apply to the national system of interstate and defense highways, except for
12 the ~~I 41 corridor and that portion of I 39 between USH 51 and I 90/94~~ I 39 corridor
13 and the I 41 corridor.

14 **SECTION 6.** 348.15 (9) (e) 1. (intro.) of the statutes, as affected by 2015 Wisconsin
15 Act 15, is amended to read:

16 348.15 (9) (e) 1. (intro.) Notwithstanding par. (c) and sub. (3) ~~(a)~~, (b), (c), and
17 (g), and notwithstanding sub. (3) (a) except as provided in subd. 3m., but subject to
18 ~~subd. subs. 3. and 3m.~~, there is no weight limitation per wheel, axle, or group of
19 axles, and no gross weight limitation, for an implement of husbandry or agricultural
20 commercial motor vehicle while being operated or transported by an implement
21 dealer or farmer for purposes of delivery, repair, or servicing of the implement of
22 husbandry or agricultural commercial motor vehicle if the implement of husbandry
23 or agricultural commercial motor vehicle is being operated or transported under
24 either of the following circumstances:

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1 **SECTION 7.** 348.15 (9) (e) 2. of the statutes, as affected by 2015 Wisconsin Act
2 15, is amended to read:

3 348.15 (9) (e) 2. Notwithstanding par. (c) and sub. (3) ~~(a)~~, (b), (c), and (g), and
4 notwithstanding sub. (3) (a) except as provided in subd. 3m., but subject to subd.
5 subds. 3. and 3m., there is no weight limitation per wheel, axle, or group of axles, and
6 no gross weight limitation, for an implement of husbandry described in s. 340.01 (24)
7 (a) 1. b., or for an agricultural commercial motor vehicle used as described in s. 340.01
8 (1o) (e) 1., that is traveling between fields or between a farm and a field and is
9 operated on the highway for a distance of 0.5 miles or less.

10 **SECTION 8.** 348.15 (9) (e) 3. of the statutes, as affected by 2015 Wisconsin Acts
11 15 and 55, is amended to read:

12 348.15 (9) (e) 3. Subdivisions 1., 2., and 4. do not apply on any highway that
13 is posted with a weight limitation as provided in s. 348.17 (1). Subdivisions 1. and
14 2. do not apply on any highway that is a part of the national system of interstate and
15 defense highways, except for the I 41 corridor unless otherwise specified in subd. 3m.
16 Subdivision 4. does not apply on any highway that is a part of the national system
17 of interstate and defense highways.

18 **SECTION 9.** 348.15 (9) (e) 3m. of the statutes is created to read:

19 348.15 (9) (e) 3m. a. On the I 41 corridor, the per wheel weight limitation under
20 sub. (3) (a) applies to an implement of husbandry or agricultural commercial motor
21 vehicle being operated or transported under subd. 1.

22 b. On the I 41 corridor, the per wheel weight limitation under sub. (3) (a) applies
23 to an implement of husbandry being operated under subd. 2.

24 c. Subdivision 2. does not apply to an agricultural commercial motor vehicle
25 operated on the I 41 corridor.

SENATE BILL 566**SECTION 10**

1 **SECTION 10.** 348.17 (3) of the statutes, as affected by 2015 Wisconsin Act 55,
2 is amended to read:

3 348.17 (3) During an energy emergency, after consultation with the
4 department of administration, the department may waive the divisible load
5 limitation of s. 348.25 (4) and authorize for a period not to exceed 30 days the
6 operation of overweight vehicles having a registered gross weight of 50,000 pounds
7 or more and carrying energy resources or fuel or milk commodities designated by the
8 governor or a designee, regardless of the highways involved, to conserve energy.
9 Such authorization may only allow weights not more than 10% greater than the gross
10 axle and axle combination weight limitations, and not more than 15% greater than
11 the gross vehicle weight limitations under ss. 348.15 and 348.16. Nothing in this
12 subsection shall be construed to permit the department to waive the requirements
13 of ss. 348.05 to 348.07. This subsection does not apply to vehicles on highways
14 designated as parts of the national system of interstate and defense highways, except
15 for the I-41 corridor and that portion of I-39 between USH 51 and I-90/94 I-39 corridor
16 and the I-41 corridor.

17 **SECTION 11.** 348.17 (5) (b) of the statutes, as affected by 2015 Wisconsin Act 55,
18 is amended to read:

19 348.17 (5) (b) This subsection does not apply to the national system of
20 interstate and defense highways, except for the I-41 corridor and that portion of I-39
21 between USH 51 and I-90/94 I-39 corridor and the I-41 corridor.

22 **SECTION 12.** 348.175 of the statutes, as affected by 2015 Wisconsin Act 55, is
23 amended to read:

24 **348.175 Seasonal operation of vehicles hauling peeled or unpeeled**
25 **forest products cut crosswise or abrasives or salt for highway winter**

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1 **maintenance.** The transportation of peeled or unpeeled forest products cut
2 crosswise or of abrasives or salt for highway winter maintenance in excess of gross
3 weight limitations under s. 348.15 shall be permitted during the winter months
4 when the highways are so frozen that no damage may result thereto by reason of such
5 transportation. If at any time any person is so transporting such products or
6 abrasives or salt upon a class "A" highway in such frozen condition then that person
7 may likewise use a class "B" highway without other limitation, except that chains
8 and other traction devices are prohibited on class "A" highways but such chains and
9 devices may be used in cases of necessity. On the first day that conditions warrant
10 their determination of such frozen condition and freedom of damage to such
11 highways by transportation, the officers or agencies in charge of maintenance of
12 highways shall declare particular highways, or highways within areas of the state,
13 as eligible for increased weight limitations, and each declaration shall be effective
14 as of 12:01 a.m. on the 2nd day following the declaration. Such declaration shall
15 include the maximum weight on each axle, combination of axles and the gross weight
16 allowed. Any person transporting any such product over any highway of this state
17 under this section is liable to the maintaining authority for any damage caused to
18 such highway. This section does not apply to the national system of interstate and
19 defense highways, except for the ~~I 41 corridor and that portion of I 39 between USH~~
20 ~~51 and I 90/94~~ I 39 corridor and the I 41 corridor.

21 **SECTION 13.** 348.19 (2) (b) of the statutes, as affected by 2015 Wisconsin Act 55,
22 is amended to read:

23 348.19 (2) (b) If upon weighing a vehicle transporting livestock a traffic officer
24 determines that the gross weight of the vehicle exceeds the limitations imposed by
25 s. 348.15, 348.16 or 348.17 (3) or a limitation posted as provided in s. 348.17 (1), and

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1 if the point of apprehension is 15 miles or less from the destination of the vehicle, the
2 traffic officer shall permit the operator of the vehicle to proceed to such destination
3 without requiring the vehicle to be reloaded or unloaded as provided in par. (a). This
4 paragraph does not apply to vehicles transporting livestock on the national system
5 of interstate and defense highways, except for the ~~I 41 corridor and that portion of~~
6 ~~I 39 between USH 51 and I 90/94~~ I 39 corridor and the I 41 corridor.

7 **SECTION 14.** 348.19 (4) of the statutes, as affected by 2015 Wisconsin Act 55,
8 is amended to read:

9 348.19 (4) Subsection (1) (b) shall not apply to vehicles transporting peeled or
10 unpeeled forest products on the national, interstate or defense highway systems,
11 except for the ~~I 41 corridor and that portion of I 39 between USH 51 and I 90/94~~ I 39
12 corridor and the I 41 corridor.

13 **SECTION 15.** 348.27 (3) of the statutes is amended to read:

14 348.27 (3) GENERAL PERMITS. For good cause in specified instances for specified
15 construction or maintenance operations or for a specified period, the officer or agency
16 in charge of maintenance of a highway may allow loads exceeding the size or weight
17 limitations imposed by this chapter to be hauled on such highway. No such officer
18 or agency shall issue such permits for use of a highway the cost of maintenance of
19 which is paid by a unit of government other than the unit of government which such
20 officer or agency represents. A permit issued by the department under this
21 subsection may authorize transportation of a divisible load on the I 41 corridor but
22 may not authorize transportation of a divisible load on any other interstate highway.

23 **SECTION 16.** 348.27 (4) of the statutes, as affected by 2015 Wisconsin Act 55,
24 is amended to read:

SENATE BILL 566**SECTION 16**

1 348.27 (4) INDUSTRIAL INTERPLANT PERMITS. The department may issue, to
2 industries and to their agent motor carriers owning and operating oversize vehicles
3 in connection with interplant, and from plant to state line, operations in this state,
4 annual or consecutive month permits for the operation of such vehicles over
5 designated routes, provided that such permit shall not be issued under this section
6 to agent motor carriers or, except for the ~~I 41 corridor and that portion of I 39 between~~
7 ~~USH 51 and I 90/94~~ I 39 corridor and the I 41 corridor, from plant to state line for
8 vehicles or loads of width exceeding 102 inches upon routes of the national system
9 of interstate and defense highways. If the routes desired to be used by the applicant
10 involve city or village streets or county or town highways, the application shall be
11 accompanied by a written statement of route approval by the officer in charge of
12 maintenance of the highway in question.

13 **SECTION 17.** 348.27 (9m) (a) 1. of the statutes, as affected by 2015 Wisconsin
14 Act 55, is amended to read:

15 348.27 (9m) (a) 1. Raw forest products or of fruits or vegetables from field to
16 storage or processing facilities in vehicles or vehicle combinations that exceed the
17 maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000
18 pounds. A permit under this subdivision is not valid on highways designated as part
19 of the national system of interstate and defense highways, except on the ~~I 41 corridor~~
20 ~~and on I 39 between STH 29 south of Wausau and the I 90/94 interchange near~~
21 ~~Portage in Marathon, Portage, Waushara, Marquette and Columbia counties~~ I 39
22 corridor and the I 41 corridor.

23 **SECTION 18.** 348.27 (9r) of the statutes, as affected by 2015 Wisconsin Act 55,
24 is amended to read:

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1 348.27 (9r) TRANSPORTATION OF SCRAP. The department may issue an annual or
2 consecutive month permit for the transportation of metallic or nonmetallic scrap for
3 the purpose of recycling or processing on a vehicle or combination of vehicles which
4 exceeds statutory weight or length limitations and for the return of the vehicle or
5 combination of vehicles when empty. This subsection does not apply to the
6 transportation of scrap on highways designated as part of the national system of
7 interstate and defense highways, except for the ~~I 41 corridor and that portion of I 39~~
8 ~~between USH 51 and I 90/94~~ I 39 corridor and the I 41 corridor.

9 **SECTION 19.** 348.27 (10) of the statutes, as affected by 2015 Wisconsin Act 55,
10 is amended to read:

11 348.27 (10) TRANSPORTATION OF GRAIN OR COAL OR IRON. The department may
12 issue annual or consecutive month permits for the transportation of loads of grain,
13 as defined in s. 126.01 (13), coal, iron ore concentrates or alloyed iron on a vehicle or
14 a combination of 2 or more vehicles that exceeds statutory weight or length
15 limitations and for the return of the empty vehicle or combination of vehicles over
16 any class of highway for a distance not to exceed 5 miles from the Wisconsin state
17 line. If the roads desired to be used by the applicant involve streets or highways other
18 than those within the state trunk highway system, the application shall be
19 accompanied by a written statement of route approval by the officer in charge of
20 maintenance of the other highway. This subsection does not apply to highways
21 designated as part of the national system of interstate and defense highways, ~~except~~
22 ~~for the I 41 corridor.~~

23 **SECTION 20.** 348.27 (15) (a) of the statutes, as affected by 2015 Wisconsin Act
24 55, is amended to read:

