

**Report on Bill for Vehicle Weight Limit Exceptions  
2017 Senate Bill 638/Assembly Bill 754  
Prepared by the Wisconsin Department of Transportation**

**Weight Impact Study  
(As Required by Wisconsin Statute 13.096)**

***Analysis by the Legislative Reference Bureau:***

This bill eliminates a special vehicle weight provision that applies only on portions of STH 13 in Ashland County and STH 70 in Vilas County and adds these highway routes to the group of highway routes for which the Department of Transportation may issue Michigan border permits.

Under current law, with limited exceptions, no person may operate on a highway any vehicle or combination of vehicles (vehicles) that exceeds certain statutory limits on size, weight, or load unless that person possesses a permit issued by DOT. 2017 Wisconsin Act 59, the 2017 Biennial Budget Act, established a special weight limit that applies only to vehicles 1) that have 11 axles; 2) that are transporting exclusively forest products or lumber; and 3) that are being operated on certain portions of STH 13 in Ashland County or STH 70 in Vilas County. Specifically, these vehicles are subject to a maximum weight limit of 164,000 pounds, but no per wheel, axle, or group of axles weight limit is provided for these vehicles.

Also under current law, DOT 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 certain forest products on portions of USH 2, if the vehicle does not violate Michigan law; and 3) transport certain forest products on specified highway routes. This bill allows a vehicle operating under a Michigan border permit as provided in item 3, above, to operate on portions of STH 13 in Ashland County and STH 70 in Vilas County.

**(a) Problem:** This legislation clarifies the language and repeals the conflicting guidance within 2017 Wisconsin Act 59.

**(a1) Whether the current vehicle weight limit creates a hardship, and if so, the degree of the hardship:** Location and availability of raw materials and markets, relative to the routes, has created a challenge for those haulers that routinely cross the Wisconsin border into other jurisdiction. Sawmills on these particular sections of road both receive raw forest products from Michigan and they also sell some of their finished product to locations in Michigan. In addition, the sawmill on Highway 70 sells some of its lumber product to locations in Canada, which are accessed through Lower Michigan. Because both Michigan and Canada have higher gross vehicle weight allowances than Wisconsin, the cost of transportation becomes a hurdle for Wisconsin companies trying to receive and deliver product competitively.

**(a2) The costs associated with complying with the current vehicle weight limit and any anticipated savings likely to result from the proposed vehicle weight limit exception:** WisDOT's oversize, overweight (OSOW) permit program area does not anticipate any fiscal impact. Any administrative workload impact is likely to be minimal and no information technology impact is expected. Allowing Michigan OSOW configured loads on Wisconsin roads could create additional highway maintenance concerns (more detail included in answer b4 below). Without specific truck configurations, loadings and routes, the exact cost projections for infrastructure sustainment pertaining to the Michigan configured loads are not available.

The timber industry indicated that costs associated with current weight law are twofold. For product being received or shipped on Michigan configured trucks there are costs incurred because of the time involved to hook and re-hook trailers. Under this bill, reconfiguration costs will be eliminated and trucking companies will be more inclined to deliver in and haul product from these locations. The second cost comes from mills being in short supply of raw material. When the radius from which raw material is increased there is less chance a mill will run out of wood, which, in turn, facilitates a more predictable workflow.

**(a3) Whether any other efforts have been made to resolve the problem addressed by the proposed vehicle weight limit exception:** Wisconsin Statutes s. 348.27(9) creates the Michigan

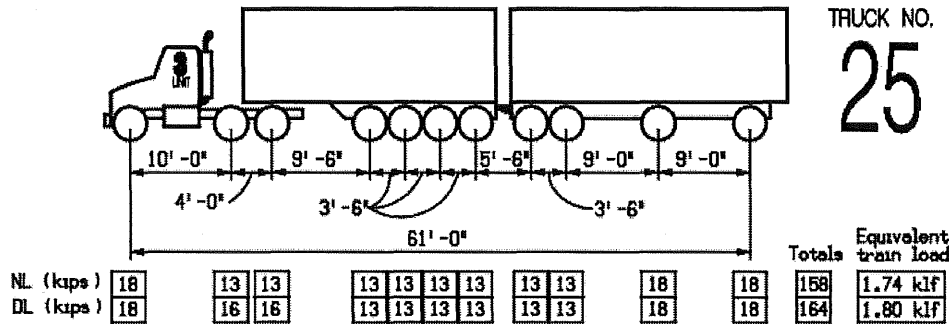
Border Permit. Under this provision, Wisconsin may issue annual permits for loads and vehicles that exceed statutory length or weight limitations, so long as the vehicle configuration complies with Michigan law. Under this permit, any load is permitted within 11-miles from the Michigan border.

In 2013, WisDOT reviewed an extensive list of routes pertaining to Michigan vehicle configurations. Following that review, additional routes were added under 2013 Wisconsin Act 48. The authority is granted under s. 348.27(9)(a)3.

Over the past year, WisDOT has received several varying inquiries from stakeholders about the possibility of adding new routes to the Michigan permit or expanding the existing routes. Additionally, in the 2017 budget 2017-2019 biennial budget (Wisconsin Act 59), two routes were identified that allow the transport of forest products. Vehicles are allowed to weight up to 164,000 lbs, with no axle weight limits, and without the need for a permit. 2017 SB 638 is an attempt to amend the language established in 2017 Wisconsin Act 59.

**(a4) The degree of control by motor carriers over the weight and weight distribution of the vehicle or load:** Many of the sawmill locations have weight scales so they do have the ability to weigh loads and axle weight. The sawmill on the Ashland route is in the process of getting a weight scale to fully comply with weight laws especially on out bound freight weight. Many of today's trucks use air ride suspensions. Because of the air ride suspension, the truckers utilize air gauges which convert air pressure to pounds. While this not a totally accurate system, a driver can typically get within a couple of thousand pounds of the gross weight.

**(b) A description of the proposed vehicle weight limit exception:** A maximum weight of 164,000 lbs. on 11-axels, as seen in the figure below.



**(b1) Gross weight limitation and gross axle and axle combination weight limitations:** See vehicle diagram in section (b).

**(b2) Width, height and length limitations:** Length limitations are available in the graphic above. Michigan regulations pertaining to the operation of trucks and trailers according to Act 300 P.A. as amended states maximum overall height at 13 feet, 6 inches. The width limitation on designated highways is 102 inches (MDOT).

**(b3) The transportation of particular commodities:** Wisconsin statute 348.27(9)(a)1.d. states: raw forest products, lumber or forestry biomass.

**(b4) Any highway, highway route or area of the state substantially affected by the proposed vehicle weight limit exception. (b5) Seasonal transportation patterns. (c) Any other special considerations concerning the proposed vehicle weight limit exception, such as the frequency of use of the proposed exception, the support and involvement of businesses, industries and local authorities affected by the proposed exception:**

The routes outlined in the bill is as follows: 348.27 (9) (a) 3. g. STH 13, from the junction of USH 2 and STH 13 in the city of Ashland to the intersection of STH 13 and Old Airport Road in Ashland County.

348.27 (9) (a) 3. h. of the statutes is created to read: 348.27 (9) (a) 3. h. STH 70, from the junction of STH 70 and USH 45 in the city of Eagle River to the junction of STH 70 and USH 51 in Vilas County.

Wisconsin § 13.096(2)(a) requires WisDOT to request information from any individual, organization or local government that are likely to be affected by the proposed legislation that initiated the creation of this vehicle weight study. The cited sections below are the responses we received.

There are seasonal patterns the timber industry identified, primarily on raw material. During spring thaw, harvesting of timber is shut down in the heavy soil areas of the forest in order to maintain the integrity of the landscape. There is some limited harvesting during spring thaw in sandy areas where water and soil compaction are not an issue. Because of spring thaw, mills typically purchase the bulk of their annual wood supply during the winter months (as much as 60-70%). This practice prepares the mill for spring thaw when harvesting is limited and, because the wood was cut during frozen conditions, spoilage due to the wood staining from sap is not an issue (Schienebeck).

The analysis by the Bureau of Technical Services' Pavement Unit within WisDOT indicates that these two segments of roadway are built sufficiently to carry a number of these loads. The exact impact depends on the number of trucks that will traverse these roadways segments, at Michigan-legal weights. It is the expectation that using vehicles such as the 164,000-lb, 11-axle truck considered in this legislation reduces the number of trucks required to haul the same payload, resulting in a neutral impact to pavements.

WisDOT's Bureau of Structures provided further engineering analysis on this legislation. Michigan allows heavier vehicles to operate on their infrastructure, but accommodates by using design loads that are up to 25% heavier than national standards. In this respect, Michigan is an outlier; all other neighboring states rely on national standards for bridge design loads. In general, the deterioration rate of bridges are directly linked to usage. Passenger vehicles do virtually no damage to a bridge, whereas heavy truck traffic (like these Michigan-legal configurations) could increase the rate of deterioration and shorten service life.

In the past, local units of government have not taken a position on these types of OSOW commodity exemption legislative efforts. However, many local roads are unable to handle the weight limits prescribed in this legislation, creating concern about "bad actor" haulers going off main routes. Additionally, the availability of law enforcement resources in any given area are critical to ensure effective weight enforcement (Koles).

***References:***

Koles, Michael. The Wisconsin Towns Association. (715) 526-3157, W7686 County Road MMM, Shawano, WI 54166, [wtowns@wisctowns.com](mailto:wtowns@wisctowns.com)

Schienebeck, Henry. Great Lakes Timber Professionals Association. (715) 282-5828, 3243 Golf Course Road, Rhinelander, WI 54501, [www.gltpa.org](http://www.gltpa.org)

Michigan Department of Transportation. "Maximum Legal Truck Loadings and Dimensions." <https://mdotcf.state.mi.us/public/webforms/public/T-1.pdf> (2016): 1-2