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Chapter Trans 261

MULTIPLE TRIP PERMITS FOR MOBILE HOME AND MODULAR BUILDING SECTIONS

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Trans 261.01 Purpose. The purpose of this chapter is to establish standards and procedures for the issuance of multiple trip mobile home and modular building section permits, pursuant to s. 348.27 (7), Stats.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 261.02 Definitions. (1) Unless otherwise stated, the definitions of words and phrases in ss. 340.01 and 348.01 (2), Stats., and s. Trans 250.02 apply to this chapter.

(2) As used in this chapter:

(a) "Issuing authority" means the department of transportation.

(b) "Permit" means multiple trip mobile home and modular building section permits authorized under s. 348.27 (7), Stats.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 261.03 Permit application. (1) An application for a permit shall be submitted to an issuing authority on a form approved by the department, and in accordance with s. 348.27, Stats.

(2) An application for a permit for the use of a state trunk highway shall be made to the department in any of the following ways:

(a) In person, at the department's central or region offices.

(b) By mail, addressed to the department's central office.

Note: Permit application procedures are in s. Trans 250.025.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; correction in (2) (a) made under s. 13.92 (4) (b) 6., Stats., Register February 2013 No. 686.

Trans 261.04 Permit amendments. (1) An application for an amendment to a permit shall be made to the authority which issued the original permit.

(2) An application for an amendment may be made in the same manner as an application for an original permit.

(3) The request shall specify the permit number of the permit to be amended.

Note: Limitations on the amendment of permits are in s. Trans 250.10.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 261.05 Eligibility. (1) Any vehicle or vehicle and load to be considered as operating under a permit shall satisfy the requirements for a permit under s. 348.25, Stats.

(2) A permit is not a guarantee of the sufficiency of any highway or structure for the transporting of the vehicle, load, or vehicle and load.

(3) A permit may not authorize the operation of more than 2 vehicles in combination.

(4) A permit for a power unit used to transport an oversize mobile home may be issued only to mobile home transportation companies, licensed mobile home manufacturers and licensed dealers over highways in the ordinary course of their business.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 261.06 Validity. (1) A permit is valid only for the vehicle described in the application and permit.

(2) An issuing authority may suspend a permit, or any of its conditions, because of seasonal highway conditions.

Note: Examples of seasonal highway conditions include spring thaw, flooding, and traffic congestion.

(3) No condition of a permit may modify any law or regulation limiting loads because of local conditions, including load limits on bridges and highways, seasonal weight restrictions, or load limits imposed because of construction.

(4) A permit is not valid during periods when adverse weather or road conditions, such as fog, smoke, heavy rain, snow or ice, or wind velocity, impair the safety of a movement under the permit.

(5) Operation under a permit includes the movement of an empty vehicle to and from the place of pickup or delivery of the permitted load.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 261.07 Registration requirements. (1) A vehicle operating under a permit shall be registered as required by Wisconsin statutes, and shall be registered at not less than the permit weight or at the maximum available registration weight, whichever is less.

(2) All other operational permits required by the department, the office of the commissioner of transportation or other agencies having jurisdiction shall be obtained.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; correction in (2) made under s. 13.93 (2m) (b) 6., Stats., Register, August, 1996, No. 488.

Trans 261.08 Driver and operating requirements. (1) The driver of a vehicle operating under a permit shall carry the approved permit in the vehicle to which it applies and shall have the permit available for inspection by any police officer, representative of the issuing authority, or person in charge of maintenance of the highway being used.

(2) The driver of a vehicle operating under a permit shall, whenever reasonable and practicable, maintain a distance of not less than 1,000 feet between the vehicle with the permit and any vehicle the driver is following, unless actually engaged in overtaking and passing another vehicle.

(3) The driver of a vehicle operating under a permit shall al-

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low traffic approaching or overtaking the permitted vehicle to pass, where it is safe to do so.

(4) Unless a lower speed is specified in the permit, a vehicle operating under a permit may be operated at the posted speed limit.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 261.09 Maximum size and loading limitations. (1) A mobile home or modular building section may extend beyond the front, the left and right sides, and the rear of the undercarriage, if the overhang is minimized.

(2) Wheels on one side of a transporting vehicle may not carry more than 60% of the total gross load.

(3) The width authorized by a permit refers to the outside-to-outside dimension of the towed unit not including roof overhang. The maximum width for the bottom of the roofline of the towed unit shall be measured separately.

Note: The outside-to-outside dimension of the unit encompasses protrusions such as windowsills, door knobs and other hardware.

(4) A permit may be issued for mobile homes and modular building sections having an outside-to-outside dimension not exceeding 15 feet in width, not including roof overhang. The maximum width for the bottom of the roofline of the towed unit shall be measured separately and may not exceed 16 feet. The maximum width of the roofline overhang on the left side of the towed unit may not exceed the maximum width of the roofline overhang on the right side of the towed unit.

(5) A permit may be issued for mobile homes and modular building sections that are not greater than 15 feet in total height.

(6) Vehicles and loads which, when reasonably divided, would not be oversize or overweight may not be transported under the permit.

(7) Loads which, when reasonably repositioned on the transporting vehicle, would not be oversize or overweight may not be transported under the permit.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; CR 01-093: am. (3) and (4), r. and recr. (5), r. (6) and (7), renum. (8) and (9) to be (6) and (7), June 2002 No. 558, eff. 7-1-02.

Trans 261.10 Equipment requirements. (1) LIGHTING. An oversize vehicle, or a vehicle with an oversize load operating during the hours of darkness, shall be equipped with the following additional lamps:

(a) For a vehicle with a load which extends beyond the width of the vehicle:

1. At the outermost extremity of the foremost edge of the projecting load, an amber lamp visible from the front and side.

2. At the outermost extremity at the rearmost edge of the projecting load, a red lamp visible from the rear and side.

3. Any portion of an overwidth load extending beyond the width of the foremost or rearmost edge of the vehicle or load, shall be marked with an amber lamp visible from the front, both sides, and rear.

4. If the overwidth portion of the load measures 3 feet or less from front to rear, that portion shall be marked with an amber lamp visible from the front, both sides and rear, except that if the overwidth projection is located at or near the rear it shall be marked by a red lamp visible from front, side and rear.

(b) For a vehicle with a load which extends more than 4 feet beyond the rear of the vehicle:

1. On each side of the projecting load, one red lamp, visible from the side, located so as to indicate maximum overhang.

2. On the rear of the projecting load, 2 red lamps, visible from the rear, one at each side; and 2 red reflectors visible from the rear, one at each side, located so as to indicate maximum width.

(c) All required lamps shall be illuminated whenever a vehicle is operated during hours of darkness. All lamps shall be visible at a distance of 500 feet.

(2) WARNING LAMPS. When required by a permit, warning lamps shall be operated as follows:

(a) All mobile homes and modular building sections over 12 feet in width shall have an operating amber flashing or revolving warning lamp a minimum of 8 feet above the roadway at the rear of the towed unit near its center point, visible 500 feet to the rear, or 2 such operating amber flashing or revolving warning lamps, at the left and right rear extremities of the towed unit located a minimum of 8 feet above the roadway and visible 500 feet to the rear.

(b) All amber flashing or revolving warning lamps shall have a reflector at least 6 inches in diameter and shall be bright enough to be clearly visible and attention-attracting at a distance of 500 feet under all conditions when the load is on the highway, except when visibility is obstructed by a hillcrest, a curve, or an object such as another vehicle.

(c) All power units, when transporting a mobile home or modular building section over 8½ feet in width shall have 2 amber flashing or revolving warning lamps mounted above the cab. Flashers shall be mounted at least 8 feet above the roadway and shall be visible to the front. When 2 lamps are provided, they shall be mounted at the same level, shall be separated laterally as much as possible, and shall flash simultaneously.

(d) All warning lamps shall flash at a rate of 30 to 90 times per minute.

(e) Strobe lamps may be used in lieu of flashing or revolving lamps.

(f) Warning lamps may not be operated when a vehicle is not operating under the permit.

(3) FLAGS. (a) When a vehicle, load, or vehicle and load is overlength, a single flag shall be fastened at the extreme rear of the load if the overlength or projecting portion is 2 feet wide or less.

(b) When a vehicle, load, or vehicle and load is overlength, 2 flags shall be fastened at the rear of the load to indicate maximum width if the overlength or projecting portion is wider than 2 feet.

(c) When a vehicle, load, or vehicle and load is overwidth, a flag shall be fastened at each front and rear corner of the load. In addition, if any part of the load is more than 4 inches wider than the width of load or vehicle at the front or rear, a flag shall be placed at the widest point of the load.

(d) Each flag shall be solid red or orange in color, and not less than 18 inches square.

(e) In order to wave freely, flags shall be securely fastened by at least one corner or securely mounted on a staff.

(4) SIGNS. (a) When a vehicle, load, or vehicle and load is more than 10 feet wide or is overlength, 2 warning signs shall be displayed. One sign shall be fastened at the front of the power unit and the other at either the rear of the towed unit or at the rear of the load.

(b) Each sign shall state, in black letters on a yellow background, "OVERSIZE LOAD," and may not be less than 7 feet long and 18 inches high. The letters of the sign may not be less than 10 inches high with a brush stroke of not less than 1.4 inches.

(c) The sign message may not be displayed when the vehicle is not operating under the permit.

(5) TRUCK WEIGHT AND TIRES. Unless otherwise provided in a permit:

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(a) The vehicle towing a mobile home or modular building section more than 8½ feet in width but less than 12 feet in width shall be a truck of not less than 16,000 pounds manufacturer's gross vehicle weight rating. The power unit shall be equipped with dual wheels on the drive axle and the minimum size of the tires shall be 10 ply 8.25 x 20, or equivalent.

(b) The vehicle towing a mobile home or modular building section 12 feet in width, but not more than 16 feet in width, shall be a truck of not less than 19,200 pounds manufacturers' gross vehicle weight rating. The power unit shall be equipped with dual wheels on the drive axle and the minimum size of the tires shall be 10 ply 8.25 x 20, or equivalent.

(6) MUDGUARDS. Mobile home and modular building sections and the power unit operating a permit shall be equipped with rear fenders or mudguards of such material and constructed and placed as to restrict to a minimum the splashing of water, mud, stones, and other material which may be thrown up by the rear wheels. If mudguards are provided, they shall be at least as wide as the tire and shall cover the tire or multiple tires they are guarding starting at the top from a line drawn vertically through the center of the axle and extending rearward and downward so that the fender or mudguard under any condition of operation or loading of the vehicle has a ground clearance of not more than 1/3 of the horizontal distance from the center of the rearmost axle to the fender or mudguard.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 261.11 Times of operation. (1) Except as otherwise specified in a permit, no vehicle or vehicle combination operating under a permit that is equal to or less than 12 feet in width, 13½ feet in height, and 100 feet in length, may operate:

(a) Between 4:00 p.m. and 11:00 p.m. on Sunday.

(b) Between 4:00 p.m. and 11:00 p.m. on Friday between the 4th Friday in May and Labor Day.

(c) Between 4:00 p.m. and 11:00 p.m. on any holiday, or, when Independence Day falls on Sunday, on the following Monday.

(d) Between 4:00 p.m. and 11:00 p.m. on the day before any holiday, except that this restriction does not apply to Independence Day when it falls on a Sunday.

(2) In addition to the conditions provided in sub. (1), no vehicle or vehicle combination operating under a permit that exceeds 12 feet in width, 13½ feet in height, or 100 feet in length, may operate:

(a) During the hours of darkness.

(b) During the period beginning at 12:00 noon on the day preceding and continuing until sunrise on the day following every Sunday and holiday.

(3) In addition to the conditions provided in subs. (1) and (2), no oversize vehicle or vehicle combination may operate on any part of the Milwaukee county expressway system constructed pursuant to s. 59.84, Stats.:

(a) Between 6:00 a.m. and 9:00 a.m. and between 3:00 p.m. and 6:00 p.m. on Monday through Thursday.

(b) Between 6:00 a.m. and 9:00 a.m. and between 3:00 p.m. and 11:00 p.m. on Friday and Sunday.

(3a) Subsection (3) does not apply to U.S. highway 45 between West Florist Avenue and West Hampton Avenue or to interstate highway 94 between the Waukesha county line and 108th Street.

(4) An issuing authority may issue a permit for times other than those specified in sub. (1), (2), or (3), under extraordinary circumstances when, in the opinion of the issuing authority, public health and welfare is better served, and may impose additional conditions to promote the safe operation of the vehicle and load.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; reprinted to correct errors, Register, June, 1992, No. 438; correction in (3) (intro.) made under s. 13.93 (2m) (b) 7., Stats.

Trans 261.12 Route limitations. (1) No permit allowing the dimensions of a vehicle or load to exceed 11 feet in width, 13½ feet in height or 100 feet in length is valid on any part of the Milwaukee county expressway system constructed pursuant to s. 59.84, Stats., except on U.S. highway 45 between West Florist Avenue and West Hampton Avenue and on Interstate highway 94 between the Waukesha county line and 108th Street.

(2) A permit issued by the department authorizes the use of any highways of the state, subject to the limitations stated [in] the permit.

(3) An oversize vehicle may not be operated on a highway, whether loaded or empty, at any time that a permit is not valid.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; correction in (1) made under s. 13.93 (2m) (b) 7., Stats.

Trans 261.13 Transfers. In the event of a breakdown or other circumstance requiring a change of the power unit stated on the permit, transfers to another vehicle, under the control of the permittee, may be made following the completion of a new application and the issuance of a new permit. The words, "This is a transfer from permit #_____ ," shall be written on the bottom of the application. The original permit shall be sent to the issuing authority with the transfer application.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 261.14 Insurance and liability conditions. (1) In applying for and accepting a permit, a permittee agrees to:

(a) Pay any claim for any bodily injury or property damage resulting from operation under the permit for which the permittee is legally responsible.

(b) Hold the state, its subdivisions, officers, employees and agents harmless from any claim which may arise from operation over public highways under the permit.

(2) Whether or not insurance, bond, or deposit as set forth in sub. (7) is required, the permittee shall be liable for all damages which any highway or its appurtenances may sustain by reason of any operation under the permit.

(3) An issuing authority may waive insurance requirements for permits issued to government.

(4) Where a certificate of insurance is required, no insurer may cancel the certificate of insurance without providing the issuing authority 10 days advance written notice of the cancellation.

(5) An issuing authority may require a permittee to provide more bodily injury damage liability coverage than is set forth in sub. (6).

(6) The following insurance amounts are required:

(a) When the permitted power unit and mobile home or modular building section combination does not exceed 12 feet in width, and 13½ feet in height or 100 feet in length:

Bodily injury liability-each person	$150,000	or	$750,000
Bodily injury liability-each accident.....	$450,000		combined single
Property damage liability-each accident.....	$300,000		limit

(b) When the permitted load exceeds the size limitations in par. (a):

Bodily injury liability-each person	$200,000	or	$1,000,000
Bodily injury liability-each accident.....	$600,000		combined single
Property damage liability-each accident.....	$400,000		limit

(7) A permittee shall certify, and may be required to present

satisfactory written evidence, that the amount of insurance coverage given in sub. (6), or a bond in a form satisfactory to the issuing authority, will be in effect for the vehicle and load designated in the permit while operating on the public highway, unless this requirement is expressly waived by the issuing authority.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 261.15 General conditions and requirements. (1) A permittee shall comply with all applicable statutes, ordinances, rules and policies of any state agency or subdivision of the state, unless they are modified by the conditions of the permit.

(2) When a vehicle operating under a permit is overheight, the permittee shall give prior notice to the owners of overhead wires, cables or other facilities which may be affected.

(3) A properly equipped escort vehicle as described in ch. Trans 252 shall accompany a vehicle and load:

(a) When any part of a vehicle or load extends beyond the left of the roadway centerline on 2-way roadways,

(b) When any part of a vehicle or load extends beyond the left edge of the right hand lane on highways with more than 2 lanes, or

(c) On a highway designated in a permit.

(4) A vehicle and load that does not require an escort vehicle may, when safe, move to the left of the centerline or beyond the left lane line while crossing a bridge or railroad crossing, but only after yielding to all other traffic.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

Trans 261.155 Multiple trip manufacturing process permits. (1) The issuing authority may issue annual or consecutive month permits to licensed mobile home transport companies and to licensed mobile home manufacturers for the transportation of mobile homes and modular building sections that are not greater than 16 feet wide in total exterior width including all protrusions, or 15 feet 6 inches in total height, but only if all of the following conditions are satisfied:

(a) Each movement is limited to a distance of 5 straight-line air distance miles, on a route pre-approved by the person responsible for maintaining the highways and local roads over which the movement will occur, and identified in a traffic safety plan. Pre-approved routes must be able to accommodate the maximum dimensions in this subsection, and ensure that the mobile home or modular building sections clear all overhead structures by at least 6 inches. The number of pre-approved routes for each move may be limited to one route by either the issuing authority, or the person responsible for maintaining the highways and local roads over which the movement will occur.

Note: Examples of overhead structures are bridges, overpasses, power lines, utility lines, and traffic devices.

(b) The mobile home or modular building sections are transported from a manufacturing plant to or from another manufacturing plant, including a subcontractor's manufacturing plant. This includes movement to a manufacturer-owned storage lot where partially completed mobile homes are temporarily stored while awaiting further construction, or where fully completed mobile homes are temporarily stored immediately after construction is completed.

(c) The mobile home or modular building sections are being transported to perform any step in the manufacturing process.

(d) A traffic safety plan has been prepared by the manufacturer and approved by the person responsible for maintaining the highways and local roads over which the carrier will transport a load authorized by this section. A traffic safety plan may include the installation and use of additional traffic control devices, the use of additional traffic control precautions such as flag persons, the use of escort vehicles, or additional driver training. The approved traffic safety plan must be included with the application submitted to the issuing authority.

(2) A permit authorized in sub. (1) may not be issued to transport mobile homes or modular building sections from a manufacturing plant to a sales location or a building site.

(3) A permit issued under this section is not a guarantee of the sufficiency of any highway or structure for the transportation of the vehicle or the load.

(4) For each local road or county highway on which the applicant seeks authority to operate under this section, a permit for a mobile home or modular building section may be issued only upon presentation of written proof that permission for operation has been granted by any local authority or person in charge of maintaining those highways.

(5) When transporting a mobile home or modular building sections under this section, the power unit shall be stopped when necessary by the driver to allow traffic to pass from either direction without delay.

(6) The wheels of a mobile home or undercarriage shall be operated as close to the right edge of the shoulder as possible in order to provide minimum interference with the left lane of traffic. However, to minimize damage to the shoulder in the area immediately adjacent to the pavement, the right wheels may not be operated on the shoulder within 2 feet of the edge of the pavement except to cross this area.

(7) The maximum speed of a mobile home or modular building section operating on highways without paved shoulders may not exceed 35 miles per hour.

(8) In addition to the amber flashing or revolving lamps specified in s. Trans 261.10 (2), each mobile home or modular building section shall be equipped with a similar lamp visible from the front of the vehicle when operated on 2-way roadways.

(9) A permittee shall certify, and may be required to present satisfactory written evidence, that the amount of insurance coverage given in s. Trans 261.14 (6) (b), or a bond in a form satisfactory to the issuing authority, will be in effect for the vehicle and load designated in the permit while operating on the public highway, unless this requirement is expressly waived by the issuing authority.

History: Cr. Register, April, 1998, No. 508, eff. 5-1-98.

Trans 261.16 Denial, suspension or revocation of permit. (1) An issuing authority may deny, suspend, or revoke a permit for good cause, pursuant to s. 348.25 (7), Stats. Grounds for the denial, suspension, or revocation of a permit include:

(a) Violation of any condition of a permit.

(b) Preventing an employee of an issuing authority or a law enforcement officer from performing his or her official duties, or interfering with the lawful performance of his or her duties.

(c) Physically assaulting an employee of an issuing authority or a law enforcement officer while performing his or her official duties.

(d) Making a material misstatement in an application for a permit.

(e) Unauthorized alteration of a permit.

(f) Refusal or failure, without just cause, to produce required records.

(g) Payment of an application fee with a worthless check.

(h) Violation of any other applicable provision under ch. 348, Stats., or this chapter.

(2) A permittee shall immediately return a suspended or re-

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voked permit to the issuing authority after receiving notice from the issuing authority of the suspension or revocation of the permit.

Note: If a permit is denied, suspended, or revoked, an applicant or permittee may request a hearing before the division of hearings and appeals, pursuant to s. 348.25 (9), Stats.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

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