

CR 84-81

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CERTIFICATE

State of Wisconsin)
) ss.
Department of Transportation)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Lowell B. Jackson, P.E., Secretary of the Wisconsin Department of Transportation and custodian of the official records of the Department, do hereby certify that the annexed rule relating to vehicle length limits and the number of vehicles in combinations was duly approved and adopted by this Department on November TB, 1984.

I further certify that the annexed copy has been compared by me with the original on file in this Department and that the same is a true copy thereof and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation, in the City of Madison, Wisconsin, this 7th day of November, 1984.



Lowell B. Jackson
LOWELL B. JACKSON, P.E.
Secretary
Wisconsin Department of
Transportation

1-1-85

IN THE MATTER OF THE CREATION	:	
OF CHAPTER TRANS 276, WIS.	:	ORDER
ADMIN. CODE, RELATING TO	:	ADOPTING
VEHICLE LENGTH LIMITS AND THE	:	RULES
NUMBER OF VEHICLES IN	:	
COMBINATIONS	:	

Analysis Prepared by the
Wisconsin Department of Transportation

SUMMARY OF RULE. In December of 1982, Congress enacted sections 411 to 413 of the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424, 96 Stat. 2097) and Section 321 of the Department of Transportation Appropriations Act (Pub. L. 97-369). On February 3, 1983, the U.S. Department of Transportation initiated a rule interpreting these laws. 48 Fed. Reg. 5210-5212.

These laws and rules made several significant changes with respect to federal provisions governing the length, width, and combination of certain vehicles using the Interstate and other qualifying highways. The vehicles involved are truck tractors, semitrailers, trailers, double bottoms, these vehicles when operated by household goods carriers, and automobile haulaways. For the first time, the authority of states to limit the lengths, widths, and combinations of these vehicles is now controlled at the federal level. On November 17, 1983, 1983 Wisconsin Act 78 became effective, implementing these provisions in Wisconsin.

I. DESIGNATED QUALIFYING HIGHWAYS

The Wisconsin Secretary of Transportation is required by 1983 Wisconsin Act 78 to designate the qualifying highways on which the vehicles with the new federally regulated minimum dimension limits may operate, and the designation may not be inconsistent with the designation made by the U.S. Secretary of Transportation. The U.S. Department of Transportation promulgated an administrative rule for purposes of an initial designation of highways in 48 Fed. Reg. 5210-5212 (February 3, 1983). That federal rule designated the following as qualifying highways:

The Interstate System and those sections of the Federal-aid Primary System which are divided highways with 4 or more lanes and full control of access will be eligible for use by vehicles whose dimensions are established by [federal law], except where the State can justify that such use is not in the public interest, such as on parkways or other routes where truck traffic is currently prohibited. Additionally, the State may designate other Federal-aid Primary

System Highways that comply with safety and operational requirements, such as traffic lanes designed to be at least 12 feet wide and bridges structurally capable of accommodating the allowable loads.

In Wisconsin, there are 33 divided highway segments with 4 or more lanes and full control of access that were eligible for use by vehicles whose minimum length limits are established by federal law. Chapter TRANS 350, Wis. Admin. Code, published on March 17, 1983, identified and designated these qualifying highways, effective April 6, 1983.

In addition, there were 10 other highway segments that had already been designated by the Wisconsin Department of Transportation as authorized double bottom routes and 2 additional short segments that qualified for designation under then current Wisconsin law, sec. 348.27(6), Stats., and Wis. Admin. Code § Hy 30.20(4). The reason for this broader Wisconsin designation was that Wisconsin had no statutory requirement for full control of access or that the 4-lane highway be divided to qualify. Therefore, Wis. Admin. Code Chapter TRANS 350, published on March 17, 1983, identified and designated these highways as qualifying highways for use by vehicles and combinations of vehicles whose lengths, by federal law, cannot be limited by Wisconsin.

II. EXPANDED FEDERAL DESIGNATION

On March 31, 1983, the U.S. Department of Transportation abandoned its initial designation of four-lane divided highways with full control of access and designated as qualifying highways about four times as many highway miles in Wisconsin, including many two-lane highways. This new U.S. Department of Transportation designation was published in the Federal Register on April 5, 1983, effective April 6, 1983 (23 CFR Ch. 1 [FHWA Docket No. 83-4, Notice No. 3]). The substantial expansion made by the U.S. Department of Transportation in the highways designated in Wisconsin and the timing of its official publication required the amendment and republication of Wis. Admin. Code Chapter Trans 350 as an emergency rule. On May 3, 1983, 48 Fed. Reg. 20022, the U.S. Department of Transportation published a revised interim designation which modified the highway system designated in the April 6 rule. The May 3 revision contained a net reduction of approximately 900 miles for Wisconsin.

III. FURTHER FEDERAL DESIGNATION

Under federal law, the U.S. Secretary of Transportation was to make a final designation of highways by October 3, 1983. On September 14, 1983, the Federal Highway Administration published a Notice of Proposed Rule Making in the Federal

Register, Volume 148, Number 179. The final federal rule was published on June 5, 1984, and was substantially similar to the September 14, 1983, Notice. Trans 276 is intended to implement both 1983 Wisconsin Act 78 and the Federal Highway Administration's June 5, 1984, final rule which created 23 Code of Federal Regulations Part 658. The Department's rule is a final codification of the system which has been in effect for over a year (Trans 350) plus additions to that system authorized by sec. 348.074, Stats. That provision allows the Secretary to add routes after considering "safety, economics, energy savings, industry productivity, and competition." Using this criteria, the Secretary has added additional highways. The rule also clarifies other provisions of the size and weight statutes and portions of the federal rule.

FISCAL ESTIMATE. This rule may result in a decrease in potential litigation for any improper enforcement of Wisconsin vehicle length or combination limits in violation of the preemptive federal law. The rule also serves to obviate any potential loss of federal highway aid. It provides uniform guidance for the continued enforcement of Wisconsin vehicle maximum dimension and combination laws.

FINAL REGULATORY FLEXIBILITY ANALYSIS. This rule does not affect small business other than to give such businesses increased access to their facilities by vehicles with lengths authorized by federal and state law.

This analysis was prepared by Mary M. Runkel, Division of Motor Vehicles, Office of the Administrator, Wisconsin Department of Transportation, Room 255 Hill Farms State Office Building, P.O. Box 7911, Madison, Wisconsin 53707, (608) 266-7594.

Pursuant to authority vested in the department of transportation by ss. 110.06(1) and 348.07(4), Stats., the department of transportation hereby adopts rules interpreting certain provisions of chs. 340 and 348, Stats., to comply with federal law as follows:

SECTION 1. Chapter TRANS 276 is created to read:

CHAPTER TRANS 276

DESIGNATED HIGHWAYS FOR VEHICLE LENGTH AND COMBINATIONS

TRANS 276.01 GENERAL. (1) SCOPE OF CHAPTER. This chapter identifies and designates a list of qualifying highways for the operation of vehicles and combinations of vehicles the overall lengths of which cannot be limited. In addition, this chapter clarifies other statutory provisions or federal rules affecting the width and length of vehicles and combination of vehicles and the number of vehicles in combination.

(2) POLICY. This policy is intended to permit Wisconsin to comply with federal law, to provide guidance to vehicle users and law enforcement authorities for safe and lawful operations, and to continue the reasonable enforcement of Wisconsin vehicle size and combination laws.

TRANS 276.02 DEFINITIONS. In this chapter words and phrases have the meanings designated in s. 340.01, Stats. and Ch. 250, Wis. Admin. Code, unless a different meaning is expressly provided in this chapter.

TRANS 276.03 SAFETY DEVICES-WIDTH EXCLUSION. (1) The devices in this subsection are designated as safety devices as required under 23 C.F.R. 658.5(g) and 23 C.F.R. 658.15 and are not included in the calculation of width:

- (a) rear-view mirrors;
- (b) turn-signal lamps;
- (c) hand-holds for cab entry and egress;
- (d) splash and spray suppressant devices;
- (e) load induced tire bulge.

(2) The devices in this subsection are determined to be safety devices and are not to be included in the calculation of

width provided such devices do not extend beyond 3 inches on each side of a vehicle.

(a) Door hardware, including door handles and locking devices.

(b) Load tie down devices.

(c) Toe holds or retractable steps.

[Note: The 3-inch limit is imposed by 23 C.F.R. 658.15. The Secretary is authorized to designate additional devices in s. 348.05(2m), Stats.]

TRANS 276.04 WIDTH, METRIC EQUIVALENT. For purposes of enforcement of chapter 348, Stats., 23 C.F.R. 658, and this chapter, the approximate metric equivalent of 102 inches is deemed to be within the 102 limit of s. 348.05, Stats. The approximate metric equivalent of 102 inches is 2.6 meters, which equals approximately 102.36 inches.

[Note: The use of the metric equivalent of 102 inches is authorized in 23 C.F.R. 658.15.]

TRANS 276.05 AUTOMOBILE HAULWAYS. For enforcement purposes: (1) The provision of s. 348.07(2)(g), Stats., which limits the length of a trailer or semitrailer in a 2-vehicle combination to 48 feet does not apply to an automobile haulaway provided the automobile haulaway does not exceed 66 feet in length plus the authorized front and rear overhangs. This subsection applies to both designated and non-designated highways.

(2) An automobile haulaway exceeding 66 feet in length may operate on designated highways and 5-mile access routes provided the trailer or semitrailer portion of the combination does not exceed 48 feet plus authorized rear overhang.

TRANS 276.06 PERMITS FOR VEHICLES OPERATING IN SADDLEMOUNT COMBINATION. For enforcement purposes, no permit is required for vehicles operating in double saddlemount combination provided the overall length of the combination is 65 feet or less in length. This section applies to designated highways and 5-mile access routes.

[Note: The provision of Wisconsin law requiring a permit for these combinations (s. 348.27(13), Stats., was preempted by the federal rule (23 C.F.R. 658.13 (d)3.) when these vehicles operate on the designated system and access routes.]

TRANS 276.07 DESIGNATED HIGHWAYS. (1) The following highways are designated for purposes of the operation of the specified vehicles and combinations with lengths as stated in s. 348.07(4), Stats.:

<u>Route</u>	<u>From</u>	<u>To</u>
USH 2	Minn. Line at Superior	Mich. Line at Hurley
USH 2	Mich. Line W. of Florence	Mich. Line E. of Florence
USH 8	Minn. Line at St. Croix Falls	Mich. Line at Norway, MI
USH 10	USH 63 in Ellsworth	IH 43 N. of Manitowoc
STH 11	USH 61-151 E. of Dubuque, Iowa	USH 51 in Janesville
STH 11	IH 90 E. of Janesville	USH 14-STH 89, 5 miles W. of Delavan
STH 11	STH 15 E. of Elkhorn	STH 31 in Racine
USH 12	IH 94-CTH "EE" W. of Eau Claire	USH 53 in Eau Claire
USH 12	IH 90-94 at Lake Delton	Ill. Line at Genoa City
STH 13	STH 21 N. of Friendship	USH 2 in Ashland
USH 14	USH 61 at Readstown	IH 90 at Janesville

USH 14	STH 11-89, 5 miles W. of Delavan	STH 15 at Darien
STH 15	IH 90 at Beloit	USH 45 in Greenfield
STH 16	STH 78 at Portage	IH 94 N. of Waukesha
STH 17	USH 8 in Rhinelander	Phelps
USH 18	Iowa Line at Prairie du Chien	IH 90 S.E. of Madison
STH 19	Waunakee	STH 16 E. of Watertown
STH 20	IH 94 W. of Racine	STH 31 in Racine
STH 21	STH 27 in Sparta	USH 41 at Oshkosh
STH 22	USH 51 at North Leeds	USH 10 at Waupaca
STH 22	STH 117 at Cecil	STH 32 at Gillett
STH 23	USH 51 W. of Montello	USH 45 in Fond du Lac
STH 23	STH 67 in Plymouth	Taylor Drive in Sheboygan
STH 25	STH 35 at Nelson	USH 10 at Durand
STH 26	IH 90 at Janesville	USH 151 S.E. of Waupun
STH 26	USH 151 N.E. of Waupun	USH 41 S.W. of Oshkosh
STH 27	USH 18 in Prairie du Chien	STH 171 at Mt. Sterling
STH 27	USH 14 in Westby	USH 10 E. of Fairchild
STH 27	STH 29 at Cadott	STH 64 in Cornell
STH 27	STH 194 W. of Sheldon	USH 8 in Ladysmith
STH 28	STH 67 in Mayville	USH 45 in Kewaskum
STH 28	STH 144 N. of Boltonville	STH 57 at Waldo
STH 29	IH 94 W. of Elk Mound	USH 53 at Chippewa Falls
STH 29	STH 124 S. of Chippewa Falls	USH 41 in Green Bay
STH 30	USH 151 in Madison	IH 90-94 E. of Madison
STH 31	STH 11 in Racine	STH 20 in Racine

STH 32	STH 42 at Howards Grove	STH 57 E. of Kiel
STH 32	USH 41 W. of De Pere	STH 22 in Gillett
STH 33	STH 23 in Reedsburg	STH 67 S. of Mayville
STH 34	STH 13 in Wisconsin Rapids	USH 51 N.E. of Knowlton
STH 35	USH 53 at Galesville	USH 63 at Hager City
STH 37	USH 10 at Mondovi	USH 12 in Eau Claire
STH 39	USH 151 in Mineral Point	STH 69 in New Glarus
USH 41	National Avenue in Milwaukee	Garfield Avenue in Milwaukee
USH 41	107th St. in Milwaukee	Mich. Line at Marinette
STH 42	IH 43 N.W. of Sheboygan	STH 32 at Howards Grove
STH 42	IH 43 at Manitowoc	STH 57 S.W. of Sturgeon Bay
IH 43	IH 94 in Milwaukee	USH 41 in Howard
STH 44	STH 73 at Manchester	USH 41 S.W. of Oshkosh
USH 45	Ill. Line S. of Bristol	STH 28 in Kewaskum
USH 45	CTH "B" E. of Eden	CTH "B" in Eden
USH 45	STH 76 at Greenville	Mich. Line at Land O' Lakes
STH 47	USH 10 in Appleton	STH 29 in Bonduel
STH 48	STH 87 S. of Grantsburg	STH 70 in Grantsburg
STH 49	USH 41 E. of Brownsville	USH 10 at Weyauwega
STH 50	USH 45 N. of Bristol	45th Ave. in Kenosha
USH 51	S. Corp. Limits of Janesville	USH 14 at Janesville
USH 51	IH 90 E. of Stoughton	STH 16 S.E. of Portage
USH 51	STH 78 N. of Portage	USH 2 N. of Hurley
USH 53	USH 14-61 in La Crosse	USH 10 in Osseo
USH 53	IH 94 S.E. of Eau Claire	IH 535 in Superior

STH 54	STH 13 in Wisconsin Rapids	USH 41 at Green Bay
STH 57	IH 43 N. of Saukville	STH 172 S. of Green Bay
STH 57	IH 43 in Green Bay	Sturgeon Bay
STH 60	STH 113 in Lodi	IH 43 E. of Grafton
USH 61	IA Line at Dubuque, IA	STH 129 S.E. of Lancaster
USH 61	STH 129 N.E. of Lancaster	Minnesota Line at La Crosse
USH 63	Minnesota Line at Red Wing, MN	USH 2 W. of Ashland
STH 64	STH 65 at New Richmond	USH 63 E. of New Richmond
STH 64	USH 53 at Bloomer	STH 27 in Cornell
STH 65	IH 94 S. of Roberts	STH 64 at New Richmond
STH 67	IH 94 S. of Oconomowoc	STH 109 S. of Iron Ridge
STH 67	CTH "VV" W. of Iron Ridge	STH 28 in Mayville
STH 67	CTH "B" S. of St. Cloud	STH 57 at Kiel
STH 68	STH 33 at Fox Lake	STH 49 at Waupun
STH 69	STH 11 at Monroe	CTH "PB" at Paoli
STH 70	STH 48 in Grantsburg	USH 53-63 in Spooner
STH 71	STH 131 E. of Wilton	STH 80 in Elroy
STH 73	USH 151 S.W. of Columbus	STH 54 in Wisconsin Rapids
STH 73	USH 10 in Neillsville	STH 29 at Withee
STH 74	USH 41-45 in Menomonee Falls	STH 100 in Milwaukee
STH 76	USH 10 W. of Appleton	USH 45 at Greenville
STH 78	IH 90-94 S. of Portage	USH 51 N. of Portage
STH 80	STH 71 in Elroy	STH 13 at Pittsville
STH 82	IH 90-94 at Mauston	USH 51 W. of Montello
STH 87	USH 8 in St. Croix Falls	STH 48 S. of Grantsburg

STH 89	IH 94 at Lake Mills	STH 73 in Columbus
IH 90	Minn. Line at La Crosse	Ill. Line at Beloit
STH 93	STH 35 at Centerville	USH 10 in Eleva
STH 95	USH 53 at Blair	IH 94 at Hixton
IH 94	Minn. Line at Hudson	Ill. Line near Kenosha
STH 98	STH 73 W. of Loyal	STH 13 in Spencer
STH 100	IH 94 in Oak Creek	107th St. & Good Hope Rd. in Milwaukee
STH 100	STH 74 in Milwaukee	IH 43 in Milwaukee Co.
STH 103	STH 49 S. of Brandon	USH 151 at LaMartine
STH 109	CTH "VV" S. of Iron Ridge	STH 67 S. of Iron Ridge
STH 110	STH 150 at Winchester	USH 10 E. of Fremont
STH 114	STH 57 in Hilbert	USH 10 in Brillion
STH 117	STH 29-47 in Bonduel	STH 22 in Cecil
STH 119	IH 94 in Milwaukee	STH 38 in Milwaukee
STH 121	STH 93 in Independence	USH 53 in Whitehall
STH 124	USH 53 N. of Eau Claire	STH 29 S. of Chippewa Falls
STH 124	CTH "Y" N. of Chippewa Falls	STH 64 E. of Bloomer
STH 129	USH 61 S.E. of Lancaster	USH 61 N.E. of Lancaster
STH 131	USH 14-61 at Readstown	STH 56 at Viola
STH 131	STH 71 E. of Wilton	IH 90 S. of Tomah
STH 139	USH 8 near Cavour	Long Lake
USH 141	USH 41 at Abrams	USH 8 in Pembine
STH 144	USH 45 at West Bend	STH 57 at Random Lake
STH 145	Broadway in Milwaukee	USH 41-45 in Milwaukee
STH 150	STH 110 at Winchester	USH 41 at Neenah

USH 151	IA Line at Dubuque, IA	USH 18 E. of Dodgeville
USH 151	IH 90-94 in Madison	USH 10 at Manitowoc
USH 164	IH 94 N. of Waukesha	STH 74 in Sussex
STH 172	USH 41 in Ashwaubenon	IH 43 S.E. of Green Bay
STH 173	STH 21 W. of Wyeville	STH 80 at Babcock
STH 186	STH 13-73 S. of Vesper	USH 10 in Auburndale
STH 190	STH 16 at Pewaukee	STH 100 in Wauwatosa
STH 194	STH 27 W. of Sheldon	CTH "G" in Sheldon
STH 213	STH 11 in Orfordville	USH 14 in Evansville
IH 535	5th St. in Superior	Minn. Line at Superior
IH 794	IH 43-94 in Milwaukee	Car Ferry Dr. in Milwaukee
IH 894	IH 94 W. of Milwaukee	IH 94 S. of Milwaukee

Chippewa County:

CTH "S"	Jim Falls	STH 27 E. of Jim Falls
CTH "Y"	STH 124 W. of Jim Falls	Jim Falls

Columbia County:

CTH "AW"	STH 73 N. of Randolph	East County Line
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Dane County:

CTH "N"	USH 51 in Stoughton	IH 90 N. of Stoughton
CTH "PB"	STH 69 at Paoli	USH 18-151 E. of Verona

DODGE COUNTY:

CTH "A"	STH 26 S. of Juneau	STH 68 at Fox Lake
CTH "A"	STH 33 W. of Fox Lake	North County Line
CTH "AW"	West County Line	STH 49 W. of Waupun
CTH "C"	CTH "A" E. of Fox Lake	USH 151 W. of Atwater
CTH "VV"	STH 109 S. of Iron Ridge	STH 67 W. of Iron Ridge

FOND DU LAC COUNTY:

CTH "AW"	West County Line	STH 49 W. of Waupun
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CTH "B"	USH 41 S. of Fond du Lac	USH 45 in Eden
CTH "B"	USH 45 E. of Eden	STH 67 S. of St. Cloud
CTH "G"	STH 67 S. of St. Cloud	St. Cloud
CTH "KK"	West County Line	STH 44-49 S. of Ripon
CTH "M"	STH 23 W. of Rosendale	North County Line
CTH "OOO"	CTH "VVV" W. of Fond du Lac	Main St. in Fond du Lac
CTH "VVV"	STH 23 W. of Fond du Lac	CTH "OOO" W. of Fond du Lac

GREEN LAKE COUNTY:

CTH "A"	South County Line	CTH "K" S. of Green Lake
CTH "AW"	STH 73 S. of Manchester	East County Line
CTH "K"	CTH "A" S. of Green Lake	East County Line

KENOSHA COUNTY:

CTH "C"	CTH "W" in Wilmot	USH 45 S. of Bristol
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MILWAUKEE COUNTY:

CTH "BB"	STH 100 in Franklin	STH 38 in Oak Creek
CTH "E"	West County Line	73rd St. in Milwaukee
CTH "PP"	STH 100, 107th St.	Port Washington Rd.

ROCK COUNTY:

CTH "J"	CTH "O" E. of Janesville	STH 11
CTH "O"	USH 51 in Janesville	CTH "J" E. of Janesville

RUSK COUNTY:

CTH "G"	STH 194 in Sheldon	USH 8 in Ladysmith
CTH "I"	STH 27 S. of Ladysmith	CTH "G" at Conrath

SHEBOYGAN COUNTY:

CTH "PP"	STH 67 S. of Plymouth	STH 57
CTH "RR"	STH 57 at Random Lake	IH 43 at Cedar Grove

WAUKESHA COUNTY

CTH "VV"	STH 83 at North Lake	East County Line
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WINNEBAGO COUNTY:

CTH "M" SOUTH COUNTY LINE STH 44 at Pickett

CITY OF FOND DU LAC:

Pioneer Rd. Johnson Street Scott Street
Scott St. Pioneer Road Main Street

CITY OF GLENDALE:

Silver West Corporate Limit IH 43
Spring Dr.

CITY OF JANESVILLE:

Delavan Dr. USH 51 East Corporate Limit

CITY OF MILWAUKEE:

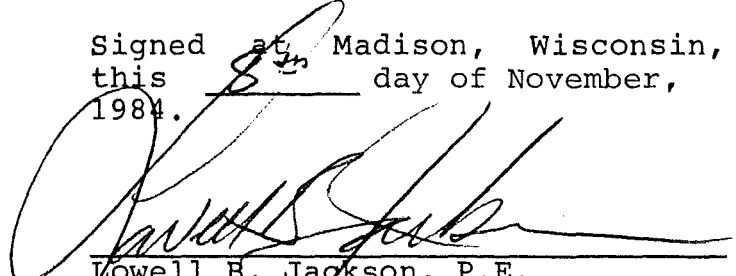
Silver 73rd Street East Corporate Limit
Spring Dr.

CITY OF SUN PRAIRIE:

Main St. USH 151 STH 19

This rule shall take effect on the first day of the month after publication as provided in s. 227.026(1)(intro.), Stats.

Signed at Madison, Wisconsin,
this 8th day of November,
1984.



Lowell B. Jackson, P.E.
Secretary
Wisconsin Department of
Transportation



State of Wisconsin \

DEPARTMENT OF TRANSPORTATION



OFFICE OF THE SECRETARY
P.O. Box 7910
Madison, WI 53707-7910

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November 9, 1984

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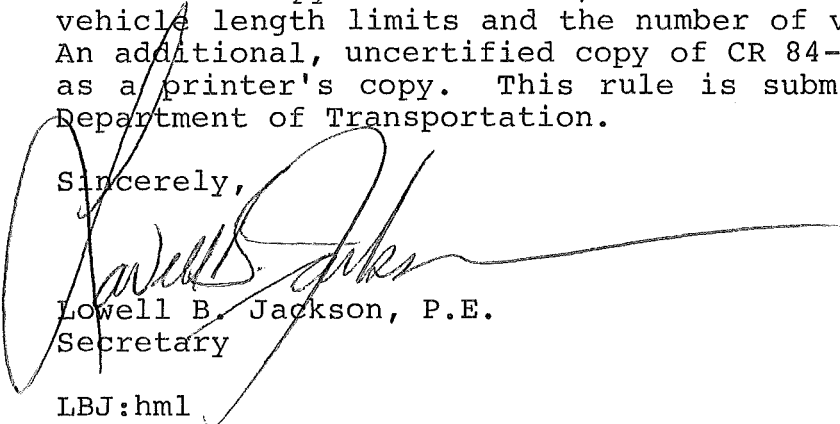
Mr. Gary Poulson
Assistant Revisor of Statutes
411 West, State Capitol
Madison, Wisconsin 53702

Re: Clearinghouse Rule 84-81
Relating to Vehicle Length Limits and the
Number of Vehicles in Combinations; Trans 276

Dear Mr. Poulson:

Enclosed for filing, pursuant to sec. 227.023, Wis. Stats., is a certified copy of CR 84-81, an administrative rule relating to vehicle length limits and the number of vehicles in combinations. An additional, uncertified copy of CR 84-81 is enclosed to be used as a printer's copy. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,


Lowell B. Jackson, P.E.
Secretary

LBJ:hml

Enclosures

cc: Sue Gallagher
DOT Office of Transportation Information
Harry Price
Mary Runkel