

CR 84-133

C E R T I F I C A T E

RECEIVED

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

MAR 5 1985
11:30 am
Revisor of Statutes
Bureau

TO ALL TO WHOM THESE PRESENTS COME, GREETINGS:

I, Lowell B. Jackson, Secretary of the Wisconsin Department of Transportation and custodian of the official records of the Department, do hereby certify that the annexed administrative rule relating to permits for operation of oversize and overweight vehicles equipped with self-compactors and transporting garbage or refuse was duly approved and adopted by this Department on the 4th day of March, 1985.

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 here-
onto set my hand and affixed the
official seal of the Department
at the Hill Farms State Office
Building in the City of Madison,
Wisconsin, this 4th day of
March, 1985.



Lowell B. Jackson

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

5-1-85

IN THE MATTER OF THE AMENDMENT	:	
OF TRANS 269.07(2), WISCONSIN	:	
ADMINISTRATIVE CODE, RELATING	:	
TO PERMITS FOR OPERATION OF	:	ORDER
OVERSIZE AND OVERWEIGHT VEHICLES	:	ADOPTING
EQUIPPED WITH SELF-COMPACTORS	:	RULE
AND TRANSPORTING GARBAGE OR	:	
REFUSE	:	

Analysis Prepared by the
Wisconsin Department of Transportation

General summary of rule. The size and weight of vehicles operating on Wisconsin highways is subject to the restrictions established by the Legislature in Chapter 348 of the statutes. The federal government has also established size and weight regulations which are applicable to the national system of interstate and defense highways. 23 U.S.C. § 127 provides that no federal highway aids shall be apportioned to states which permit the operation of vehicles that exceed the maximum gross weights specified in 23 U.S.C. § 127 on interstate and defense highways within state boundaries.

However, the federal law recognizes that some exceptions are necessary for those vehicles and loads which cannot be easily dismantled or divided. Such oversize and overweight vehicles may operate on the system of interstate and defense highways with special permits issued under state law. Section 348.27(12), Stats., created by Chapter 163 of the Laws of 1981, published April 8, 1982, authorizes the Department of Transportation to issue special annual permits for the transportation of garbage or refuse in a self-compactor equipped vehicle that exceeds statutory weight and length limitations and for the return of the vehicle when empty.

Since loads of garbage or refuse may be considered to be divisible, the operation of overweight vehicles equipped with self-compactors and transporting garbage or refuse on interstate and defense highways in Wisconsin could jeopardize Wisconsin's eligibility for apportionment of federal highway funds. This proposed rulemaking order will allow operation under permits issued pursuant to s. 348.27(12), Stats., on all highways in Wisconsin except the national system of interstate and defense highways under s. 84.29, Stats.

RULE TEXT

Pursuant to the authority vested in the state of Wisconsin, department of transportation, by ss. 110.06(1) and 348.25(3),

Stats., the department of transportation hereby amends a rule interpreting and implementing sec. 348.27(12), Stats., as follows:

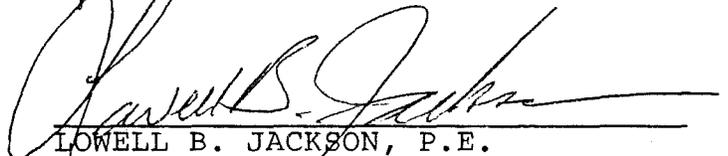
Section 1. Trans 269.07(2) is amended to read:

Trans 269.07(2) Permits issued by the department authorize the use of any of the highways of the state, except those in the national system of interstate and defense highways under s. 84.29, Stats., subject to the limitations stated in the permit.

(End)

This amended rule shall take effect upon the first day of the month following its publication in the Wisconsin Administrative Register as provided in sec. 227.026(1)(intro.), Stats.

Dated at Madison, Wisconsin, this
14th day of March, 1985.



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



State of Wisconsin \

DEPARTMENT OF TRANSPORTATION



PLEASE REPLY TO:

OFFICE OF GENERAL COUNSEL

4802 Sheboygan Avenue

P. O. Box 7910

Madison, WI 53707

Telephone: (608) 266-8810

March 4, 1985

RECEIVED

MAR 5 1985

Revisor of Statutes
Bureau

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

RE: Clearinghouse Rule 84-133
In the Matter of the Amendment of Trans 269.07(2),
Wisconsin Administrative Code, Relating to
Permits for Operation of Oversize and Overweight
Vehicles Equipped with Self-Compactors and
Transporting Garbage or Refuse

Dear Mr. Poulson:

Enclosed for filing, pursuant to sec. 227.023, Wis. Stats.,
is a certified copy of CR 84-133, an administrative rule relating
to permits for operation of oversize and overweight vehicles
equipped with self-compactors and transporting garbage or refuse.
An additional, uncertified copy of CR 84-133 is enclosed to be
used as a printer's copy. This rule is submitted by the Wisconsin
Department of Transportation.

Sincerely,

Barbara F. Bird
Assistant General Counsel

BFB:ck
Enclosure
cc: K. Sue Gallagher
Maynard Schneider
Harry O. Price