

CR 91-101

CERTIFICATE

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4:20 pm  
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Bureau

STATE OF WISCONSIN )  
 ) ss.  
DEPARTMENT OF TRANSPORTATION )

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, RONALD R. FIEDLER, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **allowing the operation of double bottoms and certain other combination vehicles greater than 60 feet in overall length on the specified highways**, was duly approved and adopted by this Department on October 22<sup>nd</sup>, 1991.

I further certify that this 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 at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 22<sup>nd</sup> day of October, 1991.

*for* Donald H. Jorgensen, Deputy  
RONALD R. FIEDLER, P.E.  
Secretary

Clearinghouse Rule 91-101

IN THE MATTER OF a Rule to AMEND  
Trans 276.07(3) and CREATE  
Trans 276.08, Wis. Admin. Code,  
relating to allowing the operation  
of double bottoms and certain  
other combination vehicles greater  
than 60 feet in overall length  
on the specified highways.

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ORDER ADOPTING RULE

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Bureau
Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: ss. 85.16(1) and 348.07(4), Stats.

STATUTES INTERPRETED: ss. 348.07(2)(f), (fm), (gm), (gr), 348.07(4) and  
348.08(1)(e), Stats.

General Summary of Rule. This rule amends s. Trans 276.07(3), Wisconsin Administrative Code, and creates s. 276.08, Wisconsin Administrative Code, to provide that when a designated highway is closed and detoured the designation follows the detour, and to add the following segment of highway to the designated highway system established under s. 348.07(4), Stats.:

State Trunk Highway 13 from U.S. Highway 2 west of Ashland to Bayfield in Bayfield County.

The long trucks to which this rule applies are those with 53-foot semitrailers, double bottoms and the vehicles which may legally operate on the federal National Network but which exceed Wisconsin's regular limits on overall length. Generally, no person may operate any of the following vehicles on Wisconsin's highways without a permit: a single vehicle with an overall length in excess of 40 feet, a combination of vehicles with an overall length in excess of 60 feet, a semitrailer longer than 48 feet, an automobile haulaway longer than 66 feet plus allowed overhangs, or a double bottom. Certain exceptions are provided under s. 348.07(2), Stats., which implements provisions of the federal Surface Transportation Assistance Act in Wisconsin.

The effect of this rule will be to extend the provisions of ss. 348.07(2)(f), (fm), (gm) and (gr), and s. 348.08(1)(e), Stats., to the highway segment listed above. As a result, vehicles which may legally operate on the federal National Network in Wisconsin will also be allowed to operate on the newly designated highway. Specifically, this means there will be no overall length limitation for a tractor-semitrailer combination, a double bottom or an automobile haulaway on the affected highway segments. There also will be no length limitation for a truck tractor or road tractor when operated in a tractor-semitrailer combination or as part of a double bottom or an automobile haulaway. Double bottoms will be allowed to operate on the affected highway segment, provided neither trailer is longer than

28 feet, 6 inches. Semitrailers up to 53 feet long may also be operated on this highway segment, provided the kingpin to rear axle distance does not exceed 41 feet. This distance is measured from the kingpin to the center of the rear axle or, if the semitrailer has a tandem axle, to a point midway between the first and last axles of the tandem. Otherwise, semitrailers, including semitrailers which are part of an automobile haulaway, are limited to 48 feet in length.

These vehicles and combinations are also allowed to operate on undesignated highways for a distance of 5 miles or less from the designated highway in order to reach fuel, food, maintenance, repair, rest, staging, terminal or vehicle assembly or points of loading or unloading. After loading or unloading, these vehicles and combinations may also be operated on an undesignated highway for up to 5 miles in order to obtain access to a designated highway.

Designation of a highway under this proceeding affects only the length of vehicles which may be operated on the highway. It has no effect on the width of vehicles which remains at 8 feet 6 inches maximum, the height of vehicles which remains at 13 feet 6 inches maximum or the weight of vehicles which remains at 80,000 pounds maximum. The statutes, however, contain certain exceptions to these maximum widths, heights and weights which apply regardless of whether or not a highway has been designated in this rule.

For some time a question has existed concerning whether a detour, established under s. 84.02(10)(b), Stats., of a highway designated under s. Trans 276.07, may be used by the longer vehicles which could use the designated highway. The effect of this rule also creates s. Trans 276.08 to clearly state the Department's current interpretation that the longer vehicles may use such a detour.

Final Regulatory Flexibility Analysis. The provisions of this rule adding a highway segment to the designated system and to provide that when a designated highway is closed and detoured the designation follows the detour have no direct adverse effect on small businesses and may have a favorable effect on those small businesses which are shippers or carriers using the newly-designated routes.

Fiscal Estimate. The Department estimates that there will be no direct fiscal impact from this rulemaking upon the state and anticipates no effect upon the fiscal liabilities or revenues of any county, city, village, town, school district, vocational, technical and adult education school district or sewerage district.

Copies of Rule and Contact Persons. Copies of this rule are available without cost upon request to the office of the Regional Chief Traffic Engineer, P.O. Box 7916, Madison, Wisconsin 53707, telephone (608) 266-0318. For questions about this rulemaking, please call Peter Rusch, Regional Chief Traffic Engineer, at (608) 266-0318.

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#### TEXT OF RULE

Under the authority vested in the Wisconsin department of transportation by ss. 85.16(1) and 348.07(4), Stats., the department of transportation hereby amends

chapter Trans 276, Wisconsin Administrative Code, implementing ss. 348.07(2)(f), (fm), (gm), (gr), 348.07(4) and 348.08(1)(e), Stats., as follows:

SECTION 1. Trans 276.07(3) is amended to read:

	[Route]	[From]	[To]
Trans 276.07(3)	USH 10	Minn. Line at Prescott	IH 43 N. of Manitowoc
	STH 11	USH 16-151 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	IH 43 E. of Elkhorn IH 94 - CTH EE	STH 31 in Racine
	USH 12	IH 94-CTH "EE" W. of Eau Claire	USH 10 at Fairchild
	USH 12	IH 90-94 at Lake Delton	Ill. Line at Genoa City
	STH 13	STH 82 S. of Adams	<del>USH 2 in Ashland</del> <u>Bayfield</u>
	USH 14	USH 61 at Readstown	STH 11 E. of Janesville
	USH 14	STH 11-89, 5 miles W. of Delavan	STH 67 in Walworth

SECTION 2. Trans 276.08 is created to read:

Trans 276.08. DETOURS. When a highway designated in s. Trans 276.07 is closed and detoured as authorized by s. 84.02(10)(b), Stats., vehicles being

operated under ss. 348.07(2)(f), (fm), (gm), (gr), 348.07(4) and 348.08(1)(e), Stats., may be operated on the detour until the regular route of the highway is reopened to traffic.

(END OF RULE TEXT)

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Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2)(intro.), Stats.

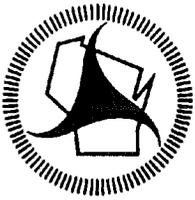
Signed at Madison, Wisconsin, this 22<sup>nd</sup> day of October, 1991.

*for* Donald H. Jorgensen, Deputy  
Ronald R. Fiedler, P.E.  
Secretary  
WISCONSIN DEPARTMENT OF TRANSPORTATION

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## Wisconsin Department of Transportation

Tommy G. Thompson  
Governor

Ronald R. Fiedler, PE  
Secretary

OFFICE OF GENERAL COUNSEL  
P. O. Box 7910  
Madison, WI 53707-7910

October 22, 1991

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Mr. Gary Poulson  
Assistant Revisor of Statutes  
119 Martin Luther King, Jr. Blvd.  
2nd Floor  
Madison, Wisconsin 53703

RE: **CLEARINGHOUSE RULE 91-101**

In the Matter of the Adoption of **TRANS 276**, Wisconsin Administrative Code, relating to **allowing the operation of double bottoms and certain other combination vehicles greater than 60 feet in overall length on the specified highways.**

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 91-101**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

  
Julie A. Johnson  
Paralegal

Enclosures

cc: Tom Walker  
Dorothy Kapke  
Sandy Beaupre  
Fred Ross  
Peter Rusch