CR 92-57

CERTIFICATE

STATE OF WISCONSIN)	
)	SS
DEPARTMENT OF TRANSPORTATION)	

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, CHARLES H. THOMPSON, 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 vehicles on the specified highways, was duly approved and adopted by this Department on June 2, 1992.

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 <u>a</u> day of **June**, 1992.

CHARLES H. THOMPSON

Secretary

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OFFICE OF THE SECRETARY

IN THE MATTER OF a rule repealing ss. Trans 276.07(8m), (17s), and (26s), amending ss. Trans 276.06 and 276.07(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (11m), (12), (13), (14), (17), (17m), (18), (21), (22), (23), (24), (26), and (39), repealing and recreating s. Trans 276.09(2), and creating ss. Trans 276.07(15m) and Trans 276.075(1), Wisconsin Administrative Code, relating to allowing the operation of double bottoms and certain other vehicles on the specified highways.

ORDER ADOPTING RULE

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Analysis Prepared by the Wisconsin Department of Transportation

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

STATUTE INTERPRETED: s. 348.07(4), Stats.

General Summary of Rule. This rule amends Trans 276.07(3), (5), (8) and (13), and creates Trans 276.07(15m), Wisconsin Administrative Code, to add five segments of highway to the designated highway system established under s. 348.07(4), Stats. The actual highway segments¹ that this rule adds to the designated highway system are:

From	To
STH 67 in Walworth	IL Line
USH 41 in Fond du Lac	STH 67 N. of Plymouth
USH 8 E. of St. Croix Falls	STH 48 in Frederic
STH 27 in Cornell	STH 13 in Medford
MN Line	STH 48 in Grantsburg
	STH 67 in Walworth USH 41 in Fond du Lac USH 8 E. of St. Croix Falls STH 27 in Cornell

This rule also amends Trans 276.07(24), Wisconsin Administrative Code, to delete a segment of highway from the designated highway system established under s. 348.07(4), Stats. The specific highway segment that this rule deletes from the designated highway system is:

Hwy.	From	To
USH 151	USH 41 in Fond du Lac	STH 23 in Fond du Lac

¹ The proposed rule text often achieves these objectives by consolidating individual segments into contiguous segments with new end points. In order to determine the actual highway segment added, it is necessary to compare the combined old designations with the combined new designation.

This rule also amends Trans 276.07(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (11m), (12), (13), (14), (17), (17m), (18), (21), (22), (23), (24), (26) and (39), Wisconsin Administrative Code, to revise the language to a more readable form, to list concurrent highways² that are already designated but not listed and to reflect jurisdictional changes that have occurred; amends Trans 276.06 to reflect a change in federal law which allows buses of up to 45 feet in length to operate on the National Network; repeals Trans 276.07(8m), (17s) and (26s); and repeals and recreates Trans 276.09(2) to reflect changes in the law and establish a delayed effective date for the designation of STH 70 from MN Line to Grantsburg.

This rule also creates Trans 276.075(1), Wisconsin Administrative Code, to add a segment of highway to the designated access routes for access to locations within the 5 mile limit by a longer route. The specific highway segment that this rule adds to the access routes is:

<u>Hwy.</u>	From	<u>To</u>
USH 12	STH 128 E. of Hersey	STH 79 N.W. of Menomonie

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 feet³, a combination of vehicles with an overall length in excess of 65 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 s. 348.07(2)(f), (fm), (gm) and (gr), and s. 348.08(1)(e), Stats., to the highway segments 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 highways. 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 segments provided neither trailer is longer than 28 feet, 6 inches. Semitrailers up to 53 feet long may also be operated on these highway segments 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

² Concurrent highways are two or more highway numbers marked on the same physical route.

³ 45-foot buses are allowed on the National Network and Interstate system by Federal law. Section 4006(b) of the Intermodal Surface Transportation Efficiency Act of 1991.

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.

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.

<u>Final Regulatory Flexibility Analysis</u>. The Department anticipates that the provisions of this rule adding highway segments to the designated system will have no direct adverse effect on small businesses, and may have a favorable effect upon those small businesses which are shippers or carriers using the newly-designated routes.

<u>Copies of Rule and Contact Person</u>. Copies of this rule are available without cost upon request to the office of the State Traffic Engineer, P. O. Box 7916, Madison, Wisconsin, 53707, telephone (608) 266-2375. For questions about this rulemaking, please call Peter F. Rusch, State Traffic Engineer at (608) 266-2375.

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 s. 348.07(4), Stats., as follows:

SECTION 1. Trans 276.06 is amended to read:

TRANS 276.06(title) PERMITS FOR VEHICLES OPERATING IN SADDLE-MOUNT COMBINATION OR MOTOR BUSES. 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, or for the operation of any motor bus provided the overall length of the motor bus is 45 feet or less. 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. 658.13(d)(1)iii.) when these vehicles operate on the designated system and access routes.

NOTE: The provision of Wisconsin law requiring a permit for the operation of motor buses in excess of 40 feet in length (s. 348.07(1), Stats.) was preempted by federal law (49 U.S.C. Appx. § 2311(a) as amended by s. 4006(b) of the Intermodal Surface Transportation Efficiency Act of 1991) when these vehicles operate on the federally designated system and access routes.

SECTION 2. Trans 276.07(8m), (17s) and (26s) are repealed.

SECTION 3. Trans 276.07(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (11m),

(12), (13), (14), (17), (17m), (18), (21), (22), (23), (24), (26), and (39) are amended to read:

	Route	From	То
Trans 276.07(1)	USH 2	Minn. MN Line at Superior	Mich. MI Line at Hurley
	USH 2	Mich. MI Line W. of Florence	Mich. MI Line E. of Florence
(2)	USH 8	Minn. MN Line at St. Croix Falls	Mich. MI Line at Norway, MI
. (3)	USH 10	Minn. MN Line at Prescott	IH 43 N. of Manitowoc
	STH 11	USH 61-151 E. of Dubuque, IA	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	STH 31 in Racine
	USH 12	STH 79 N.W. of Menomonie	STH 25 in Menomonie
	USH 12	IH 94-CTH "EE" W. of Eau Claire	USH 10 at Fairchild
	USH 12	IH 90-94 at Lake Delton	III. IL Line at Genoa City
	STH 13	STH 82 S. of Adams	Bayfield
	USH 14	USH 61 at Readstown	STH 11 E. of Janesville
	USH 14	MN Line at La Crosse	IL Line

	USH 14	STH-11-89, 5-Miles W. of Delavan	STH 67 in Walworth
(4)	STH 16	CTH "J" N. of Rockland	IH 90 E. of Sparta
	STH 16	STH 78 at Portage	IH 94 N. of Waukesha
	STH 17	USH 8 in Rhinelander	Phelps
	USH 18	Iowa IA Line at Prairie du Chien	IH-90 S.E. of Madison
		Citien	STH 134 N. of Cambridge
	USH 18	CTH "A" E. of Waukesha	IH 94 E. of Waukesha
		STH 164 E. of Waukesha	
	STH 19	Waunakee	STH 16 E. of Watertown
(5)	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 54 S. of Manawa
	STH 22	STH 76 W. of Bear Creek	USH 45 in Clintonville
	STH 22	STH 29 E. of Shawano	USH 41 in Oconto
	STH 23	STH 11 E. of Shullsburg	STH 33 in Reedsburg
			STH 33 E. of Reedsburg
	STH-23	USH 51 W. of Montello	USH 45 in Fond du Lac
	STH 23	STH 67 in Plymouth	Taylor Drive in Sheboygan
		USH 51 in Endeavor	•
(6)	STH 25	Minnesota Line	USH 8 in Barron
	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	STH 64 in Cornell
		USH 14 S.E. of Viroqua	
	STH 27	STH 194 W. of Sheldon	USH 8 in Ladysmith
	STH 28	STH 33 in Horicon	USH 45 in Kewaskum
	STH 28	STH 144 N. S. of Boltonville	STH 57 at Waldo
	STH 29	USH 10 in Prescott	STH 35 in River Falls
	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 29	USH 141 at Bellevue	STH 42 in Kewaunee
(7)	STH 30	USH 151 in Madison	IH 90-94 E. of Madison
	STH 31	Illinois Line	STH 20 in Racine
	<u>STH 32</u>	IH 43 in River Hills	IH 43 E. of Grafton
	STH 32	STH 42 at Howards Grove	STH 57 E. of Kiel
		IH 43 N. of Port Washington	STH 57 in De Pere
	STH 32	USH 41 W. N. of De Pere	STH 22 in Gillett
	STH 32	USH 8 in Laona	STH 55 in Crandon
	STH 32	USH 45 in Three Lakes	MI Line in Land O'Lakes
	STH 33	STH 80 in Union Center	STH 32 in Port Washington
	STH 34	STH 13 in Wisconsin Rapids	USH 51 N.E. of Knowlton
(8)	STH 35	STH-129 S.E. of Lancaster	USH 18 N. of Patch Grove
	STH 35	USH 18 in Prairie du Chien	USH-14 S. of La Crosse
		STH 11 N.E. of E. Dubuque	USH 14 at West Avenue in La Crosse
	STH 35	STH 93 at Centerville	USH 63 at Hager City

	STH 35	STH 29 in River Falls	IH 94 E. of Hudson
		USH 10 in Prescott	
	<u>STH 35</u>	USH 8 in St. Croix Falls	STH 48 in Frederic
	<u>STH 35</u>	STH 64 at Houlton	STH 64 in Somerset
	STH 35	STH 70 N. of Siren	IH 535 in Superior
	STH 36	STH 11 at Burlington	USH 45 in Franklin
	STH 37	USH 10 at Mondovi	USH 12 in Eau Claire
	STH 39	USH 151 in Mineral Point	STH 69 in New Glarus Monticello
(9)	STH 40	IH 94 N.W. of Elk Mound	STH 64 N. of Bloomer
	<u>USH 41</u>	IL Line S. of Pleasant Prairie	IH 94 S.W. of Oak Creek
	USH 41	National Avenue in Milwaukee	Garfield Avenue in Milwaukee
	USH 41	107th St. in Milwaukee	Mich. MI 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 90 at Beloit	USH 41 in Howard
	STH 44	STH 73 at Manchester	USH 41 S.W. of Oshkosh
(10)	USH 45	III. IL 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. MI Line at Land O'Lakes
	STH 47	USH 10 in Appleton	STH 29 in Bonduel
			STH 29 in Shawano
	<u>STH 47</u>	USH 45 N. of Aniwa	USH 8 W. of Rhinelander
	STH-48	STH 87-S. of Grantsburg	STH-70 in Grantsburg

	STH 48	STH 70 in Grantsburg	STH 87 S. of Grantsburg
	STH 49	USH 41 E. of Brownsville	USH 10 at Weyauwega
(11)	STH 50	USH 12 W. of Lake Geneva	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
	STH 52	USH 45 N. of Aniwa	USH 45 in Antigo
	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 71 at Melrose	STH 80 at Dexterville
	STH 54	STH 13 in Wisconsin Rapids	USH 41 at Green Bay
		STH 73 in Port Edwards	
(11m)	USH 51	III. Line at Beloit	Broad St. in Beloit
(12)	STH 57	IH 43 N. of Saukville	STH 172 S. of Green Bay
	STH 57	IH 43 in Green Bay	Sturgeon Bay
	STH 59	STH 11 in Monroe	USH 14 in Evansville
			USH 14 in Union
	STH 59	USH 12 in Whitewater	CTH "A" E. of Waukesha
			USH 164 E. of Waukesha
(13)	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 MN Line at La Crosse
	USH 63	Minnesota MN Line at Red Wing, MN	USH 2 W. of Ashland

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	STH 64	Minnesota MN Line	STH 27 in Cornell
			STH 13 in Medford
	STH 64	STH 32 S. of Mountain	USH 41 in Marinette
(14)	STH 65	USH 10 in Ellsworth	STH 64 at New Richmond
	STH 66	USH 51 at Stevens Point	Rosholt
	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	USH 151 N. of Kiel
	STH 68	STH 33 of Fox Lake	STH 49 at Waupun
	STH 69	Hlinois IL Line	CTH "PB" at Paoli
(17)	STH 80	STH 11 S. of Cuba City	USH 14 at Richland Center
	STH 80	STH 33 in Union Center	STH 13 at Pittsville
	STH 81	STH 129 S.E. of Lancaster	STH 23 S. of Darlington
		STH 35 N.E. of Beetown	
	<u>STH 81</u>	STH 11 N. of Monroe	STH 11 S. of Brodhead
	STH 82	STH 80 N. of Elroy	USH 51 W. of Montello
	STH 83	STH 167 S. of Hartford	STH 60 in Hartford
	STH 85	USH 10 in Durand	STH 37 S.W. of Eau Claire
	STH 87	USH 8 in St. Croix Falls	STH 48 S. of Grantsburg
	STH 89	USH 14 N. of Darien	USH 12 in Whitewater
	STH 89	IH 94 at Lake Mills	STH 73 in Columbus
(17m)	STH 81	STH 11 S. of Brodhead	STH 213 in Beloit
(18)	IH 90	Minn. MN Line at La Crosse	III. IL Line at Beloit
	STH 92	STH 69 W. of Belleville	STH 69 in Belleville

	STH 93	USH 53 in Galesville	USH 53 in Eau Claire
	<u>IH 94</u>	MN Line at Hudson	IL Line S. of Pleasant Prairie
	STH 95	USH 53 at Blair	STH 73 S. of Neillsville
	IH-94	Minn. Line at Hudson	Ill. Line near Kenosha
	STH 97	STH 13 in Marshfield	STH 153 in Stratford
	STH 98	STH 73 W. of Loyal	STH 13 in Spencer
(21)	STH 121	STH 93 in Independence	USH 53 in Whitehall
			USH 53 in Pigeon Falls
	STH 124	USH 53 N. of Eau Claire	STH 64 E. of Bloomer
•	STH 128	STH 29 in Spring Valley	STH 170 in Glenwood City
	STH 129	USH 61 S.E. of Lancaster	USH 61 N.E. of Lancaster
(22)	STH 131	USH 14-61 at Readstown	STH 56 at Viola
	STH 131	STH 71 E. of Wilton	IH 90 S. of Tomah
		STH 71 in Wilton	
	STH 133	USH 61 in Boscobel	USH 14 N. of Lone Rock
	STH 139	USH 8 near N. of Cavour	Long Lake
(23)	USH 141	IH 43 at Bellevue	STH 29 at Bellevue
*	USH 141	USH 41 at Abrams	USH 8 in Pembine
			USH 8 S.E. of Niagara
	STH 144	USH 45 at West Bend	STH 57 at Random Lake
	STH 145	Broadway in Milwaukee	USH 41-45 in Milwaukee
(24)	STH 150	STH 110 at Winchester	USH 41 at Neenah

	USH 151	IA Line at Dubuque, IA	USH 18 E. of Dodgeville
			S. Park St. in Madison
	USH 151	IH 90-94 in Madison	USH 10 at Manitowoc
X.			USH 41 in Fond du Lac
	<u>USH 151</u>	STH 23 in Fond du Lac	USH 10 at Manitowoc
	USH 158	IH 94 W. of Kenosha	STH 31 in Kenosha
	<u>STH 164</u>	STH 43 N. of Big Bend	USH 18 E. of Waukesha
USF	<u>STH</u> 164	IH 94 N. of Waukesha	STH 74 in Sussex
	STH 165	IH 94 W. of Kenosha	STH 31 in Kenosha
	STH 170	STH 128 in Glenwood City	STH 79 in Boyceville
	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 178	CTH "S" N. of Chippewa Falls	Jim Falls
(26)	STH 213	STH 11 in Orfordville	USH 14 in Evansville
	STH 310	USH 10 N.W. of Manitowoc	STH 42 in Two Rivers
	IH 535	5th St. in Superior	Minn. MN 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
(39)	WAUKES	HA COUNTY:	
	CTH "A"	STH 59 E. of Waukesha	USH 18 E. of Waukesha
	CTH "F"	STH 15 N. of Big Bend	STH-59-S. of Waukesha
	CTH "VV	" STH 83 at North Lake	East County Line

SECTION 4. Trans 276.07(15m) is created to read:

Route

From

To

Trans 276.07(15m) STH 70

MN Line

STH 48 in Grantsburg

SECTION 5. Trans 276.075 is created to read:

Trans 276,075 DESIGNATED ACCESS ROUTES. The following highway is designated for the purpose of the operation of the specified vehicles and combinations with lengths as provided in s. 348.07(4), Stats., to gain access to locations within the 5 mile limit as provided in s. 348.07(4), Stats.:

Route

From

To

Trans 276.075(1)

USH 12

STH 128 E. of Hersey

STH 79 N.W. of Menomonie

SECTION 6. Trans 276.09(2) is repealed and recreated to read:

Trans 276.09(2) The treatment of s. Trans 276.07(15m) applies when the state of Minnesota has designated Minnesota state trunk highway 70/county trunk highway 110 from the Wisconsin border to interstate highway 35.

(END OF RULE TEXT)

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 2—day of June, 1992.

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Revisor of Statutes Bureau

Secretary

Wisconsin Department of Transportation



Wisconsin Department of Transportation

Tommy G. Thompson Governor

Charles H. Thompson Secretary OFFICE OF GENERAL COUNSEL P. O. Box 7910 Madison, WI 53707-7910

June 3, 1992

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JUN 3 1992

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

Revisor of Statutes Bureau

RE: CLEARINGHOUSE RULE 92-57

In the Matter of the Adoption of TRANS 276, Wisconsin Administrative Code, relating to allowing the operation of double bottoms and certain other vehicles on the specified highways.

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of CR 92-57, 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 Jim McDonnell Fred Ross

Pete Rusch Mark Morrison