

Chapter Trans 255

MULTIPLE TRIP PERMITS FOR OVERSIZE OR OVERWEIGHT VEHICLES OR LOADS

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|--------------|------------------------------------|
| Trans 255.01 | Purpose. |
| Trans 255.02 | Definitions. |
| Trans 255.03 | Permit application. |
| Trans 255.04 | Permit amendments. |
| Trans 255.05 | Eligibility. |
| Trans 255.06 | Validity. |
| Trans 255.07 | Registration requirements. |
| Trans 255.08 | Driver and operating requirements. |

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|--------------|---|
| Trans 255.09 | Maximum size, weight and loading limitations. |
| Trans 255.10 | Equipment requirements. |
| Trans 255.11 | Times of operation. |
| Trans 255.12 | Route limitations. |
| Trans 255.13 | Transfers. |
| Trans 255.14 | Insurance and liability conditions. |
| Trans 255.15 | General conditions and requirements. |
| Trans 255.16 | Denial, suspension or revocation of permit. |

Trans 255.01 Purpose. The purpose of this chapter is to establish standards and procedures for the issuance of multiple trip oversize or overweight permits, pursuant to s. 348.27 (2), Stats.

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

Trans 255.02 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 oversize or overweight permits authorized under s. 348.27 (2), Stats.

(c) “Restricted-travel holidays” means days on which the department restricts the travel of oversize vehicles in anticipation of significantly increased traffic volume. The department shall issue and make available a list of restricted-travel holidays for each year by no later than November 30 of the prior year. In the event no list is published, “restricted-travel holidays” means January 1; the Saturday and Sunday of Easter weekend; the last Monday in May and the immediately preceding Saturday and Sunday; July 4; the Monday after July 4, if July 4 falls on a Sunday; the first Monday in September and the immediately preceding Saturday and Sunday; the Saturday and Sunday initiating the Wisconsin gun deer hunting season; the fourth Thursday in November; the Saturday and Sunday following the fourth Thursday in November if that Sunday is the final day of the Wisconsin gun deer hunting season; December 24; December 25; and December 31.

Note: Oversize travel will typically be restricted on the peak travel days associated with the holidays listed in par. (c), as well as peak travel times associated with the department of natural resources traditional statewide gun deer hunting season. The list of restricted-travel holidays is available at <http://www.dot.wisconsin.gov> or by request to the DMV Motor Carrier Services Permit Unit, 4802 Sheboygan Avenue, Room 151, P.O. Box 7980, Madison, WI 53707-7980.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; CR 13-093: cr. (2) (c) Register July 2014 No. 703, eff. 8-1-14.

Trans 255.03 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.

(1m) The application shall include all requested information, including the applicant’s electronic mail address.

(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 office.

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

(c) Online through the department’s oversize/overweight automated issuance system.

Note: Forms used by the department in administering this rule are MV2612 multiple trip permit application and MV 2614 multiple trip permit information. These forms may be obtained in person at or by written request to the DMV Motor Carrier Services Section, Permit Unit, 4802 Sheboygan Avenue, Room 151, P.O. Box 7980, Madison, WI 53707-7980. These forms are also available online at <http://www.dot.wisconsin.gov>. Forms used by issuing authorities other than the department may be obtained from those authorities.

The department’s oversize/overweight automated issuance system is available online at <http://www.dot.wisconsin.gov/business/carriers/osow-autosys.htm>.

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; CR 13-093: cr. (1m), am. (2) (a), cr. (2) (c) Register July 2014 No. 703, eff. 8-1-14.

Trans 255.04 Permit amendments. (1) An application for an amendment to a permit shall be made to the issuing 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 255.05 Eligibility. (1) Any vehicle or vehicle and load to be considered as operating under a permit shall satisfy requirements for a permit under s. 348.25, Stats.

(2) An issuing authority may not issue a permit for mobile homes or camping trailers under this chapter.

(3) An issuing authority may not issue a permit to transport loads or articles which could reasonably be divided in a manner as to allow transporting of loads or articles in 2 or more loads that are not oversize or overweight, nor may the permit be issued for the transporting of more than one article if the vehicle, load, or vehicle and load is overweight.

Note: This section prohibits, among other things, addition of an extra boom section to a load that is transported under a permit for an overweight vehicle, load, or vehicle and load. Transporting necessary blocking for a load, or transporting the necessary blocking on an otherwise empty vehicle to and from the origin or destination of the load, is not prohibited.

(4) An issuing authority may not issue a permit for a vehicle and load exceeding 100 feet in overall length when the rear supporting axle is at or near the rear of the load unless the rear support is separately steered.

(5) An issuing authority may issue a permit only for a vehicle equipped with pneumatic tires.

(6) The issuance of 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.

(7) A permit may not authorize the operation of more than 2 vehicles in combination except that a vehicle combination con-

sisting of a truck-tractor and semi-trailer, operating under a permit, may transport a 2-axle carry-all scraper with the axle of the scraper power unit resting on the bed of the semi-trailer and the rear axle of the scraper resting on the roadway. The gross weight of the rear axle of the scraper may not exceed 35,000 pounds.

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

Trans 255.06 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.

(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.

(6) When a vehicle operating under a permit is overheight, the permittee is responsible for ensuring that the vehicle clear, by at least 3 inches, all overhead structures along the route. If an overheight vehicle hits an overhead structure, the permit becomes invalid immediately at the time the overhead structure is hit.

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

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; cr. (6), Register, November, 1997, No. 503, eff. 12-1-97.

Trans 255.07 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 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 255.08 Driver and operating requirements.

(1) The driver of a vehicle operating under a permit shall carry the 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 the 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 permitted vehicle 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 allow traffic approaching or overtaking the permitted vehicle to pass, where it is safe to do so.

(4) The maximum speed of any vehicle with a load 16 feet or wider operating on highways without paved shoulders shall be 35 miles per hour.

(5) Except as provided in sub. (4), or unless a lower speed is specified in the permit, a vehicle operating under a permit may be operated at the posted speed limit.

(6) The right wheels of the towed unit may not leave the roadway, except to allow traffic to pass.

Note: A "roadway" does not include paved or unpaved shoulders. s. 340.01 (54), Stats.

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

Trans 255.09 Maximum size, weight and loading limitations. (1) The maximum size, axle, axle combination, and total weight limitations authorized by a permit may not be exceeded.

(2) Property transported under a permit shall be loaded to minimize its size and weight.

(3) An oversize vehicle used for transporting loads under a permit shall be reduced to legal size whenever possible when being operated without load.

Note: Legal sizes are set forth in ch. 348 and s. 349.16, Stats.

(4) A load transported under a permit may not extend beyond the front of the power unit, beyond the left fender line of the transporting vehicle, or more than 6 inches beyond the right fender of the transporting vehicle, unless the overhang is minimized by suitable positioning of the load upon the vehicle.

(5) Loads consisting of more than one article, none of which are oversize, may not be transported under the permit.

(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.

(8) Loads consisting of more than one article, one or more of which are oversize, may be transported under a permit only if:

(a) The vehicle, load, or vehicle and load is not overweight, and

(b) The other articles transported do not cause the vehicle and load to be oversize in any manner differently from the largest single article.

Note: For example, if a storage tank which is overwidth and overheight (but not overlength) is the single largest article transported, then a toolbox which is not wider, and is not higher, and does not make the vehicle and load overlength or overweight may also be transported.

However, a beam placed crosswise which makes the overall width wider than the storage tank may not be transported as an additional article. Similarly, a beam placed lengthwise which makes the vehicle and load overlength may not be transported as an additional article.

Finally, if the vehicle and load were overweight, then no additional article may be transported.

(9) The load shall be properly secured and fastened to the transporting vehicle.

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

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

Trans 255.10 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 a 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 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.

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

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

(d) 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, then 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.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; CR 13-093: r. (5) Register July 2014 No. 703, eff. 8-1-14.

Trans 255.11 Times of operation. (1) Except as otherwise specified in a permit, a vehicle load, or vehicle and load that is overweight, but not oversize, may operate 24 hours a day, including weekends and restricted-travel holidays.

(2) Except as otherwise specified in a permit, no oversize ve-

hicle or vehicle combination operating under a permit issued under this chapter may operate in Columbia, Dane, Milwaukee, Rock, and Waukesha counties between the hours of 4:00 p.m. and 8:00 p.m. on any of the following days:

(a) Sunday.

(b) Any Friday in the period beginning on the 4th Friday in May and ending on Labor Day.

(c) Any restricted-travel holiday.

(d) The day before any restricted-travel holiday, except July 3 if that day falls on a Saturday.

(3) In addition to the conditions provided in sub. (2), no oversize vehicle or vehicle combination operating under a permit issued under this chapter that exceeds 12 feet in width, 13½ feet in height, or 150 feet in length, may operate in any county:

(a) During the hours of darkness.

(b) During the period beginning at 12:00 noon on Saturday and continuing until sunrise on Sunday.

(c) Between 4:00 p.m. and 8:00 p.m. on Sunday.

(d) During the period beginning at 12:00 noon on the day preceding and continuing until sunrise on the day following every restricted-travel holiday.

(4) In addition to the conditions provided in subs. (2) and (3), 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) Monday through Thursday in any week at the following times:

1. Between 6:00 a.m. and 9:00 a.m.

2. Between 3:00 p.m. and 6:00 p.m.

(b) On any Friday between 6:00 a.m. and 9:00 a.m.

(c) On any Friday or Sunday between 3:00 p.m. and 8:00 p.m.

(4a) Subsection (4) 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.

Note: 108th Street is also known as Mayfair Road or State Highway 100 at the described location.

(5) An issuing authority may issue a permit for times other than those specified in subs. (1), (2), (3), or (4), 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; am. (4) (intro.), cr. (4a), Register, July, 1991, No. 427, eff. 8-1-91; correction in (4) (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register June 2005 No. 594; CR 13-093: am. (1), (2) (intro.), r. and recr. (2) (a) to (d), am. (3) (intro.), (b), cr. (3) (c), (d), renum. (4) to (4) (intro.) and am., r. and recr. (4) (a) and (b), cr. (4) (c) Register July 2014 No. 703, eff. 8-1-14; correction in (4) (a) made under s. 13.92 (4) (b) 1., Stats., Register July 2014 No. 703.

Trans 255.12 Route limitations. (1) No vehicle, vehicle combination, or load exceeding 16 feet in width may be operated or transported upon any portion of the national system of interstate and defense highways unless the permit contains a special condition authorizing movement with a greater width upon the interstate highway system or portion thereof.

(2) No permit allowing the dimensions of a vehicle or load to exceed 14 feet in width, 14½ feet in height or 150 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.

(3) Self-propelled carry-all scrapers operating under a permit

may not be operated on the interstate highway system, the Milwaukee county expressway system, or on U.S. highway 41 from Green Bay to Milwaukee.

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

(5) A permit authorizes the use of any of the highways of the state, subject to the limitations stated in the permit.

(6) A permit is not valid for the operation of any vehicle upon class "B" highways, as classified in accordance with s. 348.16, Stats., with gross weights exceeding those permitted by statute on class "B" highways unless written permission has first been obtained from the officer in charge of the maintenance of the highway.

(7) An issuing authority may issue a permit 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. Extraordinary circumstances include, but are not limited to, the construction and repair of the Milwaukee county Freeway System.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91; emerg. cr. (7), eff. 2-1-05; CR 05-009: cr. (7) Register June 2005 No. 594, eff. 7-1-05; correction in (2) made under s. 13.93 (2m) (b) 7., Stats., Register June 2005 No. 594; CR 13-093: am. (2) Register July 2014 No. 703, eff. 8-1-14.

Trans 255.13 Transfers. In the event of a breakdown or other circumstance requiring a change of the power unit identified 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 255.14 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 load does not exceed 12 feet in width, 13½ feet in height, or 100 feet in length and is not overweight by more than 25%:

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| 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 or weight limitations in par. (a):

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| 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 255.15 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 the 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 255.16 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 revoked 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.