

Chapter Trans 278

VEHICLE WEIGHT LIMIT EXCEPTIONS

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Trans 278.01 Purpose and scope. The purpose of this chapter is to:

(1) Establish general policies and criteria for the analysis of any bill that is introduced in either house of the legislature that indirectly or directly establishes an exception to the vehicle weight limits specified in ch. 348, Stats.

(2) Establish the responsibilities of each division within the department for timely preparation of reports on bills.

History: Cr. Register, January, 1996, No. 481, eff. 2-1-96.

Trans 278.02 Definitions. The words and phrases defined in chs. 340 and 348, Stats., have the same meaning in this chapter unless a different definition is specifically provided. In this chapter:

(1) “Bill” means any bill that requires a report under s. 13.096 (2) (a), Stats.

(2) “Establishes an exception to the vehicle weight limits specified in ch. 348, Stats.” includes the following:

(a) To increase maximum allowable axle, axle group or gross weights in existing exceptions.

(b) To make additional commodities or vehicle combinations eligible for transport under existing exceptions.

(c) To modify or eliminate special equipment requirements, trip purpose, allowable trip distance, time or season of operation, or other factors limiting eligibility for or operations under existing exceptions.

(d) To reduce or eliminate fees associated with permits required under existing exceptions or to eliminate the requirement that a permit be obtained for movement of overweight loads under existing exceptions.

(e) To modify or eliminate the authority of the state agency or local officer issuing a permit to establish conditions for the grant of a permit and operations under a permit, or to modify or eliminate the authority of the state agency or local authority in charge of the maintenance of a highway to impose weight limitations on a highway or to suspend the operation of vehicles on a highway.

(f) To create entirely new statutory exceptions.

History: Cr. Register, January, 1996, No. 481, eff. 2-1-96.

Trans 278.03 Contents of reports. (1) Reports of the department required by s. 13.096 (2) (a), Stats., shall contain an analysis of the impact of each proposed vehicle weight exception contained in the bill for which the report is prepared.

(2) The analysis shall include the information required by s. 13.096 (3) (a), (b) and (c), Stats., and may include the comments or opinions of interested federal agencies, a comparison of the proposed exception to the laws of surrounding states and other information that the department determines will assist the legislature in assessing the impact of the proposed exception.

(3) If the same or a substantially similar bill was introduced

in a previous session, the department may fulfill its obligation under s. 13.096 (2) (a), Stats., by providing a copy of a previously prepared report and a memorandum addressing any differences in the bills or any factors which may have changed since the prior report was written.

(4) If the department concludes that it has not been able to gather sufficient information to adequately assess the impact of the proposed exception, the department may include in its report a recommendation that no action be taken on the bill until the sponsor can provide additional sources of information to the department to enable the department to complete the required analysis.

History: Cr. Register, January, 1996, No. 481, eff. 2-1-96.

Trans 278.04 Report preparation. (1) When a bill is introduced, the legislative reference bureau shall submit a copy of the bill to the chief counsel of the department, and to such other officials of the department as the legislative reference bureau deems appropriate.

(2) The chief counsel of the department shall distribute a copy of the bill to the divisions of highways, motor vehicles, and state patrol of the department.

(3) Each division shall make appropriate contact with the following:

(a) Interested parties identified by sponsoring legislators.

(b) Representatives of organizations with a probable interest in the legislation.

(c) Local governments and individuals with a probable interest in the legislation.

(d) Officials in other departments or nearby states who may have reviewed similar legislation.

(4) Individuals, organizations and governments contacted under sub. (3) shall be asked to provide either of the following:

(a) Any information that may assist the department in completion of its report as provided in s. Trans 278.03. Any information pertaining to cost or impact shall describe the method and assumptions used.

(b) A statement that the contacted individuals, organizations or governments do not have the requested information.

(5) Responses to department requests for information under sub. (4) shall be submitted within 2 weeks of the request date.

(6) The department shall prepare its report based on the best available information.

(7) Findings contained in the report shall be derived from reasonable and generally accepted engineering principles and cost calculation methodology.

(8) The department shall submit its report to the legislature within 6 weeks after the bill is introduced.

History: Cr. Register, January, 1996, No. 481, eff. 2-1-96.