

CHAPTER 312 , Laws of 1981

AN ACT to repeal 348.15 (2) and 348.16 (1) (a); to renumber 348.01 (2) (a); to renumber and amend 348.15 (1) (a) and (3) (b) (intro.), 1 and 2 and 348.25 (2); to amend 348.02 (2), 348.15 (3) (a) and (c) (intro.), (4), (5) and (5r), 348.21 (2) (b) and (3) (intro.), (a) and (b) (intro.) and 348.25 (4) (intro.) and (8) (a) (intro.); to repeal and recreate 348.15 (3) (intro.), (c) (figure) and (d); and to create 348.01 (2) (c), 348.15 (3) (bx) and (8), 348.25 (2) (b) and (8) (de), (dm) and (f) and 348.26 (5) of the statutes, relating to revising the weight limits for vehicles, establishing fees for certain single trip permits, permitting backhaul permits and creating a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 348.01 (2) (a) of the statutes is renumbered 348.01 (2) (b).

SECTION 2. 348.01 (2) (c) of the statutes is created to read:

348.01 (2) (c) "Tandem axle" means any 2 or more consecutive axles whose centers are 42 or more inches apart and which are individually attached to or articulated from, or both, a common attachment to the vehicle including a connecting mechanism designed to equalize the load between axles.

SECTION 3. 348.02 (2) of the statutes is amended to read:

348.02 (2) The provisions of this chapter restricting the size and weight of vehicles apply to the vehicle and any load which it is carrying except as otherwise provided in ~~§ 348.27 (5)~~ this chapter.

SECTION 4. 348.15 (1) (a) of the statutes is renumbered 348.01 (2) (a) and amended to read:

348.01 (2) (a) "Axle" includes all wheels of a vehicle imposing weight on the highway, the centers of which are included between 2 parallel transverse vertical planes less than 42 inches apart, extending across the full width of vehicle and load;

SECTION 5. 348.15 (2) of the statutes is repealed.

SECTION 6. 348.15 (3) (intro.) of the statutes is repealed and recreated to read:

348.15 (3) (intro.) Subject to any modifications made by a 1st class city under s. 349.15 (3), no person, without a permit, may operate on a class "A" highway any vehicle or combination of vehicles unless the vehicle or combination of vehicles complies with the following weight limitations:

SECTION 7. 348.15 (3) (a) of the statutes is amended to read:

348.15 (3) (a) The gross weight imposed on the highway by any one wheel or multiple wheels supporting one end of an axle ~~exceeds~~ may not exceed 11,000 pounds; ~~or~~.

SECTION 8. 348.15 (3) (b) (intro.), 1 and 2 of the statutes are renumbered 348.15 (3) (b), (bg) and (br) and amended to read:

348.15 (3) (b) The gross weight imposed on the highway by the wheels of any one axle ~~exceeds may not exceed~~ 20,000 pounds ~~except that. In addition, the gross weight imposed on the highway by the wheels of the steering axle of a truck tractor shall may not exceed 13,000 pounds except the department may allow a higher limit on the steering axle of a truck tractor if the rated tire capacity of bigger-sized tires or ones with a heavier ply rating are used; or unless the manufacturer's rated capacity of the axle and the tires is sufficient to carry the weight, but not to exceed 20,000 pounds.~~

(bg) ~~The gross weight imposed on the highway by the wheels of any one axle exceeds 21,000 pounds in~~ In the case of a 2-axle motor truck transporting exclusively milk from the point of production to the primary market and the return of dairy supplies and dairy products from such primary market to the farm ~~when operated on highways not a part of the national system of interstate and defense highways, the gross weight imposed on the highway by the wheels of any one axle may not exceed 21,000 pounds. This paragraph does not apply to the national system of interstate and defense highways.~~

(br) ~~The~~ In the case of a vehicle or combination of vehicles transporting exclusively peeled or unpeeled forest products cut crosswise or in the case of a vehicle or combination of vehicles transporting exclusively scrap metal, the gross weight imp^{OSG}d on the highway by the wheels of any one axle exceeds may not exceed 21,500 pounds or, for 2 axles 8 or less than 7 feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c) or (d), but not to exceed 80,000 pounds when transporting peeled or unpeeled forest products cut crosswise or metal scrap. This section paragraph shall does not apply to the national system of interstate and defense highways.

SECTION 8m. 348.15 (3) (bx) of the statutes is created to read:

348.15 (3) (bx) In the case of a vehicle transporting exclusively sand and gravel the gross weight imposed on the highway by 3 consecutive axles 7.5 to 8 feet apart may not exceed 42,000 pounds. This paragraph does not apply on or after July 1, 1985.

SECTION 9. 348.15 (3) (c) (intro.) of the statutes is amended to read:

348.15 (3) (c) (intro.) The gross weight imposed on the highway by any group of 2 or more consecutive axles of a vehicle or combination of vehicles ~~exceeds may not exceed~~ the maximum gross weights in the following table for each of the respective distances between axles and the respective numbers of axles of a group: [See Figure 348.15 (3) (c) following]

SECTION 10. 348.15 (3) (c) (figure) and (d) of the statutes are repealed and recreated to read:

Figure 348.15 (3) (c) :

Distances in feet between foremost and rearmost axles of a group	Maximum gross weight in pounds on a group of—									
	2 consecutive axles of a 2-axle vehicle or of any vehicle or combination of vehicles having a total of 3 or more axles	3 consecutive axles of a 3-axle vehicle or of any vehicle or combination of vehicles having a total of 4 or more axles	4 consecutive axles of any combination of vehicles having a total of 5 or more axles	4 consecutive axles of a 4-axle vehicle or of any vehicle having a total of 5 or more axles	5 consecutive axles of any combination of vehicles having a total of 5 or more axles	5 consecutive axles of a 5-axle vehicle or of any vehicle having a total of 6 or more axles	6 consecutive axles of any combination of vehicles having a total of 6 or more axles	6 consecutive axles of any vehicle having a total of 6 or more axles	7 consecutive axles of a 7-axle vehicle or of any vehicle or combination of vehicles having a total of 7 or more axles	8 consecutive axles of an 8-axle vehicle or of any vehicle or combination of vehicles having a total of 8 or more axles
4	34,000									
5	34,000									
6	34,000									
7	34,000	37,000								
7.5 to 8	35,000	38,500								
more than 8 but less than 8.5	38,000	42,000								
9	39,000	43,000								
10	40,000*	43,500								
11		44,500	48,500							
12		45,000	49,500							
13		46,000	50,000	55,500						
14		46,500	50,500	60,000	62,500					
15		47,500	51,500	60,500	62,500					
16		48,000	52,000	61,500	62,500					
17		48,000	52,500	62,000	62,500	64,200				
18		49,000	53,500	63,000	63,200	71,700	64,000			
19		49,500	54,100	63,500	64,400	72,200	65,500			
20		50,500	55,100	64,500	65,000	73,000	66,000			
21		51,500	56,000	65,000	65,700	73,000	66,000	73,000		
22		52,200	56,800	66,000	66,900	73,000	66,900	73,000	73,000	
23		52,900	57,600	66,500	67,700	73,000	67,700	73,000	73,000	
24		53,600	58,400	67,500	68,900	73,000	68,900	73,000	73,500	
25		54,300	59,200	68,500	70,000	73,000	70,000	73,000	74,000	
26		55,000	60,000	69,000	71,000	73,000	71,000	73,000	74,500	80,000
27		55,700	60,800	69,500	72,000	73,000	72,000	73,000	75,000	80,000
28		56,500	61,600	70,500	72,800	73,000	72,800	73,000	76,000	80,000
29		57,100	62,400	71,300	73,000	73,000	73,000	73,000	76,500	80,000
30		58,000	63,200	72,000	73,000	73,000	73,000	73,000	77,000	80,000
31		58,500	64,000	72,700	73,000	73,000	73,000	73,000	77,500	80,000
32		59,500	64,000	73,000	73,000	73,000	73,000	73,000	78,000	80,000
33		60,000**	64,000	73,000**	73,000	73,000**	73,000	73,000**	78,500	80,000**
34			64,000	73,000	73,000	73,000	74,000		79,500	
35			64,500	73,000	73,000	73,000	74,500		80,000***	
36			65,500	73,000	73,000	73,000	75,000			
37			66,000	73,000	73,000	73,000	75,500			
38			66,500	73,000	73,000	73,000	76,000			
39			67,500	73,000	73,000	73,000	77,000			
40			68,000	73,000	73,000	73,000	77,500			
41			68,500	73,000	73,000	73,000	78,000			
42			69,500	73,500	73,500	73,500	78,500			
43			70,000	74,500	74,500	74,500	79,000			
44			70,500	75,000	75,000	75,000	80,000			
45			71,500	75,500	75,500	75,500	80,000			
46			72,000	76,000	76,000	76,000	80,000			
47			72,500	77,000	77,000	77,000	80,000			
48			73,500	77,500	77,500	77,500	80,000			
49			74,000	78,000	78,000	78,000	80,000			
50			74,500	78,500	78,500	78,500	80,000			
51			75,500	79,500	79,500	79,500	80,000			
			76,000****	80,000****	80,000****	80,000****	80,000****			

* Maximum at 10 or more feet between axles.
 ** Maximum at 32 or more feet between axles.
 *** Maximum at 34 or more feet between axles.
 **** Maximum at 51 or more feet between axles.

(d) Notwithstanding par. (c), 2 consecutive sets of tandem axles may impose on the highway a gross load of 34,000 pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is 36 feet or more.

SECTION 11. 348.15 (4) and (5) of the statutes are amended to read:

348.15 (4) The Notwithstanding the possibility of increased weight on a particular wheel or axle or group of axles due to practical operating problems, including, but not limited to, accumulation of snow, ice, mud or dirt, the use of tire chains or minor shifting of load, the maximum weights set forth in sub. (3) include absolutely all tolerances weights allowable for enforcement purposes and in judging violations of the law.

(5) For enforcement of weight limitations specified by this chapter the gross weight, measured in pounds, imposed on the highway by any wheel or any one axle or by any

group of 2 or more axles shall be determined by weighing the vehicles and load, either by single draft or multiple draft weighing on scales in good working order which are tested periodically by the department of agriculture, trade and consumer protection or other authorized testing agencies for accuracy to within standard accepted tolerances. The weighing operation shall be performed in accordance with and under conditions accepted as good weighing technique and practice. In multiple draft weighing the sum of the weight of respective components shall be used to establish the weight of a combination of the components. It is recognized that the weight, determined in accordance with methods ~~herein~~ prescribed in this chapter, includes all statutory ~~tolerances weights~~ and represents the momentary load force or reaction imposed on the scale at the time of weighing. Such ~~tolerances weights~~ include any variation due to the following factors:

(a) ~~positioning~~ Positioning or tilt of the vehicle on the scale platform and adjacent bearing surface;

(b) ~~momentary~~ Momentary position of axle centers with respect to wheel bearings and vehicle body;

(c) ~~temporary~~ Temporary distribution of loading on the wheel or axle; and

(d) ~~miscellaneous~~ Miscellaneous variable factors of spring flexure, shackle friction, clutch engagement, brake pressure, tire compression and other variable factors.

SECTION 12. 348.15 (5r) of the statutes is amended to read:

348.15 (5r) Irrespective of sub. (5), in determining overweight under sub. (3) ~~(b)-2~~ (br) the results of weighing by means of portable scales shall be admissible as evidence, but the operator may request reweighing on a certified stationary scale. Portable scales shall be checked by weighing in comparison to certified stationary scales within 10 days immediately prior to any weighing operation. In all cases where a vehicle is weighed on a certified stationary scale, axles less than 6 feet apart shall be weighed as one unit.

SECTION 13. 348.15 (8) of the statutes is created to read:

348.15 (8) (a) Unless the department provides otherwise by rule, any axle of a vehicle or combination of vehicles which does not impose on the highway at least 8% of the gross weight of the vehicle or combination of vehicles may not be counted as an axle for the purposes of sub. (3) (c).

(b) Notwithstanding par. (a), any axle which is attached to a vehicle registered in this state and in use on April 1, 1982, shall be counted as an axle for the purposes of sub. (3) (c) until April 1, 1985.

SECTION 14. 348.16 (1) (a) of the statutes is repealed.

SECTION 15. 348.21 (2) (b) and (3) (intro.), (a) and (b) (intro.) of the statutes are amended to read:

348.21 (2) (b) If the load on any wheel, axle or group of axles does not exceed the weight prescribed in s. 348.15 (3) ~~(a), (b) or (c)~~ or 348.16 or in a declaration issued under s. 348.175 by more than 1,000 pounds and ~~provided if~~ provided if such excess can be reloaded within the normal load carrying areas, on any other wheel, axle or axles, so that all wheels and axles are then within the ~~tolerated~~ statutory limits, the official shall direct the operator to reload. If such reloading is accomplished and all axles or group of axles are within the legal limits, a forfeiture of \$10 shall be imposed. This forfeiture shall be paid upon the basis of the citation issued by the official to the court named in the citation. Failure to pay shall subject the operator to the penalty in par. (a) or sub. (3) (a). Violations under this section shall not be considered as violations or prior convictions under par. (a), or sub. (3) (a) or (b).

(3) (intro.) Any person violating s. 348.15 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized in an overweight permit issued under s. 348.26 or 348.27 may be penalized as follows:

(a) If the weight exceeds by 1,000 pounds or less the maximum set forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized in an overweight permit issued under s. 348.26 or 348.27, a forfeiture of not less than \$50 nor more than \$100 upon the first conviction and, upon the 2nd and each subsequent conviction within a 12-month period, a forfeiture of not less than \$100 nor more than \$200.

(b) (intro.) If the weight exceeds by more than 1,000 pounds the maximum set forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized in an overweight permit issued under s. 348.26 or 348.27, the forfeiture shall be computed according to the following schedule ~~and, in the case of violation of s. 348.175, shall be computed on the basis of the weight stated in the permit,~~ and in the case of violation of s. 348.15 (3) ~~(b) 2 (bg) or (br)~~ shall be computed on the basis of the weights stated in ~~that paragraph~~ s. 348.15 (3) (bg) or (br):

SECTION 16. 348.25 (2) of the statutes is renumbered 348.25 (2) (a) and amended to read:

348.25 (2) (a) Vehicles or articles transported under permit are exempt from the restrictions and limitations imposed by this chapter on size, weight and load to the extent stated in the permit. ~~Any~~ Except as provided in par. (b), any person who violates a condition of a permit under which he is operating is subject to the same penalties as would be applicable if he were operating without a permit.

SECTION 17. 348.25 (2) (b) of the statutes is created to read:

348.25 (2) (b) If an overweight permit has been obtained under s. 348.26 or 348.27, and the vehicle exceeds the weight stated in the permit, any overweight violation shall be computed on the basis of the weight authorized in the permit. The amount of the forfeiture for overweight violations determined under this paragraph shall be calculated as provided in s. 348.21 (3). This paragraph does not apply if any other conditions of an overweight permit are violated.

SECTION 18. 348.25 (4) (intro.) of the statutes is amended to read:

348.25 (4) (intro.) ~~Except as provided under s. 348.27 (7m)~~ 348.26 (5), permits shall be issued only for the transporting of a single article or vehicle which exceeds statutory size, weight or load limitations and which cannot reasonably be divided or reduced to comply with statutory size, weight or load limitations, except that:

SECTION 19. 348.25 (8) (a) (intro.) of the statutes, as affected by chapter 20, laws of 1981, is amended to read:

348.25 (8) (a) (intro.) ~~The~~ Except as provided under par. (dm), the department shall charge the following fees for each permit issued under s. 348.26:

SECTION 20. 348.25 (8) (de), (dm) and (f) of the statutes are created to read:

348.25 (8) (de) For the purpose of computing the fee under par. (a) for the issuance of a single trip permit for a vehicle or combination of vehicles for which an annual permit has been obtained under s. 348.27:

1. For size or weight authorized by the annual permit, the fee for a single trip permit is \$5.

2. For gross weight in excess of that authorized by the annual permit, the fee is \$15 for each 10,000-pound increment or fraction thereof by which the gross weight authorized by the single trip permit exceeds the gross weight authorized by the annual permit.

(dm) If the annual permit for a vehicle or combination of vehicles is suspended for the purpose of protecting the highways and a single trip permit is issued for the vehicle or combination of vehicles, the fee for the single trip permit is \$5.

(f) Any local officer or agency authorized to issue a permit under s. 348.26 or 348.27 may charge a permit issuance fee for each permit issued under s. 348.26 and for the first and each subsequent or revalidated permit issued under s. 348.27.

SECTION 21. 348.26 (5) of the statutes is created to read:

348.26 (5) **BACKHAUL PERMITS.** If an oversize permit has been issued for an oversize vehicle or combination of oversize vehicles under this section or s. 348.27, the authority issuing the permit may also issue a backhaul permit to enable such vehicle or combination to transport a load which does not exceed statutory size and weight limits. A backhaul permit may be issued only when an oversize load is transported on the return trip or outgoing trip. The fee for the backhaul permit is \$3.
