

1981 Assembly Bill 353

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## CHAPTER 69 , Laws of 1981

AN ACT to amend 348.25 (8) (b) (intro.); and to create 348.27 (11) of the statutes, relating to emergency rules to allow farm vehicles to exceed weight limitations and granting rule-making authority.

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

SECTION 1. 348.25 (8) (b) (intro.) of the statutes, as affected by chapter 20, laws of 1981, is amended to read:

348.25 (8) (b) (intro.) ~~The~~ Unless a different fee is specifically provided, the department shall charge the following fees for the first permit and each subsequent or revalidated permit issued under s. 348.27:

SECTION 2. 348.27 (11) of the statutes is created to read:

348.27 (11) AGRICULTURAL TRANSPORTATION EMERGENCY PERMITS. (a) If the secretary, after consultation with the secretary of agriculture, trade and consumer protection, determines that an agricultural transportation emergency exists with respect to the harvest of a particular crop, the secretary may adopt an emergency rule authorizing the issuance of permits to allow vehicles or combination of vehicles which are transporting crops from field to storage or processing facilities to exceed the weight limitations under s. 348.15 or 348.16 by not more than 15% of the applicable weight limitations.

(b) In adopting an emergency rule under this subsection, the secretary shall specify in writing the factors which resulted in the determination that an agricultural transportation emergency exists. The factors shall include but not be limited to:

1. The extent of the uncompleted harvest of the crop involved.
2. The lateness of the harvest season for the crops involved.
3. The weather.
4. The effect of the increased weight limits on highways.
5. The effect of the increased weight limits on highway safety.

(c) No permit issued under this subsection is valid unless the overweight vehicle is registered under ch. 341 for the maximum gross weight allowed by the permit and the department has been paid a permit fee of \$10 plus an additional \$10 per 1,000 pounds or fraction thereof for the amount by which the maximum gross weight exceeds 80,000 pounds. Nothing in this subsection shall be construed to permit the department to waive the requirements of s. 348.07.

(d) The secretary may limit the application of an emergency rule adopted under this subsection to specific areas of the state, to specific crops, or to specific highways listed in the rule. An emergency rule adopted under this subsection is valid for up to 90 days, as determined by the secretary.