

Chapter Hy 32

*R Reg Sept 1070*OPERATING RIGHT FOR TRANSPORT OF
UNMANUFACTURED FOREST PRODUCTS

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Hy 32.01 Purpose. The purpose of this regulation is to make provision for granting, suspending and revoking operating rights as provided by section 348.175, Wis. Stats., for transporting peeled or unpeeled forest products cut crosswise upon state trunk highways when the highways are frozen.

History: 1-2-56; am. Register, January, 1960, No. 49, eff. 2-1-60.

Hy 32.02 Operating right. (1) Within the limits and subject to the conditions herein provided, a district engineer of the commission or his authorized representative may issue, suspend, reinstate, and revoke operating rights for transporting peeled or unpeeled forest products cut crosswise upon state trunk highways when he determines that the frozen condition or absence of frozen condition of the highway warrant such action.

(2) Whenever an operating right is suspended, revoked or reinstated, he shall notify the state motor vehicle department as well as the person to whom the operating right is issued.

(3) Under conditions or circumstances other than herein provided, operating rights shall be issued only on specific approval of the state highway commission.

History: 1-2-56; am. (1) Register, January, 1960, No. 49, eff. 2-1-60.

Hy 32.03 Application. An application for an operating right for transporting peeled or unpeeled forest products cut crosswise shall be made to the pertinent State Highway Commission District Engineer. It shall state the name and address of the applicant, the state trunk highway numbers and the names of counties where the applicant wishes to transport such products, and the make, license number, and type of vehicle (motor truck, semitrailer, truck-trailer, etc.) for which an operating right is requested.

History: 1-2-56; am. Register, January, 1960, No. 49, eff. 2-1-60; am. Register, November, 1963, No. 95, eff. 12-1-63.

Hy 32.04 Provisions of operating right. Any operating right issued pursuant to this chapter is subject to the following provisions:

(1) Except as axle loads in excess of statutory limits may be permitted by such operating right, it does not authorize violation of any state statute, or any valid ordinance by any subdivision of the state.

(2) It does not supersede or set aside any regulation limiting the gross weight of vehicles because of local conditions, including bridges or highways posted for load limits, seasonal weight restrictions, or other reasons.

Register, November, 1963, No. 95

(3) It does not guarantee or warrant the sufficiency of any highway or bridge for the gross weight being transported.

(4) It is not transferable, and it is valid only when it is carried with the vehicle to which it is applicable and is available for inspection by police officers and by employees of the commission, and while it has not been suspended or revoked.

(5) The person to whom the operating right is issued is responsible for all statutory liability for bodily injury or property damage which may occur in connection with operations under such operating right, and he shall save the state and its subdivisions and the officers and employees thereof harmless from any claim which may arise from operations under such operating right.

(6) The applicant, in making the application and in operating under the operating right, agrees to repair or arrange for the repair, at his expense and to the satisfaction of the commission, of any damage caused to the highway or its appurtenances by reason of transporting the increased weight authorized by the operating right.

(7) Violation of any statute or noncompliance with any of the conditions of the operating right shall be just cause for revocation thereof.

(8) The operating right granted pursuant to this authority shall authorize a total gross weight imposed on the highway by the wheels of any one axle of the vehicle not to exceed 23,000 pounds (an axle is defined in section 348.15 (1) (a), Wis. Stats.), and further shall authorize a total gross weight with load imposed upon the highway by any one group of 2 or more consecutive axles not to exceed 38,000 pounds, where the distance between the first and last axles of the group is less than 9 feet measured longitudinally to the nearest foot.

History: 1-2-56; am. (8) and (9), Register, January, 1960, No. 49, eff. 2-1-60; am. Register, November, 1963, No. 95, eff. 12-1-63.