

## Chapter Trans 257

## POLE AND PIPE TRANSPORTATION PERMITS

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**Trans 257.01 Purpose.** The purpose of this chapter is to establish standards and procedures for the issuance of pole and pipe transportation permits, pursuant to s. 348.27 (5), Stats.

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

**Trans 257.02 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 pole and pipe transportation permits authorized under s. 348.27 (5), Stats.

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

**Trans 257.03 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.

(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 or district offices.

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

**Note:** Permit application procedures are in s. Trans 250.025.

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

**Trans 257.04 Eligibility.** (1) Any vehicle or vehicle and load to be considered as operating under a permit shall satisfy the requirements for a permit under s. 348.25, Stats.

(2) An issuing authority may issue a permit only to:

(a) Public service corporations.

(b) Pipeline companies or operators.

(c) Municipal utilities.

(d) Public utility cooperatives.

(3) An issuing authority may not issue a permit to a contractor, or to the owner of a vehicle under lease to, any of the business entities listed in sub. (2).

(4) An issuing authority may issue a permit only for articles which are overlength.

(5) A permit may not authorize the operation of more than 2 vehicles in combination.

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

(7) 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.

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

**Trans 257.05 Validity.** (1) An issuing authority may suspend a permit, or any of its conditions, because of seasonable highway conditions.

**Note:** Examples of seasonal highway conditions include spring thaw, flooding, and traffic congestion.

(2) 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.

(3) Operation under a permit includes the movement of an empty vehicle, to and from the place of pickup or delivery of the permitted load.

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

**Trans 257.06 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, the office of the commissioner of transportation, or other agencies having jurisdiction shall be obtained.

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

**Trans 257.07 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 vehicle with the permit 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) Unless a lower speed is specified in the permit, a vehicle operating under a permit may be operated at the posted speed limit.

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(5) 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 257.08 Maximum size and loading limitations.** (1) The maximum size 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 additional 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 overweight (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 257.09 Equipment requirements.** (1) **LIGHTING.** An overlength vehicle or load, operating during the hours of darkness, which extends more

than 4 feet beyond the rear of the vehicle shall be equipped with the following additional lamps.

(a) On each side of the projecting load, one red lamp, visible from the side, located so as to indicate maximum overhang.

(b) 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 the vehicle is operated during hours of darkness. All lamps shall be visible at a distance of 500 feet.

(2) **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) Each flag shall be solid red or orange in color, and not less than 18 inches square.

(d) In order to wave freely, flags shall be securely fastened by at least one corner or securely mounted on a staff.

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

**Trans 257.10 Times of operation.** Except as otherwise specified in a permit, a vehicle or vehicle combination operating under a permit may operate 24 hours a day, including weekends and holidays.

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

**Trans 257.11 Route limitations.** (1) A permit issued by an issuing authority authorizes the use of any of the highways in the state, subject to the limitations stated in the permit.

(2) No permit allowing the dimensions of a vehicle or load to exceed 11 feet in width, 13½ feet in height or 100 feet in length is valid on any part of the Milwaukee county expressway system constructed pursuant to s. 59.965, 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) An overlength vehicle may not be operated on the highway, whether loaded or empty, at any time that a permit is not valid.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91; am. (2), Register, July, 1991, No. 427, eff. 8-1-91; reprinted to correct errors in (2), Register, June, 1992, No. 438.

**Trans 257.12 General conditions and requirements.** A permittee shall comply with all applicable of the statutes, ordinances, rules and policies of any state agency or subdivision of the state, unless they are modified by the conditions of the permit.

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

**Trans 257.13 Denial, suspension or revocation of permit.** (1) An issuing authority may deny, suspend, or revoke a permit for good cause, pursuant to Register, June, 1992, No. 438

ant 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 employe 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 employe 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 office of the commissioner of transportation, pursuant to s. 348.25 (9), Stats.

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

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