

Chapter Trans 250

OVERSIZE AND OVERWEIGHT PERMITS FOR VEHICLES AND LOADS

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Trans 250.01 Purpose and scope. (1) The purpose of this chapter is to establish general policies which apply to all types of permits authorized by ss. 348.25 to 348.27, Stats. Detailed requirements for individual types of permits are contained in chs. Trans 230 and 251 to 275.

(2) The scope of this chapter includes all applicable provisions of ss. 348.25 to 348.27, Stats., and requirements contained in chs. 341 to 348, Stats.

History: Cr. Register, September, 1983, No. 333, eff. 10-1-83; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1996, No. 488.

Trans 250.02 Definitions. (1) The definitions of words and phrases in chs. 340, 348, and 990, Stats., except s. 990.01 (12), Stats., apply to chs. Trans 250 to 275 unless a different definition is specifically provided.

(2) As used in chs. Trans 250 to 275:

(a) "District" means the geographical area under the administration of a district office.

(b) "District office" means an office of the division of transportation districts of the department.

(c) "Multiple trip permit" means any of the permits which may be issued under s. 348.27, Stats.

(d) "Overheight" means a height greater than the limitations in s. 348.02 or 348.06, Stats.

(e) "Overlength" means a length greater than the limitations in s. 348.02 or 348.07, Stats., or a projection of a load exceeding the limitations in s. 348.10 (1), Stats., or the limitations on length or number of vehicles in combination under s. 348.02 or 348.08, Stats., or any or all of them.

(f) "Oversize" means overheight, overlength, or overwidth or any or all of them.

(g) "Overweight" means a weight exceeding the limitations in ss. 348.02, 348.15 to 348.17, Stats., or s. 348.18, Stats., or any limitation imposed by the department under s. 348.175 or 349.16, Stats.

(h) "Overwidth" means a width exceeding the limitations of s. 348.02 or 348.05, Stats., or a projection of a load exceeding the limitations of s. 348.09, Stats., or any or all of them.

(i) "Single trip permit" means any of the permits which may be issued under s. 348.26, Stats.

History: Cr. Register, September, 1983, No. 333, eff. 10-1-83.

Trans 250.025 Permit applications. (1) The department shall receive applications for the oversize and overweight permits authorized by ss. 348.25 to 348.27, Stats. Within 30 days after receiving a fully completed application and the required permit fees, the department shall review and shall either grant or deny the application.

(2) If the department fails to grant or deny an application within the 30 days, the department shall submit a report to the department of development, permit information center. The report shall satisfy the requirements of s. 227.116 (4), Stats., and shall identify the applicant and the applicant's business activity, explain

briefly why the application was not reviewed and granted or denied within 30 days, state the time within which the department will complete its review and determination and describe how the department expects to avoid similar future delays.

Note: The 30 days within which the department is to act shall be computed in accordance with s. 990.001 (4), Stats. Thus, the date of application receipt is excluded. If the last day falls on a Saturday, Sunday or legal holiday, the last day shall be the next day that is not a Saturday, Sunday or legal holiday.

History: Cr. Register, August, 1985, No. 356, eff. 9-1-85; correction in (2) made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1987, No. 384.

Trans 250.03 Permit fees. Except as provided in ss. 348.17 and 348.26 (5), Stats., the department shall charge the fees specified in s. 348.25 (8) (a) to (dm), Stats., for any single trip or multiple trip permit issued. The fee for a multiple trip permit applies regardless of the length of time the permit is valid.

History: Cr. Register, September, 1983, No. 333, eff. 10-1-83; correction made under s. 13.93 (2m) (b) 7., Stats., Register March 2004 No. 579; **correction made under s. 13.92 (4) (b) 7., Stats., Register October 2008 No. 634.**

Trans 250.04 Internet fee and telephone call-in fee.

In addition to any other applicable fee under this chapter, the department shall charge a fee for each permit or amendment which is applied for or issued by the internet procedure or the telephone call-in procedure. The fee shall be determined by the department annually to approximate the cost to the department for providing the transaction, not to exceed \$5.00. In determining the fee per transaction for the current year, the department shall review, from the previous year, the total cost of the service, the number of transactions, and other material factors. The current fee shall be published on the department's internet web site and in communication materials distributed to eligible motor carriers. Only one internet fee or telephone call-in fee shall be charged when a permit or amendment is applied for and issued by the internet procedure or the telephone call-in procedure.

Note: The fee and process for obtaining a permit via the internet can be found at <http://www.dot.wisconsin.gov/business/carriers/osow-autosys.htm>.

History: Cr. Register, September, 1983, No. 333, eff. 10-1-83; CR 03-114: am. Register March 2004 No. 579, eff. 4-1-04; **CR 08-048: am. Register October 2008 No. 634, eff. 11-1-08.**

Trans 250.05 Special investigation fees. (1) The department shall charge the following special investigation fees:

(a) For each single trip permit for a width exceeding 16 feet, a district review fee of \$10 for each district through which the load is routed to cover the costs incurred by the district office in reviewing the adequacy of the route for the proposed move.

(b) For each single trip permit for a gross weight exceeding 150,000 pounds, a bridge review fee of \$10 per hour for each employe-hour or fraction thereof required to review the adequacy of the bridges to support the proposed load to cover the costs incurred by the department for this review.

(c) For any other special investigation deemed necessary by the department because of the size or weight of the load or of the route to be travelled, the actual cost incurred by the department in making the investigation.

(2) The fees under sub. (1) shall be charged regardless of whether the special investigation is conducted before or after a permit application is received and regardless of whether a permit is issued or denied.

History: Cr. Register, September, 1983, No. 333, eff. 10-1-83.

Trans 250.06 Fees for amending permits. (1) The department shall charge the following fees for amending a permit after it is issued.

(a) If the size or weight of the vehicle or vehicles and load is changed, the fee calculated under s. Trans 250.03 for the permit as amended less the fee under that section originally paid but not less than \$10.

(b) If the origin or destination of the trip or the route is changed, the fee calculated under s. Trans 250.03 for the permit as amended.

(c) If the expiration date of a single trip permit is changed and if the permit has not been used, \$10, except that if the permit was originally issued for less than 15 calendar days including holidays and weekends and the amendment would extend the validity of the permit to a total of not more than 15 days, the amendment shall be issued without charge.

(d) If the towing unit on a single trip permit is changed before the permit is used, the permit may be amended once without a fee, but a fee of \$10 shall be charged for the second and each subsequent change.

(e) If the permit is changed in any other way, the same fee as in par. (a).

(f) If the permit is changed in the same amendment in more than one of the ways under pars. (a) to (e), only the greatest fee under par. (a), (b), (c), (d), or (e), as applicable, shall be charged.

(2) The fees under sub. (1) are not applicable if the amendment is necessitated because of an error by the department or its employees in issuing the permit.

History: Cr. Register, September, 1983, No. 333, eff. 10-1-83.

Trans 250.07 Fees for additional copies of permits.

(1) The department shall charge \$0.25 per page for copies of permits after the time of original issuance and for copies of permits in excess of 2, including the original, at the time of original issuance.

(2) In addition to the fee under sub. (1), the department shall charge a fee of \$2 per permit if the copies are certified.

History: Cr. Register, September, 1983, No. 333, eff. 10-1-83.

Trans 250.08 Governments exempt from fees. No fee under s. Trans 250.03 or ss. Trans 250.05 to 250.07 shall be charged to any department of a state nor to any county, town, or municipality nor to any branch of the United States government or any foreign government for any type of single trip or multiple trip permit issued to any of them in their name nor to any law

enforcement agency or other local, state, or federal officials for copies of permits required for their use for official business.

History: Cr. Register, September, 1983, No. 333, eff. 10-1-83.

Trans 250.09 Effective and expiration dates of permits. (1) Permits and amendments to permits issued prior to the effective date shown in the permit become effective at 12:01 a.m. on the effective date shown, unless a different time is shown in the permit.

(2) Permits and amendments to permits issued on the effective date shown on the permit become effective at the time of issuance, unless a different time is shown in the permit.

(3) Permits and amendments to permits expire at 11:59 p.m. on the expiration date shown in the permit unless a different time is shown in the permit.

Note: This section is not to be interpreted as allowing movements at times during which the permit is suspended by its own terms, or by a rule applicable to the permit, or by other action of the department. Such times may include, but are not limited to, hours of darkness, weekends, and holidays.

History: Cr. Register, September, 1983, No. 333, eff. 10-1-83.

Trans 250.10 Limitations on amendments to permits. (1) No permit may be amended to change the permittee from one person to another.

(2) No multiple trip permit may be amended to change the vehicle for which the permit is valid.

(3) A permit may not be amended to increase the size or weight authorized by a permit or to change the route authorized by a permit after a citation has been issued alleging that the terms of the permit were violated. Any such amendment issued in good faith by a person authorized to issue such an amendment but who lacked knowledge that a citation had been issued is void. In the case of multiple trip permits, this subsection applies only to an amendment which would affect the movement being made at the time the citation was issued but does not restrict the issuance of an amendment which would affect a subsequent movement.

History: Cr. Register, September, 1983, No. 333, eff. 10-1-83.

Trans 250.11 Validity of bridge and district reviews.

Bridge and district reviews conducted for an applicant are valid for 90 days and shall not be repeated for subsequent permit applications from that applicant during that period unless the department has knowledge that highway conditions have changed if:

(1) The size and weight of the vehicle and load under the subsequent application is no greater than under the application for which the review was conducted and the route is the same; and

(2) The applicant includes the permit number of the permit for which the review was conducted or other description sufficient for the department to locate its copy of the review in the subsequent application.

History: Cr. Register, September, 1983, No. 333, eff. 10-1-83.