

STATE DOCUMENT

The State of Wisconsin



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MADISON WI 53701-2037

EXECUTIVE ORDER NO. 381

Proclamation of a State of Emergency  
Relating to the Transportation of Hay

WHEREAS, severe drought followed by devastating floods have greatly reduced production of hay used to feed farm animals in the northeastern portion of the United States; and

WHEREAS, Wisconsin farmers have generously pledged to assist northeastern farmers by donating hay; and

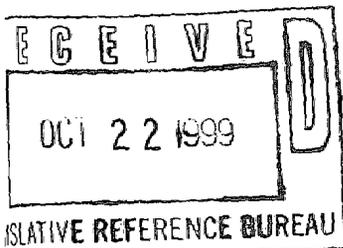
WHEREAS, there is a need to transport large amounts of livestock feed, particularly baled hay, on Wisconsin highways; and

WHEREAS, allowing the transportation of overwidth loads of hay bales within this state, in a safe manner and as described in this order, will benefit farmers injured by the drought;

NOW, THEREFORE, I, TOMMY G. THOMPSON, Governor of the State of Wisconsin, by virtue of the authority vested in me by the Constitution and the laws of Wisconsin, specifically by s. 166.03(1)(b)1, Wis. Stats., hereby declare the present hay shortage in the northeastern part of the United States to be a natural disaster and hereby proclaim the entire State of Wisconsin to be in a state of emergency for a period of thirty (30) days for the purpose of transporting loads of hay, unless such period is extended by joint resolution of the Legislature.

PURSUANT to said state of emergency, by virtue of the authority vested in me by the Constitution and laws of Wisconsin, and s. 166.03(1)(b)1, Wis. Stats., I HEREBY ORDER THAT:

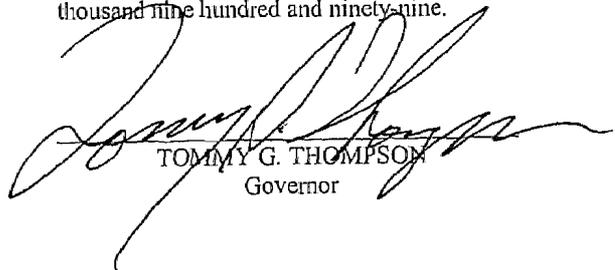
- (1) Notwithstanding ss. 348.05(1) and (2)(L), Wis. Stats., persons are allowed to transport loads of bales of hay (including straw or stover) even when such loads exceed the statutory width limitations and may transport hay in round or rectangular bales not exceeding 12 feet in width on commercial motor vehicles as herein provided:
  - (a) Baled hay in loads up to 12 feet wide may be transported on any highway in this state, expressly including the national system of interstate and defense highways and highways where the width of a single traffic lane is less than 12 feet, without regard for the origin or destination of the load, except that in construction zones where the width of the traffic lane is less than 12 feet, the width of the load may not exceed the lane width.
  - (b) Overwidth loads of hay being transported under this order and which exceed the normally applicable statutory width limitations of ss. 348.05(1) and (2)(L), Wis. Stats., may not be transported during hours of darkness and must display warning flags and customary oversize load signs. Vehicles transporting such loads shall display flags of solid red color at least 18 inches square on each front corner of the vehicle, on each front corner of the load and on each rear corner of the load.



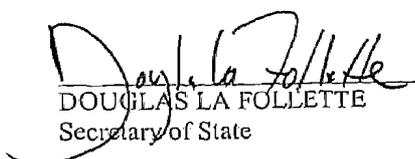
- (2) This order does not affect transportation of hay as ordinarily allowed under s. 348.05(2)(L), Wis. Stats., which allows hay bales not exceeding 12 feet in width to be transported in vehicles on state highways other than the national system of interstate and defense highways. Movement on state highways other than the national system of interstate and defense highways is not restricted to daylight hours.
- (3) Notwithstanding the 102 inch width limitation of 49 U.S.C. s. 2316(a) and although the loads of hay herein described are divisible loads, this emergency declaration will allow the movement of the overwidth loads of hay, as described in this order, on the national system of interstate and defense highways in Wisconsin, and is to be considered a special use permit applying to all vehicles operating in accordance with this order.
- (4) This order does not suspend the operation of any state or federal laws within the State of Wisconsin except as specifically described in the order. All other laws remain in full force and will be enforced. This order does not authorize any person transporting hay to exceed 11 feet in width, 13 and a half feet in height, or 100 feet in length 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 94 between the Waukesha county line and 108th Street. This order does not authorize any person transporting hay to exceed any statutory vehicle weight, height, or length limit.
- (5) This order does not authorize the use of unregistered or improperly registered vehicles. Vehicles registered in other jurisdictions and not entitled to reciprocity, or not registered for use in Wisconsin through the International Registration Plan, must obtain a permit as provided in s. 341.41, Wis. Stats. Motor carriers hauling hay for hire must have proper authority to operate in this State, as provided by s. 194.04, Wis. Stats., and must meet the insurance requirements of ss. 194.41 or 194.42, Wis. Stats. Carriers must satisfy all ordinarily applicable federal and Wisconsin requirements concerning vehicle equipment, vehicle operations and driver qualifications and conduct.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twenty-fourth day of September, in the year one thousand nine hundred and ninety-nine.

  
TOMMY G. THOMPSON  
Governor

By the Governor:

  
DOUGLAS LA FOLLETTE  
Secretary of State