



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 364
[2005 Assembly Bill 510]

**Special or Seasonal Weight
Limitations for Vehicles
Transporting Agricultural Crops**

Under **current law**, with limited exceptions, no person may operate upon a highway any vehicle or combination of vehicles that exceeds certain statutory weight limits unless the person obtains a permit issued by the Department of Transportation (DOT) or a local authority. Under one exception, if the Department of Agriculture, Trade and Consumer Protection (DATCP) determines that an agricultural emergency exists with respect to the harvest of a particular crop, DOT may authorize a vehicle or vehicle combination that has a registered gross weight of 50,000 pounds or more or is a specified type of commercial motor vehicle and that is transporting these crops from field to storage or processing facilities to exceed statutory weight limits by not more than 15%. This exception does not apply on highways designated as part of the national system of interstate and defense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 Interchange near Portage upon their federal designation as I 39.

Under **2005 Wisconsin Act 364**, from September 1 to November 30 of each year, a vehicle or combination of vehicles that has a registered gross weight of 50,000 pounds or more or is a specified type of commercial motor vehicle that is transporting certain agricultural crops from the field to storage on the grower's owned or leased land, from the field to initial storage at a location not owned or leased by the grower, or from the field to initial processing may, without a permit, exceed weight limits by not more than 15%. This exception does not apply on Class "B" highways or on highways designated as part of the national system of interstate and defense highways, except for that portion of I 39 between USH 51 and I 90/94. The **Act** also repeals the provision of current law that authorizes DOT to increase weight limits for certain vehicles transporting agricultural crops upon a declaration by DATCP of an agricultural emergency, but provides the same penalty for violating the new seasonal weight limits under the Act as the penalty that applies under current law for violations of the special or seasonal weight limits imposed following a declaration of agricultural emergency by DATCP. The **Act** does not affect: the authority of DOT to issue certain overweight permits for the transportation of raw forest products, fruits and vegetables, or potatoes; DATCP's authority to declare an agricultural emergency allowing DOT to issue overwidth permits for the transportation of hay bales or Christmas trees; or of the Governor's authority with respect to emergency management.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

Effective Date: The Act takes effect on May 4, 2006.

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PGC:ksm