



# WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

## Senate Bill 509 and Assembly Bill 648

Testimony from Senator Jerry Petrowski and Representative Keith Ripp  
*January 28, 2014*

Good morning Senators and Representatives, and thank you for being here today to hear testimony on Senate Bill 509 and Assembly Bill 648.

Over the past thirty years, agricultural equipment, referred to in our statutes as “implements of husbandry,” has significantly increased in size and complexity. The newer, larger equipment brought the benefits of increased efficiency and capacity, but state statutes have not kept up with the changes. The outdated nature of the statutes is further complicated by the fact that there has been a broad misconception among farmers and others that because agricultural equipment is exempt from registration requirements with the Department of Transportation, it is also exempt from laws governing weight and size. In fact, the equipment is now and has always been limited to the same weight limits that apply to any other vehicle on the road.

This misconception led to widespread lack of enforcement to the extent that many, if not most, farming operations now own one or more pieces of equipment that exceed current statutory limits for operating on a roadway.

In August 2012, WisDOT created an Implements of Husbandry (IoH) Study Group comprised of DOT staff, industry stakeholders, and local government representatives to examine issues and possible solutions related to increasingly large and heavy farm equipment operating on roadways in Wisconsin. The study group put forward two reports and held outreach meetings throughout the state on their recommendations. These meetings were attended by over 1,200 citizens from throughout the state including farmers, custom operators, and local government officials.

The bill is intended to ensure the continued success of agriculture, grow our economy by updating our statutes to reflect modern standards in the industry, and balance the need for increased weight and capacity with the need to maintain public safety and manage impacts on infrastructure. Senate Bill 509 and Assembly Bill 648 largely reflect the recommendations developed by the IoH Study group, and was further developed through weeks of meetings with industry stakeholders, DOT, and local government representatives.

In the bill, we create a new definition of “implement of husbandry” and a new definition of an “agricultural commercial motor vehicle (Ag-CMV).” We then create new size and weight envelopes for this equipment. Any piece of equipment that meets these new standards may be operated on any road in the state other than the interstate system without any type of permitting.

Under current law, the same weight limits that apply to any other vehicle on the road apply to implements of husbandry. No axle may exceed 20,000 pounds and the gross weight of any vehicle may not exceed 80,000 pounds.

The bill creates a new standard and weight chart for implements of husbandry that will allow 15% more weight, or 23,000 per axle with a maximum gross weight of 92,000 pounds. These new limits also apply to both implements of husbandry and Ag CMVs. Potato harvesters, due to their unique form and function, are exempt from axle weight limits but remain subject to the gross weight limit.

The bill creates length limits for IoH as follows:

- For a single vehicle – 60 feet.
- For two vehicle combination – 100 feet
- For three vehicle combination – 70 feet unless the vehicle train is operated under 20 mph in which case 100 feet.

These same length limitations generally apply to Ag CMVs.

There is no limit on the height of an implement of husbandry, however the operator remains responsible for ensuring safe clearance of any overhead obstructions. Ag CMVs remain at the current height limit of 13'6".

While there is currently no statutory limit on how wide an implement of husbandry can be when operating on a road, there is also no legal criteria for operating implements that cross the center line of the road. The bill addresses both these issues by creating new lighting and marking standards for implements that exceed 15 feet or that operate over the center-line of the road. The implements will be required to add some lights and reflective material. The lighting required is as follows:

- Two flashing yellow (amber) lights visible from the front and back placed 16 inches or less from each side of the vehicle to mark its width.
- Two strips of reflective tape marking the width of the vehicle within 16 inches of the side; red strips on the back, yellow on the front.
- Two red tail lights.
- A standard slow moving vehicle (SMV) sign.

Tractors, towing units, or self-propelled units must also have a yellow strobe light on top or yellow flashers visible from the front and back. All lights must be lit and visible when the implement is being operated on a roadway. There is no requirement for permitting based on a vehicle's width.

If a vehicle exceeds 20 feet in width, in addition to the lighting they must also be escorted by at least one vehicle with the vehicle's hazard lights on. On two lane roads the escort is a lead vehicle; on roads with two or more lanes with traffic going in the same direction, the escort is a follow vehicle. No escort is required for incidental movements of wide implement to cross roads or operate between fields for up to ¼ mile.

For implements or Ag CMVs that exceed the expanded weight or length limits, the bill creates a no-fee permitting process. Starting January 1, 2015, implements or Ag CMVs that exceed the new weight and length limitations will be required to apply for free annual operating permits from the maintaining authorities (municipalities, counties, or the state) of the roads they operate on. The applications will be submitted using a standard form from DOT that will require the applicant to provide, on the form or as an attachment, all of the following information:

- The applicant's contact information.
- A listing or map of potential roadways to be traveled.
- Identification of the types of implements of husbandry for which the application is made, the length, number of axles, make, model, and estimated weight of the implements of husbandry. (The bill requires implement dealers to provide weight information at the point of sale.)
- The time of year and frequency that these implements of husbandry are expected to be operated on the highway.

The maintaining authority, or its designee, shall review and respond to the annual application within three weeks. A farmer or other user may apply for an amendment to their operating permit at any time using the same form. A maintaining authority must respond to an amendment application within five days. If an applicant does not receive a written response in the allowed time frame, the permit is presumed granted until or unless they receive the written response.

Any denial of a requested route must be done in writing and must provide a reasonable structurally based explanation. In addition, for essential planting and harvesting implements defined in the bill, any denial of a given route must also include an approved alternative route by which an operator may travel to a field. This approach maintains local control while ensuring that farmers and other operators can access their fields with essential equipment.

Route denials may be appealed to a town or municipal board, county highway committee, and if it is a state highway, through the appeals process at DOT. Alternatively an applicant may appeal directly to the judicial system.

Finally, the bill creates two general exceptions to the weight limits and permit requirement. Operators may cross a roadway or operate for up to ¼ mile on a roadway between fields without an overweight permit and without requiring an escort vehicle. Implements may also be operated or transported without a permit on any road other than an interstate for up to 75 miles if they are traveling between the dealer or repair shop and a farm for purposes of delivery or repair.

Thank you again for your attention and we would be happy to answer any questions.



22 EAST MIFFLIN STREET, SUITE 900  
MADISON, WI 53703  
TOLL FREE: 1.866.404.2700  
PHONE: 608.663.7188  
FAX: 608.663.7189  
WWW.WICOUNTIES.ORG

## MEMORANDUM

TO: Honorable Members of the Senate Committee on Transportation, Public Safety, and Veterans and Military Affairs and the Assembly Committee on Transportation

FROM: Daniel Bahr, Government Affairs Associate *D. B.*

DATE: January 28, 2014

SUBJECT: Support for Senate Bill 509 / Assembly Bill 648

The Wisconsin Counties Association (WCA) supports Senate Bill 509 / Assembly Bill 648 relating to the operation of agricultural vehicles on highways and providing a penalty.

WCA recognizes both Chairman Petrowski and Chairman Ripp for their work to address a controversial issue and for balancing the interests of many important stakeholder groups. WCA also wishes to thank Daniel J. Fedderly, P.E.; R.L.S., Executive Director of the Wisconsin County Highway Association (WCHA) for his work on this important issue and for representing counties on the Implements of Husbandry Task Force.

We recognize that the body of work before us is not perfect and is a product of intense scrutiny and compromise. We appreciate the fact that the proposed legislation preserves the ability of local units of government to maintain their ability to regulate the roadways under their own jurisdiction. Additionally, the proposal allows for additional flexibility for agricultural users.

As is the case with any responsible compromise, both sides must make concessions to find middle ground and we feel this legislation accomplishes that goal and moves the ball forward in a positive policy direction.

WCA respectfully requests that the Committee support Senate Bill 509 / Assembly Bill 648 as written.

Please feel free to contact WCA if you need additional information.

**DBA Written Testimony**  
**Senate Committee on Transportation, Public Safety and Veterans**  
**Tuesday January 28, 2014**  
**By: William J. McCoshen**

DBA appreciates the efforts that Sen. Petrowski & Rep. Ripp have put into addressing this issue. It's a complicated issue. The authors along with the Implements of Husbandry Study Group have made great strides in helping us to all better understand how farm equipment may be impacting Wisconsin's roadways. However, all of this work also highlighted an important need to carefully balance limiting damage to local roads while continuing to provide Wisconsin's largest industry the ability to compete nationally and internationally.

This process confirmed a few things we already knew, but also provided some new information. We confirmed that some agricultural equipment is getting larger and heavier as producers seek to improve planting and harvesting efficiencies. We also confirmed that local governments have valid concerns about damage to the roadways that they are asked to maintain. However, we learned that very few farmers know what their equipment weighs either loaded or unloaded, and have even less information about axle weight. These weights are typically not provided when vehicles are purchased (or bought and resold among farmers), and may not even be available from manufacturers. Very few farmers have access to scales, or have had any reason to weigh their equipment. Enforcement and education on this issue has been limited.

We are very concerned that many farmers have unwittingly invested in vehicles that are above the weights allowed under current law. While this legislation proposes to raise those weight limits, we are concerned that many agricultural vehicles will still be in overweight. We also understand that many local governments stand ready to begin enforcing weight restrictions as farmers plant their crops this spring.

This legislation proposes a local permit process that may allow otherwise overweight or overlong vehicles to operate on local roads if the local government approves the use. Unfortunately, the local permit process contemplated in the current draft creates more uncertainty for farmers. The local permit process does not define what kinds of findings the local government must make in order to deny the permit. Moreover, the program provides no uniform, predictable guidelines as to what the farmer can expect in his permit.

With many farmers needing to operate across – literally- dozens of jurisdictions, this permit program must be tailored to encourage the issuance of the permits unless there is a valid, documented concern about the structure of the roadway that would prevent overweight usage. Otherwise, it's unlikely a farmer can cobble together a route to cover all of his properties across jurisdictions. Without an ability to move these vehicles between farm and field, we may be rendering these vehicles – and the extensive investments behind them – obsolete, without any transition plan.

The Implements of Husbandry draft legislation is a very good start, but more needs to be done to adequately balance the needs of both local governments, and agriculture.

January 28, 2014

Senator Jerry Petrowski  
Chair, Senate Committee on Transportation,  
Public Safety, and Veterans and Military Affairs  
Room 123 South  
State Capitol  
Madison, WI 53708

Representative Keith Ripp  
Chair, Assembly Transportation Committee  
Room 223 North  
State Capitol  
Madison, WI 53708

RE: Support with Request for Amendments to Senate Bill 509 / Assembly Bill 648 –  
Implements of Husbandry

Dear Senator Petrowski and Representative Ripp:

On behalf of my clients, the Wisconsin State Cranberry Growers Association (WSCGA), Wisconsin Soybean Association (WSA), Wisconsin Cattlemen's Association (WCA), Wisconsin Pork Association (WPA), and Wisconsin Potato & Vegetable Growers Association (WPVGA), I write to express our support for the concepts contained the proposed implements of husbandry (IoH) legislation (SB 509/AB 648) and to express our appreciation for your efforts to address this critical issue for Wisconsin farmers.

However, after careful review of the bill, the WSCGA, WSA, WCA, WPA and WPVGA all join to express the following concerns with the bill and to request the following amendments to the legislation:

**1. Harvest/Planting IoH Weight Limits – Request Exemption from Permits for Harvest/Planting Implements (combines, planters, etc.) that Meet GVW**

This subset of IoH (defined in proposed Wis. Stat. § 340.01(24)(a)1.b.) is critical for farming in Wisconsin. These IoH are not used on the roadways frequently or regularly. Rather, they are used very seasonally.

In addition, these vehicles generally meet gross vehicle weight (GVW) restrictions under current law (80,000 pounds) and also the proposed increased 92,000 pound GVW for IoH in this bill draft. However, because of their design, they cannot meet a per-axel weight limitations under current law or under the legislation. Accordingly, all IoH that meet this definition will be required to apply for a local overweight permit to operate on the roadways.

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**Recommendation:** We ask this category of IoH (defined in proposed Wis. Stat. § 340.01(24)(a)1.b.) be exempted from the IoH permit requirement for axel weight IF the IoH meets the GVW limitation. In other words, we ask that you only apply the GVW limitation to this specific category of IoH.

We note and appreciate that the draft contains an alternative approach that requires local authorities to specify an approved route for these vehicles if they apply for a permit. See page 31, lines 24-25 and page 32, lines 1-2. However, we believe that given the number of these vehicles used for farming and the relative infrequency of use on the roadways, an exemption is a preferable option that preserves farmer's ability to continue to farm efficiently without jeopardizing the goal of the legislation, which is to address IoH that are damaging the local roadways.

## 2. Permit Conditions – Request Limitations on Broad Local Authority

Despite the fact that this legislation requires a uniform permit for local IoH permits, this bill preserves the applicability of local authorities to impose additional broad permit conditions within IoH permits. See Wis. Stat. § 348.25. That means that local authorities have broad, unrestricted authority to impose any additional “reasonable conditions” in IoH permits and may limit the days of the week or times of day that an IoH may operate. In addition, local governments are also authorized to require bond before issuing an IoH permit. We do not believe that these broad powers are necessary to provide local authorities with the powers they need to address road damage from IoH. Rather, we recommend limiting this authority to simply address the public policy issue that is of concern in this bill – the preservation and protection of local roadways.

*(a) Broad Authority to Impose Permit Conditions:* This draft retains the applicability of Wis. Stat. § 348.25 to new IoH permits.

**Recommendation:** For IoH permits, the broad grant of local authority to impose permit conditions should be limited to conditions that are necessary to preserve, protect and maintain the roadways under the jurisdiction of the maintaining authority. Without this amendment, a permit condition could be imposed that states,

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for example, “no manure can be transported.” Without statutory clarification, there is no limitation on a town or a county’s authority to impose such a condition.

Accordingly, we suggest the following amendment to Wis. Stat. § 348.25 (3): “Local officials granting permits may impose such additional reasonable conditions as they deem necessary in view of local conditions. For purposes of permits issued under s. 348.27(17) [IoH permits], additional reasonable permit conditions must be related to the protection, preservation or maintenance of the roadways under the jurisdiction of the local authority and may not restrict the type of material that is transported.”

*(b) Limitations on Days/Times of Operation:* Current law states, “The department may limit use of the highways under any permit issued to specified hours of the day or days of the week.” Wis. Stat. § 348.25 (3).

**Recommendation:** This authority should be retained but amended to specifically allow reasonable use of IoH equipment. “The department may limit use of the highways under any permit issued to specified hours of the day or days of the week. For purposes of permits issued under s. 348.27(17) [IoH permits], any limitation must be reasonable and exclusively related to the protection, preservation or maintenance of the roadways under the jurisdiction of the local authority.”

*(c) Requirement for Bond:* The following subsection is current law that will also be in effect for IoH permits unless specifically addressed in this legislation:

1. Bonding: Wis. Stat. § 348.25(5): “The officer or agency authorized by s. 348.26 or 348.27 to issue permits may require the permittee to file a bond, certificate of insurance or certified check which, to the satisfaction of such officer or agency, saves the state and any county, city, village or town through which the vehicle or article will be operated or transported harmless from any claim, loss or damage that may result from the granting of such permit or that may arise from or on account of any act done pursuant thereto and conditioned to require the permittee to pay for restoration to a condition satisfactory to the officer in charge of the maintenance of any such highway any pavement, bridge, culvert, sewer pipe or other improvement that may be injured by reason of the use of the highways by the permittee. If a



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permittee refuses to pay for damage caused, the officer or agency who required the filing of a bond may maintain an action upon such bond.”

**Recommendation:** We believe that the issues addressed under § 348.25 (5) are best left to the tax bill and, therefore, § 348.25 (5) should not apply to IoH permits. We request that permits issues under § 348.27(17) be exempted from this requirement.

**3. IoH Towed by Pick-up or Farm Truck – Request Amendment to Clarify that Towed or Pulled IoH can be Towed or Pulled by a Pick-up or Farm Truck**

Under many circumstances, Wisconsin farmers use pick-up trucks or farm trucks to tow IoH’s. In addition, many implement dealers use pick-up trucks to tow IoH’s when delivering them to the farm after a sale or repair. However, under this draft, the definition of IoH requires a towed IoH to be pulled only by another IoH. If an IoH is pulled by a pick-up truck, then it is no longer an IoH.

Specifically, in this bill, an IoH includes, “A farm wagon, farm trailer, manure trailer, or trailer adapted to be towed by, or to tow and pull, *another implement of husbandry.*” See page 11, lines 19-22 (*emphasis added.*) In addition, the definition of vehicle trains compounds this exclusion by defining an IoH as a combination of vehicles if “each vehicle in the vehicle combination is an implement of husbandry.” See page 11, line 21-22.

**Recommendation:** We suggest the following amendment to proposed § 340.01 (24) (a) 1.c. to clarify that IoH’s can be towed by pick-ups or farm trucks:

“c. A farm wagon, farm trailer, manure trailer, or trailer adapted to be towed or pulled by, or to tow and pull, another implement of husbandry.”

We suggest the following amendment to proposed § 340.01 (24) (a) 2. to clarify that a vehicle combination can include a farm truck or pick-up truck towing an IoH:

# DeWitt

Ross & Stevens s.c. Law Firm

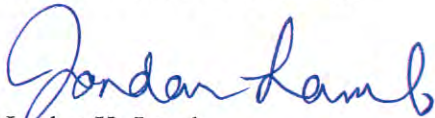
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“2. A combination of vehicles in which each vehicle in the vehicle combination is an implement of husbandry as described in subd. 1. or in which at least one of the vehicles is an implement of husbandry being towed or pulled as described in subd. 1. c.”

Thank you for allowing us to provide these comments on this proposed legislation. If you have any questions or need any additional information, please contact me directly at (608) 252-9358 or [jkl@dewittross.com](mailto:jkl@dewittross.com).

Very truly yours,

**DeWitt Ross & Stevens s.c.**



Jordan K. Lamb

JKL:jkl

cc. Ron Kuehn, DeWitt Ross & Stevens  
Tom Lochner, Wisconsin State Cranberry Growers Association  
Duane Maatz, Wisconsin Potato & Vegetable Growers Association  
Mike Wehler, Wisconsin Pork Association  
Terry Quam, Wisconsin Cattlemen's Association  
Bob Karls, Wisconsin Soybean Association



# JOAN BALLWEG

WISCONSIN STATE REPRESENTATIVE

PO Box 8952, State Capitol  
Madison, Wisconsin 53708-8952  
Toll-free: (888) 534-0041  
Fax: (608) 282-3641  
Rep.Ballweg@legis.wi.gov

41<sup>ST</sup> ASSEMBLY DISTRICT

SB 509/AB 648: Implements of Husbandry  
Testimony of State Representative Joan Ballweg  
Senate Committee on Transportation, Public Safety and Veterans & Military  
Affairs and  
Assembly Committee on Transportation  
January 28, 2014

Thank you Chairman Petrowski , Chairman Ripp and committee members for the opportunity to bring some insights to the Implements of Husbandry proposal before you. I have been working with the authors for six months and I appreciate the changes they have made working with the stakeholders, DATCP and the DOT. Nothing I say or propose today is a surprise to the authors. My aim is to make this workable for agriculture.

While I grew up in the city, I've spent my adult life living and working in the heart of agriculture here in Wisconsin. I'm sure there will be speakers representing production agriculture that will comment on how far they have come. In the 1930's a yield of 30 bushels per acre of corn was average, today that yield is typically 150 bushels per acre, and with the right land and irrigation 250 bushels per acre is achievable.

Technology has allowed for much of this progress, and that includes the equipment. Large equipment allows farmers more timely planting and harvesting, to help beat the weather. It's not plowing, it's soil management and seedbed preparation. More accurate planting and management of fields using GPS technology has led to record harvests and production. Harvesting machines like combines or self-propelled choppers are mobile factories, processing and preparing the crop for sale or directly for livestock feed. The same for our vegetable industry, the equipment allows for a locally harvested crop to be picked processed canned or frozen and ready to be distributed to our grocery shelves within a few hours. This is the technology that makes farming productive, profitable and allows us to provide quality nutritious products to feed the world.

In Wisconsin, Agriculture is a major part of our economy, as Gov. Walker mentioned in last week's State of the State message, agriculture along with manufacturing are our core industries. The increase in agricultural exports and the increase in milk production is a big part of Wisconsin's economic recovery.

Wisconsin Agriculture, has presumed, rightly or wrongly it was exempt from DOT regulation. SB 509/AB 648 provides for a standard weight allowance, equipment definitions and light requirements. The following are improvements I would suggest, and I believe they are generally supported by the industry.

1. Permits—A “no fee” permit as proposed is unmanageable. I propose the following alternatives:

- Require that municipal units be required to notify the public through a DOT website and by local notice, what structures, (bridges or culverts) they require prior authorization for use by overweight equipment. Farmers would then appeal to the local unit of government for permission or alternatives on an individual basis as the bill currently specifies. This will cut down on paperwork for farmers and municipal governments. I believe this alternative gets to the crux of the weight concern.
- Allow all seasonal equipment under the same exemption as potato harvesters. Harvesting equipment; combines, forage harvesters, specialty vegetable harvesters and planting equipment, planters, seeders and drills.
- It is impractical to expect Law Enforcement to stop all large IoH to inspect documentation that the operator is on an authorized route.

2. There are not new height requirements in this bill, but I believe the language is not specific enough.

The National Electric Code Standard for minimum utility line height is 15’6”. In Wisconsin the state standard is 17’ for new installations and repairs. On page 20, line 16 of the bill, it says “...including any utility line.”, but I believe it should read “...including any utility line at standard height.”

3. An IoH (train or a truck-drawn agricultural train) may not exceed 70 feet in length.

- An exception to this length applies if the IoH (train or a truck-drawn agricultural train) is traveling at a speed of 20 mph or less, it may not exceed 100 feet in length.

In talking to my district farmers, a more appropriate speed would be 35 mph, if there needs to be a limit at all. It is more important that the following parts of the train “track” the unit pulling them and items that continually sway outside the track should be cited for unacceptable maintenance.

4. Lighting requirements are new for anything exceeding 15 feet. This is almost everything on the farm today. Several requests:

- Lighting requirements in effect from dusk until dawn, and in inclement weather only.
- It is possible that on a self-propelled IoH exceeding 12 ft, the highest possible point would be the farmers head. I would suggest for units without ROPS or cabs, the left fender would substitute.

5. The authors have stated that one of the purposes of this bill is the need to maintain public safety. Your committees have held a public hearing on AB388/SB307, the Vulnerable Highway User bill. I request modifications to the SB 509/AB 648 that would add similar language from that proposal, which would require DPI to establish standards familiarizing students with the hazards posed by farm machinery and animals on highways and instruction in safely dealing with these hazards.

I have not requested amendments at this point because following the public hearing today, I would hope the committee would be making committee amendments.

I welcome your questions at this time, or anytime between now and an exec on SB 509/AB648.



# WISCONSIN CORN GROWERS ASSOCIATION

W1360 Hwy 106, Palmyra WI 53156

Phone: (262) 495-2232 Fax: (262) 495-3178

January 28, 2014

RE: AB 648 and SB 509

The Wisconsin Corn Growers Association (WCGA) would like to thank Sen. Petrowski and Rep. Ripp for all the time and effort they have put into the creation of these bills and especially for their outreach to the agribusiness community. We feel that our input has been taken seriously and we hope that our comments today will be viewed as constructive.

We feel that the bill is a good faith effort to bring today's outdated laws on Implements of Husbandry into line with current practices. There is really no way to compete in the marketplace today without using modern equipment – which often means larger equipment.

We support the majority of provisions in the bill but would offer the following suggested improvements:

**1 – Eliminate the requirement for an escort vehicle.** Many of our members are sole proprietors and do not have the people available to drive an escort vehicle. At the very least increase the maximum width for exemption to 22 feet instead of 20 feet. A very common combine head size is 21'6”.

**2 – Make local permitting presumptive.** If a town misses the 3 week deadline, the permit should be considered granted. Any conditions that a local government may put on the permit should be related only to road conditions. Also allow local towns to “opt-out” of permitting altogether with no time limit on when they need to consider the issue again. And the “alternative route” language should also apply to tractors with cultivation or planting implements pulled behind.

**3 – Axle Weight exemption.** The proposed increase in total weight of the implement is appropriate. However many states do not enforce any restrictions on axle weight for implements of husbandry. Given that these implements are very seldom on the road and that they are mostly equipped with oversize tires, the normal axle weight restrictions are not necessarily applicable.

These are our top three concerns, but we are in agreement with the concerns raised by the other groups representing the agribusiness community. We have all worked closely together to make sure that this bill makes the best effort to move agriculture forward in our state.

Again we thank the chairmen and the committee for listening to our comments. I trust that we all agree that Wisconsin Agriculture contributes a great deal to our state and having a set of transportation rules that are overly restrictive would not be in anyone's best interest.

*WCHA Chairman:*  
*Bud Flood, Portage County*

*WCHA Vice-Chairman:*  
*B.J. Bussie, Rock County*

*WCHA Past Chairman:*  
*Marv Thompson, Barron County*



*WCHA President:*  
*Emmer Shields P.E., Ashland County*

*WCHA Secretary:*  
*Ron Chamberlain, LaCrosse County*

*WCHA Past President:*  
*Paul Halverson P.E., Douglas County*

*WCHA Treasurer: Tim Ramberg, St. Croix County*

**JOINT PUBLIC HEARING**  
**Senate Committee on Transportation, Public Safety, and**  
**Veterans and Military Affairs**  
**And**  
**Assembly Committee on Transportation**

Tuesday, January 28, 2014

11:00 AM

411 South

**Senate Bill 509**

**Assembly Bill 648**

Hearing Comments relative to SB509 and AB648

Daniel J. Fedderly P.E.;R.L.S.

Executive Director

Wisconsin County Highway Association

The Wisconsin County Highway Association represents the County Highway Commissioners/Public works Directors and the Elected County Highway/Transportation committee Members for all 72 Counties in Wisconsin. We are pleased to provide comment on this important Proposed Legislation relating to Implements of Husbandry and the interaction of these implements with the Public infrastructure across Wisconsin.

First and Foremost we would like to thank Chairman Petrowski and Chairman Ripp along with their respective Committees for the opportunity to provide comment on SB509 and AB648. The WCHA also applauds the Chairmen and their committees for developing this important legislation relating to a long standing and difficult issue for all Wisconsin Taxpayers with several varying perspectives and priorities.

SB509/AB648 represents the "Art of Compromise" as the foundation to all the varying positions, perspectives, and priorities addressed by this Legislation.

**Compromise:** "an agreement or a settlement of a dispute that is reached by each side making concessions"

*Daniel J Fedderly P.E.;R.L.S.*  
*Executive Director, Wisconsin County Highway Association*  
*715-505-9242*

The WCHA was honored to have the opportunity to participate in the WisDOT IOH task force efforts, throughout several meetings and discussions, which outlined the various stakeholder's positions, perspectives, and priorities.

Through this process the WCHA recognized the need for compromise to address the varying priorities of all stakeholders. SB509/AB648 is the result of many of those recommended compromises from the Task force recommendations. There were several meetings several discussions and several disagreements and again the WCHA applauds the Committees for their foresight as they developed this proposed legislation. SB509/AB648 protects and preserves the public infrastructure by ensuring that local jurisdictions maintain control over the infrastructure they are responsible for, and encourages a process that users and those local jurisdictions communicate to ensure the most responsible use of the infrastructure. In addition SB509/AB648 recognizes the need for Agricultural users to have more flexibility in increased weight limits yet ensures that the increased weight limits does not come at an increased cost to the taxpayers of the State, and ensures the ability to regulate these activities in a responsible manner.

The WCHA supports SB509/AB648 as written.

The WCHA again appreciates the opportunity to have been engaged in these discussions through the task force and as the Legislation has been developed. Throughout the development compromise has been our main objective. This legislation has achieved that and as indicated compromise is the foundation that holds this legislation together. The WCHA does and will continue to support this Legislation as written and will not support any changes or amendments. WCHA believes that any changes or amendments will simply erode the foundation of SB509/AB648 "compromise".

Again thank you for the opportunity to provide comments and as always please do not hesitate to contact me should you have any questions comments or concerns.

Daniel J. Fedderly P.E.;R.L.S.  
Executive Director  
Wisconsin County Highway Association  
715-505-9242  
hwype@wwt.net





**To:** Senate Committee on Transportation, Public Safety, and Veterans and  
Military Affairs  
Assembly Committee on Transportation  
**From:** Nick George, Midwest Food Processors Association  
**Date:** January 28, 2014  
**Re:** Senate Bill 509 & Assembly Bill 648 relating to Oversize/Over Weight  
for Implements of Husbandry

The Midwest Food Processors Association is working with a coalition of agricultural groups to comment on segments of the SB 509 and AB 648 relating to Implements of Husbandry (IoH). It is apparent that a lot of work has gone into this legislation and that positive progress from current law has been made. However we respectfully offer these comments in an effort to address our concerns. We will focus our comments on the local permit program as described in Section 61.

Our main concern with the local permit program has to do with the number of permits required, the time needed to get those permits, and the uncertainty of the permit being issued. We understand the need for local control and our members work closely with local authorities and growers when planning the year's work. We believe minor changes to the bill will retain local authority while granting some certainty for the growers and processors.

**Harvest/Planting IoH Weight Limits** – This subset of IoH is critical for farming in Wisconsin. These IoH are not used on the roadways frequently or regularly and are used seasonally. These vehicles meet the gross vehicle weight (GVW) restrictions under current law (80,000 pounds) and, therefore also meet the proposed 92,000 pound GVW for IoH in this bill draft. However, because of their design, they cannot meet a per-axel weight of 20,000 (current law) or 23,000 pounds (the proposed 15% increase per-axel limitation under LRB 2913/2). Accordingly, all IoH that meet this definition will be required to apply for a local overweight permit to operate on the roadway. **We respectfully request that this category of IoH (defined in proposed Wis. Stat. § 340.01(24)(a)1.b.) be exempted from the IoH permit requirement for axel weight if the IoH can meet the GVW limitation.**

**Local Authority to Impose Broad Permit Conditions** - This draft preserves the applicability of local authority to impose broad permit conditions to IoH permits. We believe that the broad grant of local authority to impose permit conditions should be limited to conditions that are necessary to preserve, protect and maintain the roadways under the jurisdiction of the maintaining authority. Without clarification, there is no limitation on a town or a county's authority to impose unreasonable conditions.

**Pick-up or Farm Truck** – It should be clarified that a towed or pulled IoH can be towed or pulled by a pick-up truck or farm truck. Under many circumstances, Wisconsin farmers use pick-up trucks or farm trucks to tow IoH's. In addition, many implement dealers use pick-up trucks to tow IoH's when delivering them to the farm after a sale or repair. However, under this draft, the definition of IoH requires a towed IoH to be pulled only by another IoH. If it is pulled by a pick-up truck, then it is no longer an IoH. This language should be clarified and made more flexible to allow pick-up trucks to be used.

**Maximum Speed Limits** – We also request that the maximum speed that an IOH unit can travel when pulling a train to be the same as when a Slow Moving Vehicle sign is required, 25mph.

Members of MWFPFA operate in almost all 72 counties of Wisconsin and produce and process a large percentage of the fruit and vegetables processed in the nation. As written this legislation could limit our ability to keep Wisconsin a leader in the processed vegetable industry. We urge the members of this committee to work with the agriculture coalition to amend SB 509 & AB 648 and keep Wisconsin a leader in agriculture.

Thank you for your attention to this matter.



State of Wisconsin  
Governor Scott Walker

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**Department of Agriculture, Trade and Consumer Protection**  
Ben Brancel, Secretary

To: Senate Transportation Committee  
Assembly Committee on Transportation

From: Jeff Lyon, Deputy Secretary, DATCP

RE: SB 509 & AB 648

Thank you Senator Petrowski, Representative Ripp and members of your respective committees for allowing me to testify on SB 509 and AB 648, legislation which addresses the definitions and use of Implements of Husbandry on Wisconsin roads. I am appearing for information only.

As you know, an Implements of Husbandry Study Group was created in October 2012 and completed its report and recommendations in September 2013. The study group was created by the state Department of Transportation. I represented DATCP on the group. The original purpose of the study group was to address weight limits for implements of husbandry. In the end, the report and recommendations addressed IoH definitions, the size "envelope" for IoH including width, height, and length, weight limits, permits and best practices.

The bills include some of the recommendations finalized by the study group. Other provisions go beyond the recommendations and in some cases the bills contain provisions that were not part of the study group's recommendations.

I have heard anecdotal reports that a few counties have purchased portable scales and will be stepping up their enforcement this spring. I appreciate your willingness to address the issues associated with the bills and your work so far with the various stakeholder groups. I know they have provided valuable input to this point and will likely be offering suggestions to improve the bill.

During the six town hall meetings held around the state to get input from farmers and local government officials, I stated that we need a balance and understanding between the needs of farmers and road users. We need to be cognizant of safety issues and for a sound system of roads, but we have to have workable solution that recognizes that farmers have to be on the road – because planting, harvesting and manure hauling needs to be done at certain times of the year.

Thank you for the opportunity to testify.

*Agriculture generates \$59 billion for Wisconsin*

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IOH Specifications

3 Axle - 28'  
Limit  
66,000 lbs.

4 Axle - 57'  
Limit  
92,000 lbs.

Weight Comparisons (lbs.)										
Tractor	Model		Standard Weight lbs.	Max Weight w/ Ballast			Landoll VT 7450-49'	Max Tractor + VT	Pulverizer WFP 50'	Max Tractor + VT + Pulverizer
Case/IH	Quad Trac 600		53,803	56,000			41,810	97,810	16,000	113,810
John Deere	9630T		43,000	50,000			41,810	91,810	16,000	107,810
Versatile	550		58,850	59,600			41,810	101,410	16,000	117,410
Challenger	965C		47,500	60,000			41,810	101,810	16,000	117,810

Tractor	Model		Standard Weight lbs.	Max Weight w/ Ballast			Landoll VT 7431-33'	Max Tractor + VT	Pulverizer WFP 36'	Max Tractor + VT + Pulverizer
Case/IH	350		35,845	49,500			25,120	74,620	10,000	84,620
John Deere	8360		35,160	39,000			25,120	64,120	10,000	74,120
Versatile	375		31,500	37,500			25,120	62,620	10,000	72,620
Challenger	MT765D		31,075	36,000			25,120	61,120	10,000	71,120

Length Comparisons (feet)										
Tractor	Model	Overall Length	70' Max				100' Max			
			7450-49' OA Length	7450-49' Hitch to Axle	Tractor + Implt Overall	F Tractor axle to R Implt Axle	WFP 50' OA Length	WFP 50' Hitch to Axle	Overall Length	Longest F Axle to R Axle Length
Case/IH	Quad Trac 600	25	38	25	63	45	31	27	94	85
John Deere	9630T	20	38	25	58	40	31	27	89	80
Versatile	550	25	38	25	63	45	31	27	94	85
Challenger	965C	20	38	25	58	40	31	27	89	80

Tractor	Model	Overall Length	7431-33'				100' Max			
			7431-33' OA Length	7431-33' Hitch to Axle	Tractor + Implt Overall	F Tractor axle to R Implt Axle	WFP 36' OA Length	WFP 36' Hitch to Axle	Overall Length	Longest F Axle to R Axle Length
Case/IH	350	24	30	15	54	34	31	27	85	76
John Deere	8360	21	30	15	51	31	31	27	82	73
Versatile	375	21	30	15	51	31	31	27	82	73
Challenger	MT765D	20	30	15	50	30	31	27	81	72

### Category Three: Agriculture Commercial Motor Vehicles (CMV)



\*Exception Vehicle for Lime/Manure – greater than 10 ft., but less than 12 ft.

### Category Four: IoH/Combination Trains



\*Manure tanker can operate in the unloaded configuration.



# Categories of Implements of Husbandry (IoH)

Provided as examples only. Vehicles may require a permit if operated fully loaded.

## Category One: Power Unit



## Category Two: Self-Propelled IoH



\*Exception  
Vehicle:  
Potato  
Harvester

# Example 1: Self-propelled Implement of Husbandry (IoH) Lighting and Marking Illustration

360° yellow or amber rotating strobe or beacon light OR two flashing amber lights visible to the front for IoH in excess of 12 feet

Flashing amber lamps and two strips of yellow reflective material visible to the front not more than 16 inches from the lateral extremities of IoH in excess of 15 feet

Two head lamps



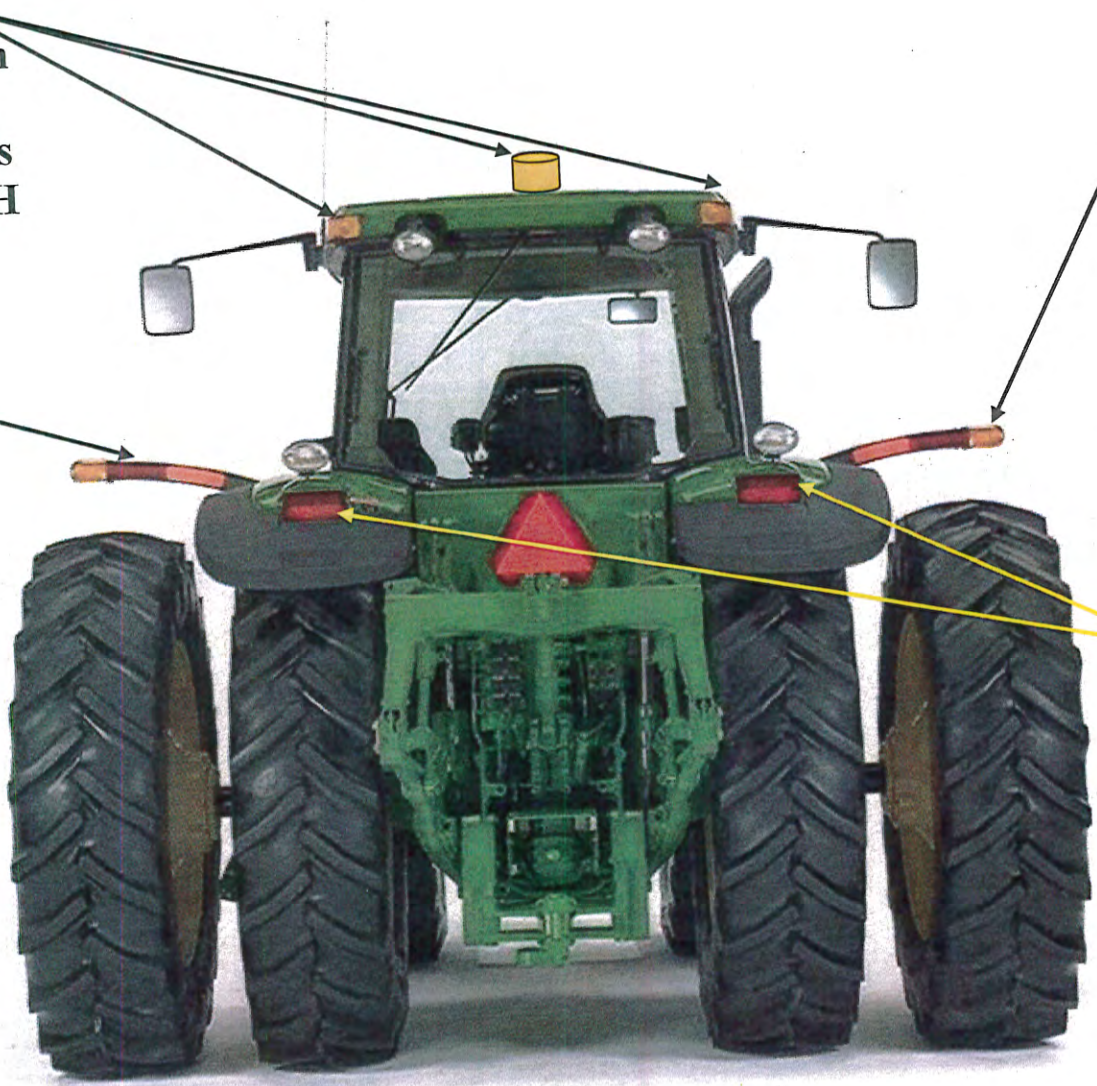
# Example 2: Self-propelled Implement of Husbandry (IoH) Lighting and Marking Illustration

360° yellow or amber rotating strobe or beacon light OR two flashing amber lights visible to the rear for IoH in excess of 12 feet

Red reflective material visible to the rear mounted within 25 inches extremities of IoH in excess of 15 feet

Flashing amber lights visible to the rear within 16 inches extremities of IoH in excess of 15 feet

Two red tail lamps





# Example 3: Wide Implement of Husbandry (IoH) Lighting and Marking Illustration





1 South Pinckney Street, Suite 810, Madison, WI 53703-2869  
608.258.4400 fax 608.258.4407

400 Selby Avenue, Suite Y, St. Paul, MN 55102-4520  
651.228.0213 fax 651.228.1184

[www.cooperativenetwork.coop](http://www.cooperativenetwork.coop)

January 28, 2014

To: Senator Jerry Petrowski, Chairman of the Senate Committee on Transportation, Public Safety, and Veterans and Military Affairs

Representative Keith Ripp, Chairman of the Assembly Committee on Transportation

From: Cooperative Network

RE: Senate Bill 509 and Assembly Bill 648, Relating to: operation of agricultural vehicles on highways and providing a penalty.

Cooperative Network appreciates the opportunity to provide comments on Senate Bill 509 (SB 509) and Assembly Bill 648 (AB 648) which deals with the operation of agricultural vehicles on highways. As you know, we represent the interests of more than 300 cooperative businesses headquartered in Wisconsin, including numerous agribusiness cooperatives that operate many types of implements of husbandry. Collectively, our farm supply cooperative members account for more than half of the agribusiness volume within the state and provide numerous products and services to support tens of thousands of farmers who grow crops and raise livestock.

Cooperative Network has appreciated the authors of SB 509 and AB 648 willingness to work with Wisconsin's agricultural industry on this complicated issue. We also thank you for the positive changes you have made to this legislation since its inception. However we still have some concerns on how SB 509 and AB 648 will impact our members;

1. IOH/Ag CMV Definitions, we would like to see all self-propelled pesticide and fertilizer equipment to be included in the definition of an IOH.
2. Incidental Movements, We appreciated the inclusion of an incidental movement provision but .25 mile is too narrow to be of much use.
3. Local Approval, We are concerned on the amount of effort it will take to get local approvals. In some cases our members operate in hundreds of local jurisdictions.

Thank you for the opportunity to submit comments on SB 509 and AB 648.



## MIDWEST EQUIPMENT DEALERS ASSOCIATION

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5330 Wall St., Suite 100, Madison, WI 53718-7929  
608-240-4700 • 800-236-6332 • Fax 608-240-2069  
E-Mail: [mail@medaassn.com](mailto:mail@medaassn.com) • Website: [www.medaassn.com](http://www.medaassn.com)

January 28, 2014

To: Wisconsin Senate Committee on Transportation, Public Safety and Veterans and Military Affairs and Wisconsin Assembly Committee on Transportation  
From: Gary Manke, Executive Vice President-CEO  
Re: SB 509 & AB 648 Relating to operation of agricultural vehicles on highways and providing a penalty.

The Midwest Equipment Dealers Association (MEDA) appreciates the opportunity to address SB 509 & AB 648. MEDA is a trade association comprised of retailers of farm, construction, and industrial and outdoor power equipment dealerships throughout Wisconsin. Both Senator Jerry Petrowski and Representative Keith Ripp should be applauded for tackling this very complicated issue along with the willingness to listen while creating this legislation.

In response to SB 509 & AB 648 MEDA has several concerns and comments. The following are a brief overview of the comments.

- Dealers would be required to disclose to the buyer the gross vehicle weight of the farm equipment they are selling to their customer. Dealers are not required to provide gross vehicle weight at the time of the sale today and do not have scales at their dealerships. Weights can vary greatly from the shipping weight from the supplier to the weight when field ready and delivered to the farmer.
- The creation of new lighting and marking requirements for IOH that operate on the highways would affect the used equipment dealers have in inventory. Dealers have large investments in used equipment. Bringing some of this used equipment up to the new lighting and markings standards would make some of this equipment unmarketable. If the dealer would retrofit the equipment for lighting and markings standards that may lead to some product liability issues for them later on. It would ultimately cost farmers more who have to update the equipment they currently own and used equipment that they purchase.
- MEDA members are concerned that the cable, telephone and power companies have no responsibility for maintaining proper clearance of their wires. We are to believe that the National electric code standard height is 15 feet 6 inches and the State of Wisconsin standard is 17 feet. MEDA would like the proposed legislation to state “utility line at standard height” so if one of our members does take down a utility line it was at the correct height before they are responsible for the repairs.

*Committed to building the best business environment for equipment dealers in Illinois and Wisconsin...*

- Dealers would have a 75 mile radius exemption for delivery and repair of equipment which would seem sufficient but isn't. Consolidation of farm equipment dealers has been occurring and will continue to occur in the future. Dealers are covering more geographic territory and having dealers getting permits to transport IOH would lead to their customers not getting their equipment in time or serviced when they are in production. The permitting process proposed would take too long for some of our dealers customers as weather conditions due not wait when a crop needs to be planted or harvested.
- Great efforts have been made to make this legislation easy to interrupt IOH weights. The table purposed still doesn't meet the need of the industry. Most forage harvesters and combines, to name a few, would exceed the proposed 23,000 per axle limit. Dealers and their customers have substantial investments in these types of units and this would decrease their value. These units are not on the roadways on a daily basis like cars or trucks, but only during the harvest season. An simpler definition of weights for IOH is needed.

MEDA has been communicating with its members about SB 509 and AB648. Our members will be discussing this legislation with their legislative representatives over the next couple weeks. We appreciate your time and attention to this important matter and look forward to working with your offices to address our concerns. Thank you for the opportunity to be heard.

# Example 1: Self-propelled Implement of Husbandry (IoH) Lighting and Marking Illustration

360° yellow or amber rotating strobe or beacon light OR two flashing amber lights visible to the front for IoH in excess of 12 feet

Flashing amber lamps and two strips of yellow reflective material visible to the front not more than 16 inches from the lateral extremities of IoH in excess of 15 feet

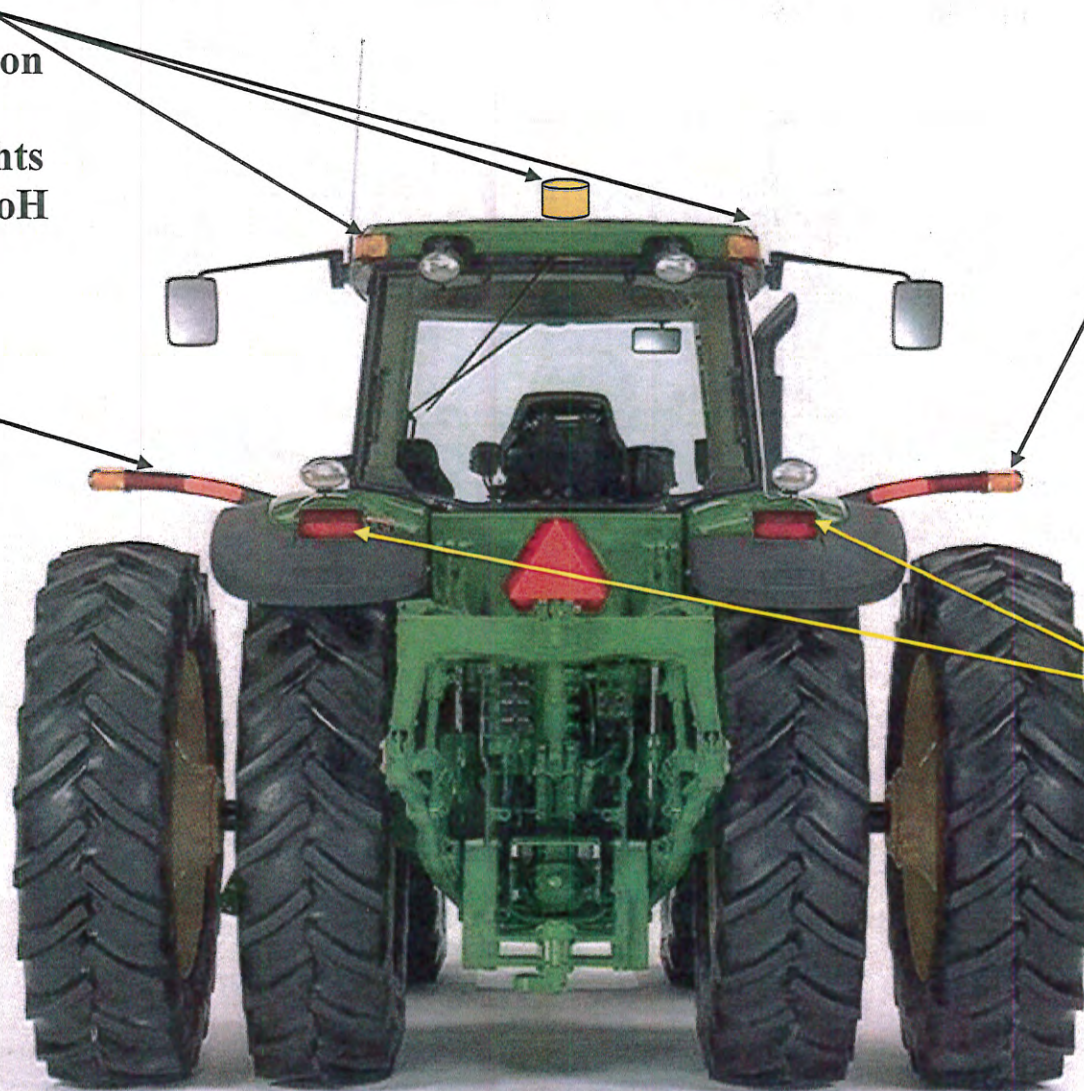
Two head lamps



# Example 2: Self-propelled Implement of Husbandry (IoH) Lighting and Marking Illustration

360° yellow or amber rotating strobe or beacon light OR two flashing amber lights visible to the rear for IoH in excess of 12 feet

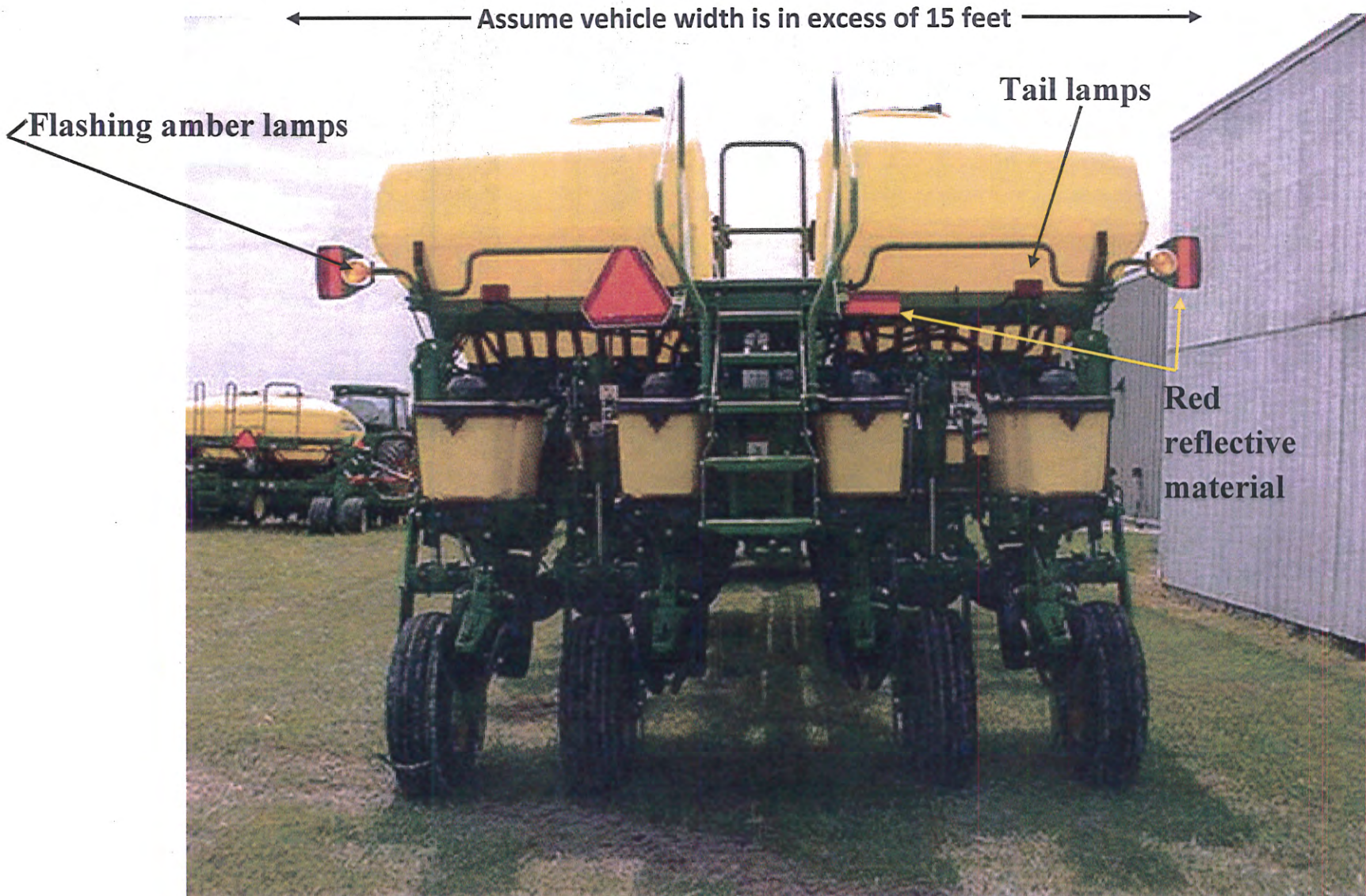
Red reflective material visible to the rear mounted within 25 inches extremities of IoH in excess of 15 feet



Flashing amber lights visible to the rear within 16 inches extremities of IoH in excess of 15 feet

Two red tail lamps

# Example 3: Wide Implement of Husbandry (IoH) Lighting and Marking Illustration



January 28, 2014

TO: Senate Committee on Transportation, Public Safety, and Veterans and  
Military Affairs and Assembly Committee on Transportation  
FROM: Karen Gefvert, Director of Governmental Relations  
RE: Senate Bill 509 and Assembly Bill 648 (IOH legislation)

The Wisconsin Farm Bureau Federation, WFBF, would like to thank the bill authors, Senator Petrowksi and Representative Ripp, for taking on the large task of addressing the issue of implements of husbandry (farm equipment) on roads. The implements of husbandry issue is a priority for WFBF and we are willing to working diligently with all members of the committee to pass legislation this session that will support Wisconsin's more than \$59 billion agricultural economy.

This bill offers some improvements and updates to existing laws for farmers while also leaving some areas for additional improvement. One thing to keep in mind, as you have listened to many entities provide testimony today, is that implements of husbandry are incidentally used on roads.

This bill positively addresses several items that are long overdue for clarification purposes for Wisconsin agriculture. The bill also includes some areas of concern for agriculture but still leave room for additional improvement. They include:

- Definition of Implement of Husbandry
  - This clarification allows for agriculture to have a single definition located in one statute that clearly defines what qualifies as an IOH
  - This definition should reflect the usage of pickup trucks to legally haul implements of husbandry. As the definition is currently written, this would not be possible because it states that an IOH must tow or be towed by another IOH.
- Definition of Agriculture Commercial Motor Vehicle
  - This new definition gives certainty to a gray area of equipment that was not specifically addressed under the Implement of Husbandry or the Commercial Motor Vehicle definitions
- Height
  - This provision allows for farmers to continue operating their equipment in the manner in which they are accustomed
    - There are concerns with liability issues regarding what occurs when a farmer encounters a utility line that is clearly hung at a level below the legal standards and this prohibits the farmer from accessing their route or a collision occurs
- Length
  - The additional weight allowance for single vehicles at 60', two vehicle combinations at 100' and three vehicle combinations at 70' or 100' if operated at a maximum speed of 20 miles per hour
    - For consistency with existing speed requirements for Slow Moving Vehicles, we ask that the maximum speed for three vehicle combinations be changed to 25 miles per hour to avoid confusion



- Width
  - Lighting and marking requirements
    - While we support additional safety requirements for Implements of Husbandry when operated on roads, some additional flexibility for these requirements should be considered due to the wide variety of types, sizes, configurations and shapes of this equipment (i.e. 360° flashing amber strobe light, red and yellow reflective tape, amber and red rear lighting)
  - Width requirement for escort vehicle
    - Extend the maximum width requirement from 20' to 22' in order to accommodate some of the 20' combines traveling a short distance from farm to field or field to field
- Weight
  - Eliminate axle weights and the axle spacing chart for a standard gross vehicle weight of 92,000 pounds
  - Because of the wide variety of equipment used in agriculture, there is no standard for axle number or spacing therefore, each piece of equipment would be subject to unique weight criteria based on number and spacing of axles and that would again vary depending on what power unit it was attached to
- Permits
  - Presumptive approval and a timely response
    - For both the initial permit approval and amendment process, the timeline provided states that if the maintaining authority fails to provide the applicant approval or denial within the timeframe provided, the application is considered approved until the applicant receives a denial. This leaves any permit applicant's business in a state of uncertainty for an unknown period of time. A permit should be deemed approved if a maintaining authority fails to provide the applicant with a denial within the allotted timeframe given.
  - Conditions for local approval or denial of a permit
    - There are no restrictions put forth in this legislation that limit the criteria for a maintaining authority to approve or deny any permit application. This leaves use of the roadways subject to any unrelated restrictions. Permit application approval or denial should be subject to specific criteria that address conditions and impact on the integrity of the pavement structures.
  - Local ordinance/resolution
    - Any local maintaining authority, under this bill, can pass an ordinance or resolution on an annual basis to exempt out of the permitting process. This exemption should not be subject to an annual reauthorization but instead should be valid for at least one calendar year from the date of adoption and remain so until the local authority changes the ordinance.

Thank you for your time and the opportunity to address you today and explain the finer points of this bill and how they impact the 15,000 farmers throughout the state. I can address any questions or concerns you may have at this time.

## **Testimony of Kevin Krentz**

**W499 County Road X**

**Berlin, WI 54923**

**920-361-7380**

**Tuesday, January 28, 2014**

**Room 411 South, State Capitol**

**Senate Bill 509 and Assembly Bill 648 (IOH legislation)**

### ***Joint Public Hearing***

**Senate Committee on Transportation, Public Safety, and Veterans and Military Affairs  
and**

**Assembly Committee on Transportation**

Good morning/afternoon Chairman Petrowski, Chairman Ripp, and members of the senate and assembly committees. Thank you for giving me the opportunity to testify before you on Senate Bill 509 and Assembly Bill 648, relating to the operation of agricultural vehicles on highways, or more commonly known as the IOH legislation.

My name is Kevin Krentz. I currently serve on the Board of Directors of the Wisconsin Farm Bureau Federation, representing District 5 on the board, which includes Adams, Fond du Lac, Green Lake, Juneau, Marquette, Waushara and Winnebago counties.

Just to give you a little background, I am also president of Krentz Family Dairy Inc., located in Berlin, WI. I started my farming career when I purchased my father's 60 cow herd back in 1994. Since that time my farm has grown to 550 cows, 300 heifers and 1300 acres of crops. I also currently serve as Town Chairman of the Town of Aurora in Waushara County. I have previously served as treasurer of the Professional Dairy Producers of Wisconsin, chairman of Farm Bureau's dairy advisory committee, and was a member of DATCP's raw milk taskforce and Commerce's Dairy 2020 Council.

I am here today, as both a member of the Farm Bureau's Board of Directors AND a dairy farmer, to offer support for SB 509 and AB 648. I truly appreciate the effort the authors of these bills have put into writing and introducing this legislation. Having said that, I also believe there is room for improvement in a few key provisions. I will explain why briefly.

Without wanting to sound repetitive from what you've already heard about what the bill accomplishes, I think it is imperative to note that the clarification of the IOH definition and the creation of an Ag-CMV definition and self-certification process are important to the agricultural community. We are very pleased to see these changes.

A major component to this legislation is the establishment of size limits, or an IOH envelope – consisting of height, length, width, and weight.

The Farm Bureau and its members are supportive of the height and length requirements in the bills. They are both reasonable and generally conform to how farmers currently move and operate their equipment.

With regard to the width parameters, we are generally supportive of the lighting and marking requirements. From a farmer's perspective, I personally don't operate very wide equipment so most of mine will conform to the additional requirements. However, I do believe it may become problematic for many farmers in the following instances:

- 1) Adhering the red and yellow retroreflective material to old, rusty implements could prove to be challenging.
- 2) A yellow or amber rotating strobe or beacon may be excessive on a self-propelled IOH. The overwhelming majority of these vehicles will already have some type of amber or red flashing light on the cab or highest point of the rear fender.
- 3) Tail lamps are not impracticable for IOH that must be towed, if and only if, they are not required to be hardwired to any other lighting or power component in an IOH train.

Because of the aforementioned situations, we are hopeful that this committee will be supportive of more lenient standards for lighting and marking. But please note, we also clearly recognize the need for increased safety on our roadways for both the farm equipment operators and motor vehicle users.

With regard to weight requirements, the Farm Bureau supports raising the maximum gross vehicle weight to 92,000 lbs. This equates to a 15% increase – what farmers currently conform to under the weight limits for the fall harvest from September 1 to December 31.

However, we believe there is a serious issue when it comes to axle weight requirements. In particular, axle weights for combines and forage harvesters. Under the bills as written, the per axle weight limit for an IOH will be 23,000 lbs., up 15% over current law, or 20,000 lbs. Unfortunately, for many farmers or custom operators, there are numerous models of combines and forage harvesters currently on the road that come in over 23,000 lbs on the front axle, even with the hopper empty and the head removed. Additionally, I'd like to point out the difficulty and time expense that goes into installing and removing the head on a chopper. Choppers are not designed like combines. Heads cannot be quickly removed and choppers cannot raise the heads as high as a combine, so additional equipment may be needed to put the combine head on a cart.

These bills also would require a farmer or custom operator that exceeds this axle weight to get a permit from any and all local, county and state road maintaining authorities to move this equipment beyond a ¼ mile from farm to field entrances. This could be, and I assure you it will be, a logistical and bureaucratic nightmare for thousands of farmers across the state.

As a farmer, I currently have operations that span three towns and two counties. I hire a custom operator to harvest forage and combine all of my fields, but imagine what happens if one town, or two, doesn't approve the route I'm seeking for approval in my permit. If they come back with any alternative route (which they would be required to do) but the route, or routes, don't match up with the other jurisdictions, it can literally be impossible for a farmer, like myself to get into their fields. When it comes to planting and harvesting, everything, and I mean everything, is dependent on weather conditions and our ability to get in and out of the fields in a timely

manner. I'm one farmer. Imagine this scenario for the 10,000 plus farmers and custom operators that own equipment with axle weights above 23,000 lbs.

To eliminate this logistical nightmare, we are strongly urging the committee to take action that would fully exempt all IOH equipment from axle weight requirements. We support maintaining the standard gross vehicle weight requirements of 92,000 lbs. as written in the bills.

In closing, I want to reiterate the Farm Bureau's sincere appreciation for the work that has been done to this point. We are actively seeking a solution to a potentially significant problem for farmers all across the state, but we also appreciate the concerns expressed by town and county officials when it comes to wear and tear on the roadways. In the end, I think we all recognize a balance must be met. It is our hope and desire, with the changes we believe are necessary to make this legislation work, the legislature will pass IOH legislation before session ends in April.

Thank you for your time and consideration. I am more than happy to answer any questions the committee members may have at this time.