

State of Wisconsin



2011 Senate Bill 223

Date of enactment: **November 9, 2011**
Date of publication*: **November 23, 2011**

2011 WISCONSIN ACT 56

AN ACT *to amend* 348.25 (3), 348.25 (4) (intro.), 348.25 (8) (b) 3. (intro.), 348.25 (8) (d), 348.27 (1) and 348.28 (1); and *to create* 348.25 (8) (b) 4., 348.27 (18) and 348.29 of the statutes; **relating to:** annual or consecutive month permits for certain overweight vehicles or vehicle combinations transporting agricultural products.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 348.25 (3) of the statutes is amended to read:

348.25 (3) The department shall prescribe forms for applications for all single trip permits the granting of which is authorized by s. 348.26 and for those annual, consecutive month or multiple trip permits the granting of which is authorized by s. 348.27 (2) and (4) to (15). The department shall prescribe an electronic application process for permits the granting of which is authorized by s. 348.27 (18). The department may impose such reasonable conditions prerequisite to the granting of any permit authorized by s. 348.26 or 348.27 and adopt such reasonable rules for the operation of a permittee thereunder as it deems necessary for the safety of travel and protection of the highways. The department may limit use of the highways under any permit issued to specified hours of the day or days of the week. Local officials granting permits may impose such additional reasonable conditions as they deem necessary in view of local conditions.

SECTION 2. 348.25 (4) (intro.) of the statutes is amended to read:

348.25 (4) (intro.) Except as provided under s. 348.26 (5), (6), or (7) or 348.27 (3m), (4m), (9), (9m),

(9r), (9t), (10), (12), (13), ~~or (15)~~, or (18), permits shall be issued only for the transporting of a single article or vehicle which exceeds statutory size, weight or load limitations and which cannot reasonably be divided or reduced to comply with statutory size, weight or load limitations, except that:

SECTION 3. 348.25 (8) (b) 3. (intro.) of the statutes is amended to read:

348.25 (8) (b) 3. (intro.) ~~For~~ Except as provided in subd. 4., for a vehicle or combination of vehicles, the weight of which exceeds any of the provisions of s. 348.15 (3):

SECTION 4. 348.25 (8) (b) 4. of the statutes is created to read:

348.25 (8) (b) 4. For a permit issued under s. 348.27 (18), \$300.

SECTION 5. 348.25 (8) (d) of the statutes is amended to read:

348.25 (8) (d) For the purpose of computing the fees under this subsection, if the vehicle or combination of vehicles exceeds weight limitations, no fee in addition to the fee under par. (a) 3., (b) 3. or 4. or (bm) shall be charged if the vehicle also exceeds length, width or height limitations or any combination thereof.

SECTION 6. 348.27 (1) of the statutes is amended to read:

* Section 991.11, WISCONSIN STATUTES 2009-10 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

348.27 (1) APPLICATIONS. All applications for annual, consecutive month or multiple trip permits for the movement of oversize or overweight vehicles or loads shall be made to the officer or agency designated by this section as having authority to issue the particular permit desired for use of the particular highway in question. All applications under subs. (2) and (4) to (15) shall be made upon forms prescribed by the department. All applications under sub. (18) shall be made utilizing an electronic process prescribed by the department.

SECTION 7. 348.27 (18) of the statutes is created to read:

348.27 (18) PERMITS FOR THE TRANSPORTATION OF CERTAIN AGRICULTURAL PRODUCTS. (a) In this subsection:

1. "Agricultural product" means any of the following or any combination of the following:

- a. Fruit.
- b. Vegetables.
- c. Grain, including distillers' grain.
- d. Live livestock, as defined in s. 95.51 (1), feed for livestock, or nutritional supplements for livestock.

2. "Agricultural product" does not include liquid milk or liquid milk by-products, manure or animal waste, or raw forest products.

(b) Subject to par. (c), the department may issue annual or consecutive month permits for the transportation of agricultural products in vehicles or vehicle combinations that have 6 or more axles and that exceed the maximum gross weight limitations under s. 348.15 (3) (c) if the vehicle or vehicle combination does not exceed the maximum gross weight limitations under s. 348.29. Notwithstanding s. 348.15 (8), any axle of a vehicle or vehicle combination that does not impose on the highway at least 8 percent of the gross weight of the vehicle or vehicle combination may not be counted as an axle for the purposes of this paragraph. A permit issued under this

subsection does not authorize the operation of any vehicle or vehicle combination at a maximum gross weight in excess of 90,000 pounds.

(c) A permit under this subsection is valid only for the transportation of agricultural products to a farm or from a field or farm to a storage facility on the grower's owned or leased land, a facility for initial storage that is not on the grower's owned or leased land, or a facility for initial processing.

(d) If the roads desired to be used by an applicant for a permit under this subsection involve highways other than those within the state trunk highway system, the application shall be accompanied by a written statement of route approval by the officer in charge of maintenance of the other highway.

(e) A permit under this subsection is not valid on any interstate highway designated under s. 84.29 (2) except to the extent allowed by federal law without any loss or reduction of federal aid or other sanction.

SECTION 8. 348.28 (1) of the statutes is amended to read:

348.28 (1) Permits issued under ss. 348.25, 348.26 and 348.27 (1) to (10), (12) to (13), and (15) shall be carried on the vehicle during operations so permitted.

SECTION 9. 348.29 of the statutes is created to read:

348.29 Weight limitations for certain permits.

Notwithstanding s. 348.15 (3) (c), for any vehicle or vehicle combination operating under a permit issued under s. 348.27 (18), the gross weight imposed on the highway by any group of 6 or more consecutive axles of a vehicle or combination of vehicles may not exceed the maximum gross weights in the following table for each of the respective distances between axles and the respective numbers of axles of a group: [See Figure 348.29 following]

Figure 348.29:

Distances in feet between foremost and rearmost axles of a group	Maximum gross weight in pounds on a group of—		
	6 consecutive axles of any combination of vehicles having a total of 6 or more axles	7 consecutive axles of a 7-axle vehicle or of any vehicle or combination of vehicles having a total of 7 or more axles	8 consecutive axles of a 8-axle vehicle or of any vehicle or combination of vehicles having a total of 8 or more axles
28			82,000
29			82,500
30			83,000
31			83,500

32			84,500
33			85,000
34			85,500
35		80,500	86,000
36		81,000	86,500
37		81,500	87,000
38		82,000	87,500
39		82,500	88,500
40		83,500	89,000
41		84,000	89,500
42		84,500	90,000
43		85,000	
44	80,500	85,500	
45	81,000	86,000	
46	81,500	87,000	
47	82,000	87,500	
48	83,000	88,000	
49	83,500	88,500	
50	84,000	89,000	
51	84,500	89,500	
52	85,000	90,000	
53	86,000		
54	86,500		
55	87,000		
56	87,500		
57	88,000		
58	89,000		
59	89,500		
60	90,000		

SECTION 10. Nonstatutory provisions.

(1) EXCEPTION TO REVIEW BY THE DEPARTMENT OF TRANSPORTATION. Notwithstanding section 13.096 (2) of the statutes, the department of transportation shall not prepare a report on this bill under section 13.096 (2) and (3) of the statutes because the department recently completed the Wisconsin Truck Size and Weight Study, with

a final report dated June 15, 2009, that contained the same or similar information that would be contained in a report on this bill under section 13.096 (2) and (3) of the statutes.

SECTION 11. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.