



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-1667/1  
ARG:jld:jf

## 2011 ASSEMBLY BILL 388

November 21, 2011 - Introduced by Representatives MURSAU, PETROWSKI, SPANBAUER, TAUCHEN, CLARK, BEWLEY, BERNIER, T. LARSON, ENDSLEY and RIVARD, cosponsored by Senators GALLOWAY, HOLPERIN and JAUCH. Referred to Committee on Transportation.

- 1 **AN ACT to amend** 348.27 (9m) (c) of the statutes; **relating to:** overweight permits  
2 for vehicles transporting raw forest products.

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### *Analysis by the Legislative Reference Bureau*

Under current law, with limited exceptions, no person may operate on a highway any vehicle or vehicle combination that exceeds certain statutory weight limits unless the person obtains a permit issued by the Department of Transportation (DOT) or a local highway authority. In issuing an overweight permit, DOT may impose reasonable conditions and restrictions on the permittee as DOT deems necessary for the safety of travel and protection of the highways.

Under current law, DOT may issue annual or consecutive month permits for the transportation of raw forest products in vehicle combinations having a gross weight not exceeding 98,000 pounds if the vehicle combination has six or more axles and meets other criteria (RS permit). "Raw forest products" includes logs, poles, cordwood, wood chips, sawdust, and pulpwood. A vehicle combination operated under an RS permit is subject to certain operating restrictions, including that it cannot be operated on an interstate highway or any highway or bridge with a posted weight limit that is less than the vehicle combination's gross weight, except as described immediately below.

Also under current law, DOT or a local highway authority may impose special weight limits on highways that, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would

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likely be seriously damaged or destroyed in the absence of the special limits. If special weight limits are imposed, the limits must be posted by highway signs along the affected highways. The special weight limits apply regardless of whether a vehicle is being operated under an overweight permit unless the permit expressly authorizes the special weight limits to be exceeded. When DOT issues an RS permit, the RS permit must expressly authorize the vehicle combination to exceed, on state trunk highways and state trunk highway routes designated as connecting highways, any special weight limits posted in connection with the thawing of frozen highways.

Under this bill, an RS permit issued by DOT may not contain any condition or limitation imposed by DOT in connection with the thawing of frozen highways that are not state trunk highways or connecting highways, except that the operation of the vehicle combination under the RS permit is subject to posted weight limits on these local highways.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 348.27 (9m) (c) of the statutes is amended to read:

2           348.27 **(9m)** (c) A permit issued under par. (a) 4. shall expressly authorize the  
3 vehicle combination to exceed, on state trunk highways and connecting highways,  
4 any special weight limitation imposed under ss. 348.17 (1) and 349.16 (1) (a) and (2)  
5 in connection with the thawing of frozen highways and to be operated at the full  
6 weight allowable under par. (a) on state trunk highways and connecting highways.

7 Notwithstanding s. 348.25 (3), a permit issued under par. (a) 4. may not contain any  
8 condition or limitation imposed by the department in connection with the thawing  
9 of frozen highways that are not state trunk highways or connecting highways, except  
10 that the operation of the vehicle combination is subject to posted weight limitations  
11 on these local highways.

12           **SECTION 2. Initial applicability.**

13           (1) This act first applies to permits issued on the effective date of this  
14 subsection.

