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State of Misconsin 2023 - 2024 LEGISLATURE

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2023 ASSEMBLY BILL 440

September 28, 2023 - Introduced by Representatives Kurtz, Schmidt, Armstrong, Born, C. Anderson, Edming, Goeben, Gundrum, Gustafson, Krug, Magnafici, Mursau, Nedweski, Novak, O'Connor, Oldenburg, Penterman, Sortwell and Stubbs, cosponsored by Senators Ballweg, Cabral-Guevara, Cowles, Feyen, Marklein, Nass and Testin. Referred to Committee on Agriculture.

AUTHORS SUBJECT TO CHANGE

- AN ACT to amend 348.25 (4) (intro.); and to create 348.27 (20) of the statutes;
 relating to: permits for the overweight transport of certain fluid milk
 products.
 - Analysis by the Legislative Reference Bureau

This bill authorizes the Department of Transportation to issue annual or consecutive month permits for the transportation of fluid milk product in vehicle combinations that exceed general highway weight limitations. In general, a permit may authorize the operation of a vehicle that exceeds the general highway weight limitations by up to 18,000 pounds, subject to a maximum weight of 98,000 pounds. The bill also prohibits DOT from imposing different conditions for these permits for different fluid milk products. "Fluid milk product" is defined under the bill to include raw milk and liquid milk products and byproducts, including liquid whey and whey byproducts.

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

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

Section 1. 348.25 (4) (intro.) of the statutes is amended to read:

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348.25 (4) (intro.) Except as provided under s. 348.26 (4), (6), or (7) or 348.27 (3), (3m), (4m), (9), (9m), (9r), (9t), (10), (12), (15), (16), (18), or (19), or (20), 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 2. 348.27 (20) of the statutes is created to read:

- 348.27 **(20)** Transportation of Certain fluid Milk Products. (a) In this subsection, "fluid milk product" includes raw milk and liquid milk products and byproducts, including liquid whey and whey byproducts.
- (b) Subject to par. (c), the department may issue annual or consecutive month permits for the transportation of fluid milk product in vehicle combinations that exceed the maximum gross weight limitations under s. 348.15 (3) (c) by not more than 18,000 pounds if the vehicle combination has 6 or more axles and the gross weight imposed on the highway by the wheels of any one axle of the vehicle combination does not exceed 18,000 pounds, except that the gross weight imposed on the highway by the wheels of any steering axle on the power unit may not exceed the greater of 13,000 pounds or the manufacturer's rated capacity, but not to exceed 18,000 pounds. Notwithstanding s. 348.15 (8), any axle of a vehicle combination that does not impose on the highway at least 8 percent of the gross weight of the 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 combination at a maximum gross weight in excess of 98,000 pounds.
- (c) The department may not impose different conditions for permits under this subsection for different fluid milk products.