

State of Wisconsin



2011 Senate Bill 410

Date of enactment: **April 12, 2012**
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2011 WISCONSIN ACT 279

AN ACT *to amend* 348.15 (3) (intro.), 348.19 (2) (a), 348.21 (3) (intro.), 348.21 (3) (a) and 348.21 (3) (b) (intro.); and *to create* 348.17 (6) of the statutes; **relating to**: seasonal weight limits for certain vehicles transporting manure.

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

SECTION 1. 348.15 (3) (intro.) of the statutes is amended to read:

348.15 (3) (intro.) Subject to any modifications made by a 1st class city under s. 349.15 (3) and except as provided in s. 348.17 (5) or (6), no person, without a permit, may operate on a class "A" highway any vehicle or combination of vehicles unless the vehicle or combination of vehicles complies with the following weight limitations:

SECTION 2. 348.17 (6) of the statutes is created to read:

348.17 (6) (a) From September 1 to December 31 of each year, no permit shall be required for the transportation of manure to or from a farm in a vehicle or combination of vehicles that exceeds the weight limitations under s. 348.15 by not more than 15 percent and that satisfies any of the following:

1. Has a registered gross weight of 50,000 pounds or more.
2. Is described in s. 340.01 (24) (b).
3. Is an implement of husbandry as defined in s. 340.01 (24) (a).

(b) This subsection does not apply to the national system of interstate and defense highways.

SECTION 3. 348.19 (2) (a) of the statutes is amended to read:

348.19 (2) (a) Except as provided in par. (b), whenever after a weighing of a vehicle and load as provided in sub. (1) a traffic officer determines that the weight exceeds the limitations imposed by s. 348.15, 348.16, or 348.17 (3) ~~or (5)~~ or (6) or any limitations posted as provided in s. 348.17 (1), the operator of such vehicle shall not proceed ~~to~~ except to drive to such place as directed by the traffic officer for the purpose of reloading or unloading, until such portion of the load has been reloaded or unloaded as may be necessary to reduce the weight of the vehicle and load to comply with the limitations imposed by s. 348.15, 348.16, or 348.17 (3) ~~or (5)~~ or (6) and any limitations posted as provided in s. 348.17 (1). All material so reloaded or unloaded shall be reloaded or unloaded and cared for by and at the risk of the owner or operator of the vehicle.

SECTION 4. 348.21 (3) (intro.) of the statutes is amended to read:

348.21 (3) (intro.) Except as provided in sub. (3g), any person violating s. 348.15 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized under s. 348.17 (3) ~~or (5)~~ or (6) or in an overweight permit issued under s. 348.26 or 348.27 may be penalized as follows:

SECTION 5. 348.21 (3) (a) of the statutes is amended to read:

348.21 (3) (a) If the weight exceeds by 1,000 pounds or less the maximum set forth in s. 348.15 (3) or 348.16

* 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].

or posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized under s. 348.17 (3) ~~or (5)~~, or (6) or in an overweight permit issued under s. 348.26 or 348.27, a forfeiture of not less than \$50 nor more than \$100 upon the first conviction and, upon the 2nd and each subsequent conviction within a 12-month period, a forfeiture of not less than \$100 nor more than \$200.

SECTION 6. 348.21 (3) (b) (intro.) of the statutes is amended to read:

348.21 (3) (b) (intro.) If the weight exceeds by more than 1,000 pounds the maximum set forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized under s. 348.17 (3) ~~or (5)~~, or (6) or in an overweight permit issued under s. 348.26 or 348.27, the forfeiture shall be computed according to the following schedule and in the case of violation of s. 348.15 (3) (bg) or (br) shall be computed on the basis of the weights stated in s. 348.15 (3) (bg) or (br):
