

Capitol LINK

CURRENT ISSUES AFFECTING WISCONSIN AGRICULTURE & AGRI-BUSINESS

September 30, 2011

Transportation is a Focus for the Fall Legislative Session and Special Session

By Jordan Lamb -- DeWitt Ross & Stevens

Both the Legislature and the Administration are making transportation one of the focal points for the fall legislative session. On Sept. 28, 2011, Governor Walker called an additional special legislative session on jobs, which also includes several transportation reform measures that have already been considered in the Legislature.

Special Session Call:

Assembly Bill 252 / Senate Bill 195 (Rep. Petrowski / Sen. Lazich) Extension of Seasonal Weight Limits for Ag Crops: Under current law, certain vehicles or vehicle combinations transporting agricultural crops may, without a permit, exceed weight limits by not more than 15 percent from September 1 to November 30 of each year. This bill extends the annual end date for this exception from November 30 to December 31. Eligible agricultural crops include corn, soybeans, potatoes, vegetables, or cranberries. This legislation has already had hearings in both the Senate and the Assembly and is ready for floor debate.

Assembly Bill 254 / Senate Bill 190 (Rep. Petrowski / Sen. Lazich) Maximum Length for Vehicles Without an Overlength Permit: Under current law, with limited exceptions, no person may operate on a highway any single vehicle with an overall length in excess of 40 feet or any combination of two vehicles with an overall length in excess of 65 feet, unless the person has a permit to exceed these lengths. This bill increases, from 40 feet to 45 feet, the maximum overall length of a single vehicle that may be operated on a highway without an overlength permit. These bills have also both had hearings in both houses and are also ready for floor debate.

Regular Fall Session:

On September 20, 2011, the Assembly Transportation Committee, which is chaired by Rep. Jerry Petrowski (R-Marathon) held a public hearing on **Assembly Bill 248 (Rep. Petrowski / Sen. Harsdorf) Overheight Loads of Hay or Straw.** Under current law, no person may operate any vehicle or combination of vehicles upon a highway that exceeds certain statutory size or weight limits unless the person obtains a permit issued by the Department of Transportation (DOT) or a local authority, as applicable. With exceptions, a permit may not be issued for transporting oversize loads if the load can be reasonably divided or reduced to comply with statutory limits. The generally applicable height limit on highways is 13.5 feet. This legislation allows DOT to issue annual or consecutive month permits for vehicles or vehicle combinations transporting loads of hay or straw that exceed the statutory height limitation of 13.5 feet but do not exceed 14.5 feet if the vehicle is being operated on a highway in an urban area or 15 feet if the vehicle is being operated on any other highway. If the route involves highways that are not state trunk highways, the permit application must be accompanied by a written statement of route approval by the officer in charge of maintenance of the local highway. DOT may issue these permits regardless of whether the load being transported is divisible.

DOT Reviews Potential Freight Reforms

By Jordan Lamb -- DeWitt Ross & Stevens

While the legislature looks at several transportation bills, the Wisconsin Department of Transportation is also looking at several freight reform ideas, which may lead to legislative changes this fall. Of most interest to farmers, is the potential for overall higher weight limits. One of the ideas for reform is to allow, raw, unprocessed agricultural products to be transported in trucks weighing up to 90,000 pounds if those trucks have 6 axels. This would emulate Minnesota's provision and would be allowed on state highways but would not be allowed under federal law on Interstates.

In addition, the DOT is considering emulating Minnesota's vehicle length provision to allow single vehicles up to 45 feet (from the current standard of 40 feet). This proposal is identical to AB 254, which is authored by Rep. Petrowski and Senator Lazich. (See above.)

DOT Secretary Mark Gottlieb Addresses Ag Coalition

By Jordan Lamb -- DeWitt Ross & Stevens

On August 26, DOT Secretary Mark Gottlieb addressed the members of the Ag Coalition to update them about a number of state transportation issues. The Wisconsin Corn Growers Association had raised concerns about the creation of "roundabouts" on a number of state highways serving agricultural areas. The concern was that large vehicles would have trouble navigating the roundabouts. The Secretary indicated that he would look into the problem but that it was his understanding that large or long vehicles were to drive over the center of the roundabout, as opposed to trying to make the circular turn. He stressed that numerous studies have indicated that roundabouts are safer than traditional intersections. The Senate Transportation Committee has scheduled an informational hearing about roundabouts for Thursday, October 6 at 1:00 p.m.

The Secretary also told the Coalition that he was looking carefully at the movement of freight throughout the state and is interested in enhancing freight friendly corridors through Wisconsin. He also stated that there appears to be no movement on the federal level to require commercial drivers licenses (CDLs) for the operation of farm equipment. However, the federal budget problems could hit Wisconsin. Currently, our state receives \$740 million annually in federal highway aid. If the federal budget issues are not resolved, we could see that amount significantly reduced.

Capitol Link Details

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