



Capitol LINK

CURRENT ISSUES AFFECTING WISCONSIN AGRICULTURE & AGRI-BUSINESS

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Are you Planning on Using Farm Implements this Spring? Then Read This!

By Jordan Lamb, DeWitt Ross & Stevens

Your Farm Implements are NOT Exempt from Current Road Weight Limits.

Under current Wisconsin law, road weight limits do apply to farm machinery, known as "implements of husbandry" (IoH). Implements of husbandry have never been exempt from road weight limits and enforcement of these weight limitations could occur at any time.

What does "enforcement of weight limits on IoH" mean? Under current law, if the IoH exceeds statutory weight limits, then the vehicle must be unloaded until it meets those limits or an overweight permit must be secured to continue operation on the roadways. But, under current law, there is no overweight permit system for IoH. So, under current law, if your IoH is overweight and enforcement occurs, you arguably can no longer operate it on the roadways. Current statutory weight limits for IoH are set at 80,000 pounds gross vehicle weight or up to 20,000 pounds per axle, depending on axle spacing. Many Wisconsin IoH in use today exceed those weight limits.

What is being done to address this problem? Following increased pressure from towns and counties who are ready to enforce statutory weight limits on IoH, the WisDOT, in partnership with DATCP, convened an Implements of Husbandry (IoH) Study Group early in 2013. This group involved over 20 stakeholders representing various transportation and farm organizations, equipment manufacturers, law enforcement, local officials and the University of Wisconsin-Madison/Extension and developed a series of recommended changes to Wisconsin's size and weight limits for IoH (i.e., tractors, combines and other farm implements.) After a series of statewide Town Hall meetings, the study group presented its final recommendations for legislative changes to the State Legislature. (Go to

<http://www.dot.wisconsin.gov/business/ag/index.htm> to review the recommendations.)

In response, State Representative Keith Ripp (R-Lodi) and State Senator Jerry Petrowski (R-Marathon) have drafted legislation (SB 509 / AB 648) to implement several changes to the loH statutes. Wisconsin farmers have been working with these legislative authors in order to ensure that any changes to loH laws will preserve the ability to move equipment with minimal interruption on the roadways.

How does the proposed legislation change this situation? The good news is that the proposed legislation would increase current weight limits for farm implements by 15% and would create a system through which farmers can apply for overweight permits to exceed those limits. The legislation generally would provide the following parameters for the continued operation of loH on Wisconsin roadways:

Proposed Width / Lighting Provisions - No limitations for loH that are under 15' wide and no permit required even for loH that exceed 15'. loH of 15'- 20' wide or vehicles that will cross the centerline will be required to have lighting during darkness. loH over 22' wide, required to have lighting and an escort vehicle. Owners will be given 18 months to retrofit vehicles with required lighting. Converted commercial motor vehicles (i.e., dump truck-like manure spreaders, etc.) may have a maximum width of 10'. There will be no permit requirement for over-width loH.

Proposed Weight Provisions - The legislation increases the allowable gross vehicle weight for loH by 15% (i.e., from 80,000 pounds to 92,000 pounds). The per axle weight limit is also increased 15% (i.e., from 20,000 pounds to 23,000 pounds per axle.) This is not in addition to the fall harvest 15%. Rather, this 15% is applied to loH across the board.

- A self-propelled combine, forage harvester, fertilizer or pesticide application equipment and other tillage and planting loH must be given a permit to operate overweight. This category of loH cannot be denied a permit. The local authority (town or county) must provide an authorized route for use of this equipment.
- Any permit denial must be reasonable and must be related to preservation of the roadway. (The permit cannot be denied for reasons unrelated to roadway maintenance.)
- The fall harvest 15% overweight allowance will continue to apply to other vehicles used for harvest. In order to exceed these weight limitations for any loH, you must receive local written authorization. (A uniform local form is required to be developed by DOT.)

Proposed Length Provisions - One loH vehicle may be up to 60' long. A two-vehicle loH train is limited to 100'. A three-vehicle loH train may be 70-100' long with a maximum allowable speed limit of 25 mph. A local permit is required to exceed these length limitations.

Proposed Height Provisions - The maximum loH height limitation of 13' 6". (This is identical to current law.) The loH driver is responsible for checking his route for low bridges, wires, etc. No permit required.

Proposed Miscellaneous Provisions:

- Pick-up trucks will be permitted to tow or pull loH (i.e., hay wagons, etc.)
- Towns and counties can "opt out" of this permit system and choose to simply allow loH or a specific category of loH on their roadways without any permit requirements.

The Bottom Line on loH: If this legislation fails to pass this session, then Wisconsin farmers are left with current law. Under current law, many farm implements are overweight. Under current law, there is no system to secure overweight permits for loH without a statutory change. Under current law, many loH could be unusable on Wisconsin roadways.

If the legislation is adopted, then a 15% increase in loH weight limits and a system through which farmers can secure overweight permits would be established for those towns and counties that choose to impose such a system.

Consider how this situation could affect you and take time to engage in this discussion today.

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