

# Clearinghouse Rule 97-116

## CERTIFICATE

STATE OF WISCONSIN )  
 ) ss.  
DEPARTMENT OF TRANSPORTATION )

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

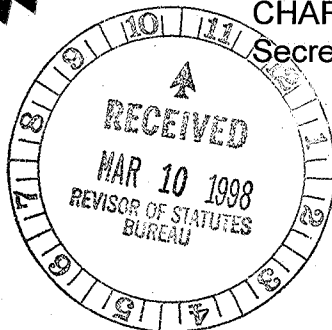
I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **multiple trip mobile home permits**, was duly approved and adopted by this Department on March 9, 1998.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 9 day of **March**, 1998.

  
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CHARLES H. THOMPSON  
Secretary



5-1-98

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The Wisconsin Department of Transportation adopts an order to create TRANS 261.155, relating to Multiple Trip Mobile Home Permits.

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**ORDER ADOPTING RULE****Analysis Prepared by the Wisconsin Department of Transportation**

**STATUTORY AUTHORITY:** ss. 85.16(1), 227.11(2)(a), and 348.25(3), Stats.

**STATUTE INTERPRETED:** ss. 340.01(29), 348.05, 348.25, and 348.27, Stats.

**General Summary of Rule.** The rule creates s. Trans 261.155, which allows the Department to issue multiple trip permits for mobile homes or modular building sections that do not exceed 16 feet in width, or 15 feet 6 inches in height. These permits may be used only to allow transportation of mobile homes and modular building sections for a maximum distance of 5 miles on pre-approved routes to perform any step in the manufacturing process. These permits may not be used to transport mobile homes or modular building sections to sales or building sites.

If a local road or county highway is used to transport these loads, the local or county highway authority with the responsibility to maintain these highways must approve the movement.

Additional safety requirements include the preparation of a traffic safety plan and a maximum speed of 35 miles per hour on highways with unpaved shoulders.

**Fiscal Impact.** The Department estimates that there may be a fiscal impact on the liabilities or revenues of any county, city, village or town responsible for maintaining local roads.

**Copies of Rule.** Copies of the rule may be obtained upon request, without cost, by writing to Kathleen Nichols, Wisconsin Department of Transportation, Division of Motor Vehicles, Motor Carrier Services Section, Room 151, P. O. Box 7981, Madison, WI 53707-7981, or by calling (608) 266-6648. Hearing-impaired individuals may contact the Department using TDD (608) 266-0396. Alternate formats of the rule will be provided to individuals at their request.

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**TEXT OF RULE**

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 85.16(1), 227.11(2)(a), and 348.25(3), Stats., the department of transportation

hereby adopts an order amending a rule, interpreting ss. 340.01(29), 348.05, 348.25, and 348.27, Stats., relating to multiple trip mobile home permits.

**SECTION 1.** Section Trans 261.155 is created to read:

**Trans 261.155 MULTIPLE TRIP MANUFACTURING PROCESS PERMITS.**

(1) The issuing authority may issue annual or consecutive month permits to licensed mobile home transport companies and to licensed mobile home manufacturers for the transportation of mobile homes and modular building sections that are not greater than 16 feet wide in total exterior width including all protrusions, or 15 feet 6 inches in total height, but only if all of the following conditions are satisfied:

(a) Each movement is limited to a distance of 5 straight-line air distance miles, on a route pre-approved by the person responsible for maintaining the highways and local roads over which the movement will occur, and identified in a traffic safety plan. Pre-approved routes must be able to accommodate the maximum dimensions in this subsection, and ensure that the mobile home or modular building sections clear all overhead structures by at least 6 inches. The number of pre-approved routes for each move may be limited to one route by either the issuing authority, or the person responsible for maintaining the highways and local roads over which the movement will occur.

**NOTE: Examples of overhead structures are bridges, overpasses, power lines, utility lines, and traffic devices.**

(b) The mobile home or modular building sections are transported from a manufacturing plant to or from another manufacturing plant, including a subcontractor's manufacturing plant. This includes movement to a manufacturer-owned storage lot where partially completed mobile homes are temporarily stored while awaiting further

construction, or where fully completed mobile homes are temporarily stored immediately after construction is completed.

(c) The mobile home or modular building sections are being transported to perform any step in the manufacturing process.

(d) A traffic safety plan has been prepared by the manufacturer and approved by the person responsible for maintaining the highways and local roads over which the carrier will transport a load authorized by this section. A traffic safety plan may include the installation and use of additional traffic control devices, the use of additional traffic control precautions such as flag persons, the use of escort vehicles, or additional driver training. The approved traffic safety plan must be included with the application submitted to the issuing authority.

(2) A permit authorized in sub. (1) may not be issued to transport mobile homes or modular building sections from a manufacturing plant to a sales location or a building site.

(3) A permit issued under this section is not a guarantee of the sufficiency of any highway or structure for the transportation of the vehicle or the load.

(4) For each local road or county highway on which the applicant seeks authority to operate under this section, a permit for a mobile home or modular building section may be issued only upon presentation of written proof that permission for operation has been granted by any local authority or person in charge of maintaining those highways.

(5) When transporting a mobile home or modular building sections under this section, the power unit shall be stopped when necessary by the driver to allow traffic to pass from either direction without delay.

(6) The wheels of a mobile home or undercarriage shall be operated as close to the right edge of the shoulder as possible in order to provide minimum interference with the left lane of traffic. However, to minimize damage to the shoulder in the area immediately adjacent to the pavement, the right wheels may not be operated on the shoulder within 2 feet of the edge of the pavement except to cross this area.

(7) The maximum speed of a mobile home or modular building section operating on highways without paved shoulders may not exceed 35 miles per hour.

(8) In addition to the amber flashing or revolving lamps specified in s. Trans 261.10(2), each mobile home or modular building section shall be equipped with a similar lamp visible from the front of the vehicle when operated on 2-way roadways.

(9) A permittee shall certify, and may be required to present satisfactory written evidence, that the amount of insurance coverage given in s. Trans 261.14(6)(b), or a bond in a form satisfactory to the issuing authority, will be in effect for the vehicle and load designated in the permit while operating on the public highway, unless this requirement is expressly waived by the issuing authority.

(END OF RULE TEXT)

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**Effective Date.** This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 9 day of March, 1998.



*Charles H. Thompson*  
CHARLES H. THOMPSON  
Secretary  
Department of Transportation



# Wisconsin Department of Transportation



Tommy G. Thompson  
Governor

Charles H. Thompson  
Secretary

OFFICE OF GENERAL COUNSEL  
P. O. Box 7910  
Madison, WI 53707-7910

March 10, 1998

Mr. Gary Poulson  
Deputy Revisor of Statutes  
131 West Wilson Street, Suite 800  
Madison, Wisconsin 53703


RE: **CLEARINGHOUSE RULE 97-116**

In the Matter of the Adoption of **TRANS 261**, Wisconsin Administrative Code,  
relating to **multiple trip mobile home permits**.

Dear Mr. Poulson:

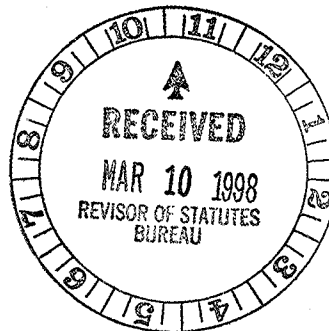
Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 97-116**, an administrative rule relating to the above-mentioned matter.

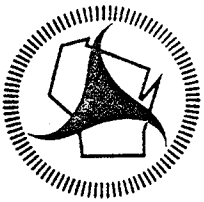
Sincerely,

  
Julie A. Johnson  
Paralegal

Enclosures

cc: Gene Kussart  
Mike Goetzman  
Sandy Beaupre  
Jim Gruendler  
Roger Cross  
Bill Singletary  
Kathleen Nichols  
Carson Frazier  
Mark Morrison





# Wisconsin Department of Transportation



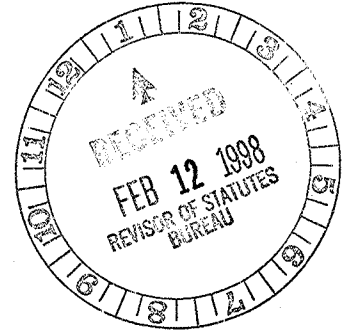
Tommy G. Thompson  
Governor

Charles H. Thompson  
Secretary

OFFICE OF THE SECRETARY  
P. O. Box 7910  
Madison, WI 53707-7910

February 10, 1998

The Honorable Representative David Brandemuehl  
Chairman, Assembly Committee on Highways & Transportation  
Room 317 North, State Capitol  
Madison, Wisconsin 53702



**RE: Proposed Administrative Rule  
Chapter Trans 261, Wisconsin Administrative Code  
Clearinghouse Rule No. 97-116**

Dear Representative Brandemuehl:

Your letter of January 21, 1998, requests a meeting with the Department of Transportation for a possible amendment to Trans 261, relating to multiple trip mobile home permits. Under s. 227.19(4)(b)1.a., Stats., this request extends the review period of the Assembly Highways and Transportation Committee by an additional 30 days, thereby expiring on February 19, 1998.

Accordingly, pursuant to § 227.19(4)(b)2, Stats., the Department proposes the enclosed germane modification to this final draft rule as shown on the attached redlined version, page 3. The preparation feature used shows the changes made by shading the new language and deleting the old language. Please replace pages 3-5 with the enclosed new pages 3-5 which the Department has rewritten to reflect your modification request.

Thank you for your consideration of this proposal.

Sincerely,

Charles H. Thompson  
Secretary

CHT/JAJ/dim

cc: Senator Kimberly Plache/Senator Richard Grobschmidt/Representative Glenn Grothman/Gary Poulson/Gene Kussart/Kathleen Nichols/Mark Morrison/  
Carson Frazier

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**(END OF RULE TEXT)**