

Clearinghouse Rule 99-136

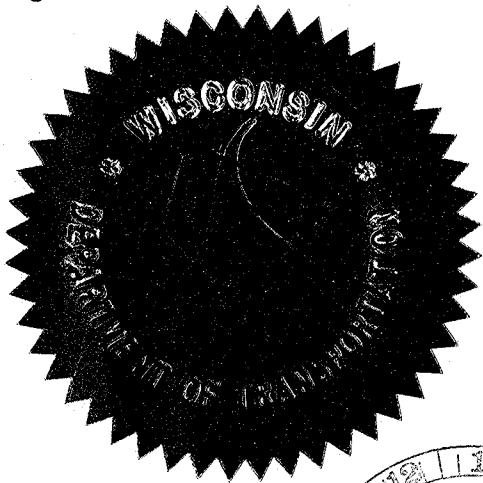
CERTIFICATE

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

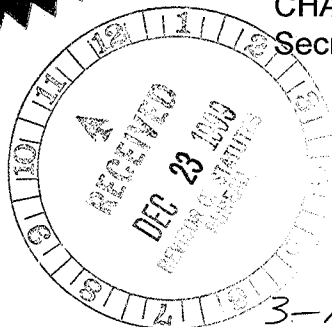
I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **escort vehicles**, was duly approved and adopted by this Department on December 23, 1999.

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.



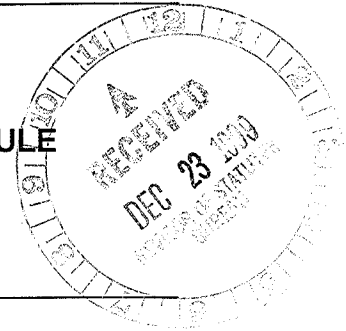
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 23 day of **December**, 1999.


CHARLES H. THOMPSON
Secretary



3-100

The Wisconsin Department of Transportation adopts an order to repeal TRANS 252.05(2); renumber and amend TRANS 252.05(3) and (4); renumber TRANS 252.05(5); amend TRANS 252.05(1); and repeal and recreate TRANS 252.02, relating to escort vehicles.

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

STATUTORY AUTHORITY: s. 348.25(3), Stats.

STATUTES INTERPRETED: s. 348.25(3), Stats.

General Summary of Rule. This rule will amend ch. Trans 252, relating to Escort Vehicles, to update some requirements reflecting changes in vehicle manufacturing and industry practices. The rule is amended to expand vehicles which may be used as escort vehicles to include single-unit trucks up to 16,000 pounds actual gross vehicle weight, gross vehicle weight rating, or registered weight. The amendment clarifies the reference to a Type 1 automobile as defined in state law, and clarifies that any escort vehicle must meet the "overhang" requirements of s. 348.09, Stats., when carrying the required sign. The rule allows either the current sign or a smaller (5' x 12') sign. Finally, the rule amendment eliminates the requirement that escort vehicles display flags on the bumpers but, instead, requires flashing lights or strobe lights that are visible all around (360 degrees).

Fiscal Effect. The rule will have no fiscal impact on the State or local units of government.

Final Regulatory Flexibility Analysis. The rule amendment will benefit small businesses involved in oversize/overweight load transport. The amendment reflects changes in vehicle manufacturing and industry practices, and thus should reduce business costs in complying with escort vehicle requirements. Escort vehicle requirements are necessary to adequately protect safety of the traveling public which may encounter an oversize/overweight load in transit.

Copies of Rule. Copies of the rule may be obtained upon request, without cost, by writing to Kathleen Nichols, Department of Transportation, Motor Carrier Services Section, Room 151, P. O. Box 7980, Madison, WI 53707-7980, or by calling (608) 266-6648. Hearing-impaired individuals may contact the Department using TDD (608) 266-3096. Alternate formats of the rule will be provided to individuals at their request.

PART 2
TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by s. 348.25(3), Stats., the department of transportation hereby amends a rule interpreting s. 348.25(3), Stats., relating to escort vehicles.

SECTION 1. Trans 252.02 is repealed and recreated to read:

TRANS 252.02 Definitions. Unless otherwise stated, the definitions of words and phrases in ss. 340.01 and 348.01(2), Stats., and s. Trans 250.02 apply to this chapter.

SECTION 2 Trans 252.05(1) is amended to read:

Trans 252.05(1) VEHICLE. An escort vehicle shall be a ~~passenger~~ Type 1 automobile or a ~~light~~ single-unit motor truck of not more than 16,000 pounds actual gross vehicle weight, gross vehicle weight rating or registered weight. The escort vehicle shall be so designed as to afford its driver a clear and unobstructed view to ~~both~~ the front and, rear, right and left. Unobstructed view to the rear may be provided by outside mirrors on both sides of the vehicle.

NOTE: The escort vehicle sign may not exceed "overhang" limitations specified in s. 348.09, Stats., which states:

348.09 Projecting loads on side of vehicles. (1) No person, without a permit therefor, shall operate on a highway any motor vehicle, trailer or semitrailer carrying any load extending beyond the fender line on the left side or extending more than 6 inches beyond the fender line on the right side of the vehicle. In the case of motor trucks, "fender line" means the outermost limits of the rear fenders, flare boards or floor of the body, whichever projects outward the farthest.

(2) This section applies even though the total width of the vehicle and load does not exceed the maximum permitted under s. 348.05.

SECTION 3. Trans 252.05(2) is repealed.

SECTION 4. Trans 252.05(3) and (4) are renumbered Trans 252.05(2) and (3) and, as renumbered, are amended to read:

Trans 252.05(2) OVERSIZE LOAD SIGN. ~~An escort~~ A vehicle escorting an oversize vehicle shall have an "OVERSIZE LOAD" sign mounted above the roof of the escort vehicle and above any equipment mounted on the vehicle which would obscure an approaching driver's clear view of the sign. The lettering on the sign shall be 10 inches high in black on ~~an~~ a solid yellow or amber background and may not have a stroke width of less than one and ~~five-eighths~~ one-half inches. The visible surface of the sign may not be less than ~~6~~ 5 feet wide ~~or 18~~ and 12 inches high. The sign shall be visible to traffic approaching from the front of an escort vehicle preceding a load. In the case of an escort vehicle operating to the rear of the load being transported, the sign shall be visible to traffic approaching from the rear. No sign message may be displayed to traffic when the escort vehicle is not escorting an oversize load.

(3) WARNING LAMPS. (a) An escort vehicle shall be equipped with at least 2 amber warning lamps mounted on or above the vehicle roof. A warning lamp includes a single or multiple pulse strobe light. Each such warning lamp shall ~~be equipped with a reflector at least 7 inches in diameter and shall flash, oscillate pulse or rotate between 30 and 90~~ 120 times per minute. The multiple flash effect shall be counted as a single flash. Each such warning lamp shall have sufficient intensity to be clearly visible and attention-attracting at a distance of 500 feet, under all conditions when the oversize or overweight vehicle or load is on the highway, except when visibility of the lamp is temporarily obstructed by a hill crest, a curve or an object such as another vehicle.

(b) The ~~2~~ 2 amber warning lamps shall be mounted at the same level, shall be separated laterally as much as possible, shall be visible all around, or 360 degrees, and shall flash, ~~oscillate pulse or rotate simultaneously.~~ oscillate pulse or rotate simultaneously.

SECTION 5. Trans 252.05(5) is renumbered Trans 252.05(4).

(END OF RULE TEXT)

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 23 day of
December, 1999.



CHARLES H. THOMPSON

Secretary

Wisconsin Department of Transportation



Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

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December 23, 1999

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

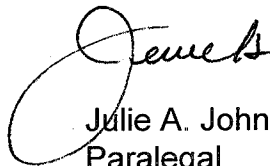
RE: **CLEARINGHOUSE RULE 99-136**

In the Matter of the Adoption of **TRANS 252**, Wisconsin Administrative Code,
relating to **escort vehicles**

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 99-136**, an administrative rule relating to the above-mentioned matter.

Sincerely,


Julie A. Johnson
Paralegal

Enclosures

cc: Roger Cross
David Schumacher
Jim Gruendler
Mike Goetzman
Alice Morehouse
Kathleen Nichols
Brian Ausloos
Ashwani Sharma
Carson Frazier

