

Chapter Trans 256

SINGLE TRIP TRAILER–TRAIN PERMITS

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**Trans 256.01 Purpose.** The purpose of this chapter is to establish standards and procedures for the issuance of single trip trailer–train permits, pursuant to s. 348.26 (3), Stats.

**History:** Cr. Register, December, 1990, No. 420, eff. 1–1–91.

**Trans 256.02 Definitions.** (1) 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.

(2) As used in this chapter:

(a) “Issuing authority” means the department of transportation, or the officer in charge of maintenance of local highways.

**Note:** The officer in charge of maintenance of local highways varies from jurisdiction to jurisdiction and may include the county highway commissioner; the city, town or village engineer; and the head of a city, town, or village transportation or public works department, or other person.

(b) “Permit” means single trip trailer–train permits authorized under s. 348.26 (3), Stats.

**History:** Cr. Register, December, 1990, No. 420, eff. 1–1–91.

**Trans 256.03 Permit application.** (1) An application for a permit shall be submitted to an issuing authority on a form approved by the department, and in accordance with s. 348.26, Stats.

(2) An application for a permit for the use of a state trunk highway shall be made to the department in any of the following ways:

- (a) In person, at the department’s central or region offices.
- (b) By mail, addressed to the department’s central office.
- (c) By the telephone call–in procedure, described in ch. Trans 275.
- (d) By authorized permit service.

(3) An application for a permit for the use of a highway maintained by a local authority shall be submitted to the applicable local authority in the manner prescribed by the local authority. An application for a permit for the use of a state trunk highway within the geographical boundaries of a local authority shall be submitted to the applicable local authority in the manner prescribed by the local authority.

**Note:** Permit application procedures are in s. Trans 250.025

**History:** Cr. Register, December, 1990, No. 420, eff. 1–1–91; **correction in** (2) (a) **made under** s. 13.92 (4) (b) 6., Stats., Register February 2013 No. 686.

**Trans 256.04 Permit amendments.** (1) An application for an amendment to a permit shall be made to the issuing authority which issued the original permit.

(2) An application for an amendment may be made in the same manner as an application for an original permit.

(3) The request shall specify the permit number of the permit to be amended.

(4) A request for an extension of a permit may be made any time until the 3rd day after the expiration date of the permit.

(5) An issuing authority may grant only one extension to a permit.

(6) Except as provided in sub. (7), a permit issued for less than 2 weeks may be extended not more than 2 weeks.

(7) An issuing authority may extend a permit not more than 2 additional weeks where highway or other conditions remain unchanged, or as the issuing authority deems necessary.

**Note:** Limitations on the amendment of permits are in s. Trans 250.10.

**History:** Cr. Register, December, 1990, No. 420, eff. 1–1–91.

**Trans 256.05 Eligibility.** (1) Any vehicle or vehicle and load to be considered as operating under a permit shall satisfy the requirements for a permit under s. 348.25, Stats.

(2) An issuing authority may issue a permit for empty trailer trains that are not reasonably divisible for purposes of movements to or from vehicle manufacturing, maintenance, repair, staging or terminal facilities.

(3) An issuing authority may not issue a permit for wagons used in connection with seasonal agricultural industries.

(4) A permit may not authorize the operation of more than 3 vehicles in combination.

(5) An issuing authority may issue a permit only for a vehicle equipped with pneumatic tires.

(6) The issuance of a permit is not a guarantee of the sufficiency of any highway or structure for the transporting of the vehicle, load, or vehicle and load.

**History:** Cr. Register, December, 1990, No. 420, eff. 1–1–91.

**Trans 256.06 Validity.** (1) A permit is valid only for the route specified in the permit, which may include the return trip on the reverse route if requested and approved, and which includes the movement of the empty vehicle, whether or not oversize or overweight, to and from the place of pickup or delivery of the permitted load.

(2) A permit is valid only for the vehicle described in the application and permit.

(3) A permit is valid only on the route specified in the permit.

(4) An issuing authority may suspend a permit, or any of its conditions, because of seasonal highway conditions.

**Note:** Spring thaw, flooding, and traffic congestion.

(5) No condition of a permit may modify any law or regulation limiting loads because of local conditions, including load limits on bridges and highways, seasonal weight restrictions, or load limits imposed because of construction.

(6) A permit is not valid during periods when adverse weather or road conditions, such as fog, smoke, heavy rain, snow or ice, or wind velocity, impair the safety of a movement under the permit.

(7) A permit may not be used in combination with a multiple trip permit to authorize the movement of an oversize vehicle, load, or vehicle and load.

**History:** Cr. Register, December, 1990, No. 420, eff. 1–1–91.

**Trans 256.07 Registration requirements.** (1) A vehicle operating under a permit shall be registered as required by

Wisconsin Statutes, and shall be registered at not less than the permit weight or at the maximum available registration weight, whichever is less.

(2) All other operational permits required by the department or other agencies having jurisdiction shall be obtained.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91; correction in (2) made under s. 13.93 (2m) (b) 6., Stats., Register, August, 1996, No. 488.

**Trans 256.08 Driver and operating requirements.**

(1) The driver of a vehicle operating under a permit shall carry the permit in the vehicle to which it applies and shall have the permit available for inspection by any police officer, representative of the issuing authority, or person in charge of the maintenance of the highway being used.

(2) The driver of a vehicle operating under a permit shall, whenever reasonable and practicable, maintain a distance of not less than 1,000 feet between the vehicle with the permit and any vehicle the driver is following, unless actually engaged in overtaking and passing another vehicle.

(3) The driver of a vehicle operating under a permit shall allow traffic approaching or overtaking the permitted vehicle to pass, where it is safe to do so.

(4) Unless a lower speed is specified in the permit, a vehicle operating under a permit may be operated at the posted speed limit.

(5) The right wheels of the towed unit may not leave the roadway, except to allow traffic to pass.

**Note:** A "roadway" does not include paved or unpaved shoulders. s. 340.01 (54), Stats.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 256.09 Maximum size and loading limitations.**

(1) The maximum size limitations authorized by a permit may not be exceeded.

(2) The total length of trailer-trains consisting of truck-tractors, tractors, trailers, or semi-trailers operating under the terms of a permit, and the number of vehicles in the trailer-train authorized by the issuing authority may not be exceeded.

(3) The overall length of the train of vehicles may not exceed 100 feet.

(4) No vehicle in a trailer-train may be overweight or overwidth.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 256.10 Flag requirements. (1)** When a vehicle, load, or vehicle and load is overlength, 2 flags shall be fastened at the rear corners of the vehicle.

(2) Each flag shall be solid red or orange in color, and not less than 18 inches square.

(3) In order to wave freely, flags shall be securely fastened by at least one corner or securely mounted on a staff.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 256.11 Times of operation. (1)** Except as otherwise specified in a permit, no vehicle or vehicle combination operating under a permit may operate:

- (a) Between 4:00 p.m. and 11:00 p.m. on Sunday.
- (b) Between 4:00 p.m. and 11:00 p.m. on Friday between the 4th Friday in May and Labor Day.
- (c) Between 4:00 p.m. and 11:00 p.m. on any holiday, or, when Independence Day falls on Sunday, on the following Monday.
- (d) Between 4:00 p.m. and 11:00 p.m. on the day before any holiday, except that this restriction does not apply to Independence Day when it falls on a Sunday.

(2) An issuing authority may issue a permit for times other than those specified in sub. (1), under extraordinary circumstances when, in the opinion of the issuing authority, public health and welfare is better served, and may impose additional condi-

tions necessary to promote the safe operation of the vehicle and load.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 256.12 Route limitations. (1)** A permit issued by the department for a movement which is partly on the state trunk highway system and partly on other classes of highways is valid only on state trunk highways.

(2) An oversize vehicle or vehicle-train may not be operated on a highway at any time that a permit is not valid.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 256.13 Power unit change.** In the event of a breakdown or unavailability of the power unit listed on the application and permit, another power unit may be substituted, provided that the make and vehicle identification number, or license number and state, of the substitute power unit are written on the permit. The issuing authority shall be advised by telephone prior to operating the substitute power unit with the oversize load. Changes in the terms of the permit, other than the identification of the power unit, require a written request and a written amendment to the permit authorizing the change. The driver of a vehicle operating under a permit shall have the amended permit in his or her possession prior to the movement of the load.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 256.14 Insurance and liability conditions.**

(1) In applying for and accepting a permit, a permittee agrees to:

(a) Pay any claim for any bodily injury or property damage resulting from operation under the permit for which the permittee is legally responsible.

(b) Hold the state, its subdivisions, officers, employees and agents harmless from any claim which may arise from operation over public highways under the permit.

(2) Whether or not insurance, bond, or deposit as set forth in sub. (7) is required, the permittee shall be liable for all damages which any highway or its appurtenances may sustain by reason of any operation under the permit.

(3) An issuing authority may waive insurance requirements for permits issued to government.

(4) Where a certificate of insurance is required, no insurer may cancel the certificate of insurance without providing the issuing authority 10 days advance written notice of the cancellation.

(5) An issuing authority may require a permittee to provide more bodily injury and property damage liability coverage than is set forth in sub. (6).

(6) The following insurance amounts are required:

Bodily injury liability—each person . . . . .	\$150,000	or	\$750,000
Bodily injury liability—each accident . . . . .	\$450,000	combined single	
Property damage liability—each accident . . . . .	\$300,000	limit	

(7) A permittee shall certify, and may be required to present satisfactory written evidence, that the amount of insurance coverage given in sub. (6), 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 a public highway, unless this requirement is expressly waived by the issuing authority.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 256.15 General conditions and requirements.**

A permittee shall comply with all applicable statutes, ordinances, rules and policies of any state agency or subdivision of the state, unless they are modified by the conditions of the permit.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 256.16 Denial, suspension or revocation of permit. (1)** An issuing authority may deny, suspend, or revoke a permit for good cause, pursuant to s. 348.25 (7), Stats. Grounds for the denial, suspension, or revocation of a permit include:

- (a) Violation of any condition of a permit.
- (b) Preventing an employe of an issuing authority or a law enforcement officer from performing his or her official duties, or interfering with the lawful performance of his or her duties.
- (c) Physically assaulting an employe of an issuing authority or a law enforcement officer while performing his or her official duties.
- (d) Making a material misstatement in an application for a permit.
- (e) Unauthorized alteration of a permit.

(f) Refusal or failure, without just cause, to produce required records.

(g) Payment of an application fee with a worthless check.

(h) Violation of any other applicable provision under ch. 348, Stats., or this chapter.

**(2)** A permittee shall immediately return a suspended or revoked permit to the issuing authority after receiving notice from the issuing authority of the suspension or revocation of the permit.

**Note:** If a permit is denied, suspended, or revoked, an applicant or permittee may request a hearing before the division of hearings and appeals, pursuant to s. 348.25 (9), Stats.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.