



## Vehicle Weight Limits

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State law imposes weight restrictions on vehicles and vehicle combinations<sup>1</sup> operated on Wisconsin highways. With exceptions, no person may operate a vehicle that exceeds these limitations unless the person obtains a permit from the relevant authority to do so. Highway weight limitations depend on a number of factors, including the type of highway, the number and configuration of axles on a vehicle, the type of cargo, and the time of year. Vehicles must comply with both the gross vehicle weight requirements and individual weight requirements for particular axles or wheels.

### IN GENERAL

Chapter 348, Stats., establishes the maximum weight that a vehicle and its axles may impose upon a highway without the need to obtain a permit.<sup>2</sup> The weight limits apply to the operation of a vehicle on a Class “A” highway, which includes all state highways and connecting highways.<sup>3</sup> Class “A” also includes any county trunk highway, town highway, and city or village street (“local highway”) that has not been designated as a Class “B” highway, which is described below.<sup>4</sup>

### REDUCED WEIGHT LIMIT IMPOSED BY A LOCAL AUTHORITY

The weight limits described above are lawful throughout the state. A county, town, city, or village (“local authority”) may not alter them except as provided in ch. 349, Stats.<sup>5</sup> That chapter enables a local authority to impose reduced weight limits in several circumstances.

#### Class “B” Highway Designation

A local authority may designate all or part of a local highway as a Class “B” highway. In general, the weight limit for operation without a permit on a Class “B” highway is 60 percent of the weight limit that would otherwise apply if the highway was a Class “A” highway.<sup>6</sup>

#### Locally Posted Weight Limit

A local authority may impose a lower weight limit on a local highway in certain circumstances in order to protect it from damage.

First, a local authority may impose a lower weight limit on a seasonal basis to protect a highway because of roadbed weakness due to frost leaving the ground by issuing a so-called “spring thaw” declaration. Second, a local authority may impose a lower weight limit on a special basis to protect a highway because of roadbed weakness due to deterioration or other special condition. In either case, the local authority may do so if the highway likely would be destroyed or seriously damaged in the absence of the weight limit. The local authority must erect signs on or along the highway to give reasonable notice that a seasonal weight limit or a special weight limit is in effect.<sup>7</sup>

Third, a local authority may impose a lower weight limit on a bridge or culvert that cannot safely sustain the maximum statutory weight limit. The local authority must erect signs before each end of the bridge or culvert to give reasonable notice that a bridge or culvert weight limit is in effect.<sup>8</sup>

With limited exceptions, a vehicle may not violate a locally posted weight limit unless operating pursuant to a permit that expressly authorizes such a weight limit to be exceeded.<sup>9</sup>

## INCREASED WEIGHT LIMIT FOR FROZEN ROADS

A vehicle hauling certain raw forest products or road salt or abrasives may carry additional weight in winter without a permit when roads are frozen and therefore damage to them is less likely. The increased limits are triggered when the Department of Transportation (DOT) or the relevant local authority issues a so-called “frozen road” declaration.<sup>10</sup> The higher limits usually extend from mid-December until late February or early March.

## PERMITS TO EXCEED WEIGHT LIMITS

In general, the operator of a vehicle must obtain a permit in order to exceed the statutory weight limit of a given roadway. If the permit is granted, the vehicle is exempt from those restrictions and limitations to the extent stated in the permit. A permit is generally issued by DOT for operation on a state highway and by a local authority for operation on a local highway, although DOT has authority to issue certain permits regardless of the type of highway involved.<sup>11</sup>

In addition to a regular permit for overweight operation, state law also authorizes several specialized permits based on the type of vehicle, load, or operating location involved.<sup>12</sup> For example, the permit for a vehicle hauling seed potatoes may authorize the vehicle to operate above statutory weight limits on portions of a specified federal and state highway, and on certain local highways within 15 miles of those portions to access the federal or state highway or to obtain certain transportation-related services.<sup>13</sup>

Permits may generally be issued annually or for a single trip, multiple trips, or consecutive months. However, certain permits may not be issued if a load can reasonably be divided or reduced and thereby bring the vehicle within statutory weight limits.<sup>14</sup>

## DOT PERMIT PROGRAM

By law, DOT has a certain amount of discretion in implementing a permit program and is authorized to impose reasonable conditions and adopt reasonable rules for the protection of highways.<sup>15</sup> The following rules regarding the issuance of permits are illustrative of this principle:

- A permit is not valid for operation of a vehicle on a Class “B” highway in excess of the Class “B” weight limit unless written permission has first been obtained from the local authority.<sup>16</sup>
- A permit shall not be considered to set aside any regulation limiting loads because of local conditions, including bridges and highways posted for seasonal or special weight restrictions.<sup>17</sup>

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<sup>1</sup> A vehicle combination is any two or more vehicles operating in combination, such as a truck tractor pulling a semitrailer. For ease of reference, this issue brief will use the term “vehicle” to apply to both a vehicle and a vehicle combination.

<sup>2</sup> s. 348.15 (3) (b), Stats.

<sup>3</sup> A “connecting highway” provides a marked route of the state trunk highway system over a street or highway in a municipality. [s. 86.32, Stats.]

<sup>4</sup> s. 348.15 (1), Stats.

<sup>5</sup> s. 349.15 (1), Stats.

<sup>6</sup> ss. 348.16 (2) and 349.15 (2), Stats. The lower weight limit on a Class “B” highway, however, does not apply in certain situations, such as for a vehicle whose operation is pickup or delivery to or from a place of business or residence on a Class “B” highway or for a vehicle hauling certain types of cargo. [s. 348.16 (3) (a) and (d), Stats.]

<sup>7</sup> s. 349.16 (1) (a) and (2), Stats.

<sup>8</sup> s. 349.16 (1) (b) and (2), Stats.

<sup>9</sup> s. 348.17 (1), Stats.

<sup>10</sup> A person operating a vehicle pursuant to a frozen road declaration is nevertheless liable to the relevant highway authority for any damage caused to the highway by that operation. [s. 348.175, Stats.]

<sup>11</sup> ss. 348.25 (1) and (2) (a) and 348.27 (2), Stats.; s. Trans 230.06 (1) (a) and (b), Wis. Adm. Code.

<sup>12</sup> s. 348.27 (3m) to (19), Stats.

<sup>13</sup> For example, the permittee may leave the federal or state highway to reach fuel, food, or repair. [s. 348.27 (9t), Stats.]

<sup>14</sup> See generally subch. IV, ch. 348, Stats., and especially s. 348.25 (4), Stats.

<sup>15</sup> s. 348.25 (3), Stats.

<sup>16</sup> s. Trans 255.12 (6), Wis. Adm. Code.

<sup>17</sup> s. Trans 230.01 (3) (e) 3., Wis. Adm. Code.