

Clearinghouse Rule 19-061

**STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION**

PETITION AND ORDER TO REPEAL UNAUTHORIZED RULES

The Department of Transportation hereby petitions the Joint Committee for Review of Administrative Rules to repeal rules the department has determined to be unauthorized, using the process under s. 227.26 (4), Stats.

PROPOSED ORDER

The Department of Transportation proposes an order to repeal ss. Trans 276.09 (1) and (4), relating to Size and Weight of Vehicles and Vehicle Combinations.

ANALYSIS

Statutes interpreted:

Sections 348.07 and 348.08, Stats.

Statute authority:

Section 85.16 (1), Stats.

Explanation of the agency's authority: Trans 276 became effective on June 5, 1984 by emergency rule. This policy is intended to permit Wisconsin to comply with federal law, to provide guidance to vehicle users and law enforcement authorities for safe and lawful operations, and to continue the reasonable enforcement of Wisconsin vehicle size and combination laws.

Related statute or rule: None

Plain language analysis: Section 84.013 (3) (rb), Stats. authorized construction of HWY 11 in Rock County as a major highway project. This statute has been repealed and no longer authorizes ss. Trans 276.09 (1) and (4) existing in rule. The purpose of this rule is fulfilled.

Agency contact person:

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PROPOSED RULE

SECTION 1. TRANS 276.09 (1) is repealed.

SECTION 2. TRANS 276.09 (4) is repealed.

SECTION 3. EFFECTIVE DATE. The rules repealed in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF RULE TEXT)

Signed this ____ day of _____ 2019.

Joel Nilsestuen
Assistant Deputy Secretary
State of Wisconsin Department of Transportation