The FWHA does not allow overweight divisible loads, that can be reasonably reduced in weight, to operate on Interstate highway. Legal weight is established by ‘the bridge formula’ which compares axles – number & relative placement - and gvw.

The special exception that allows some overweight and oversize operation on 104 miles of I-39 was an Act of Congress which over-rode the above regulation and established that exceptions to legal weight, by statute and/or permit, in law in November 1995, could continue to operate when STH 51 became I-39. NOTE: The same action will have to occur to preserve overweight operation on US-41 when it is converted to interstate.
DEFINITIONS OF “IMPLEMENT OF HUSBANDRY (IOH)"

- Appear in both s.340.01(24) – for size & weight, and in s.341.01(2)(a) – for vehicle registration

- Dessert Before the Main Course:
  - Some vehicles can be IOH for purposes of vehicle registration – i.e., exempt from registration, *but*
  - Are not exempt from legal size requirements.
WHAT IS “LEGAL”?

- Height – 13’06”
  - Almost no exception, exception for Implements of Husbandry (IoH)

- Width – 8’06”
  - Quite a few exceptions, including IoH

- Length –
  - 45’ for single vehicles; from 58’ to 75’ or even no overall for 2-vehicle combos, depending on type

- Number of vehicles in a combination – legal is one towed unit, unless expressly authorized for 2 or 3 in s.348.08

- Weight – set forth in WI s.348.15(3)(c)
  - Common reference is 80k gvw on 18 wheels, but often not true for ag vehicles
  - Various axle weight exceptions
HOW CAN SOMETHING BE BOTH IOH & NOT IOH?

WI STATUTE S.340.01(24) (A) & (B)

- IoH -
- (a) means a vehicle or piece of equipment or machinery designed for agricultural purposes, used exclusively in the conduct of agricultural operations and used principally off the highway, or a trailer-mounted bulk liquid fertilizer container.
- (b) does not include any motor truck, farm truck, road tractor, truck tractor or such vehicle combined w/ a semi-trailer, trailer or farm trailer, when the vehicle or combination is a commercial motor vehicle operated on a highway.

WI STATUTE S.341.01(2)(A)

- IoH –
- Notwithstanding s.340.01(24), “implement of husbandry” means a vehicle or piece of equipment or machinery designed for agricultural purposes, used exclusively in the conduct of agricultural operations and used principally off a highway, or a trailer-mounted bulk liquid fertilizer container.
Exempt from height restrictions per 348.06(2)

“Implements of any height may be temporarily operated upon a highway w/o a permit for excessive height” (Legal height is 13’06)

Exempt from length restrictions per 348.07(2)(e)

“No limitation for implements of husbandry temporarily operated upon a highway.” (Legal length varies)
Mostly exempt from width restrictions per 348.05 (2)(a) & (c).

- "(a) No limitation for implements of husbandry temporarily operated upon a highway in the course of performance of its work."
- "(c) 12 feet for farm tractors, except that the total outside width of a farm tractor shall not exceed 9 feet when operated on..." any interstate other than the portion of I-39 between STH 78 and 29.

There is no gross vehicle weight exemption for IoH. There are axle weight allowances for dairy products.
Oddball vehicle combinations per 348.08 (1) (b)(d)(f)(h)

(b) “2 trailers used primarily as implements of husbandry in connection with seasonal agricultural activities or 1 such trailer and any other implement of husbandry may, w/o such permit, be drawn by a farm tractor if the operation of such combination of such vehicles is exclusively a farming operation and not for the transportation of property for hire and if the overall length of such combination of vehicles does not exceed 60 feet.”

(d) “2 trailers transporting empty pressurized or nonpressurized tanks used for hauling or storing liquid agricultural fertilizer or 2 IoH, including 2 empty trailers used primarily as IoH in connection with seasonal agricultural activities, may, w/o such permit, be drawn by a motor truck or truck tractor if the overall length of such combination of vehicles and load does not exceed 60 feet. For purposes of this paragraph, “empty” means less than 20% full.”
OTHER AG-RELATED EXCEPTIONS

S. 348.05(3) “Farm tractors exceeding 12 feet in width and all other farm machinery and IoH exceeding 8 feet 6 inches in width not being operated in the course of performance of its work may be moved, towed or hauled over the highways w/o a special permit ...between ½ hour before sunrise and sunset on Mondays to Thursdays and from ½ hour before sunrise to 2 p.m. on Fridays. Such overwidth machinery shall not be moved, towed or hauled on any WI highway, other than any overwidth machinery that is not a commercial motor vehicle...” on any interstate except ...unless a special permit has been issued.
OTHER AG-RELATED EXCEPTIONS

- Hay – s.348.(2)(L) – No permit required for transport of hay in bales...if the width does not exceed 12 feet and the total outside width of the load does not exceed the width of a single traffic lane. No operation allowed on any part of the Interstate.

  NOTE: This width exception may be combined with the soon-to-be available “Hay & Straw Permit” to transport overheight and overwidth loads of hay only on allowable roadway. No overweight allowed.
OTHER AG-RELATED EXCEPTIONS

- Harvest Exemption per s.348.17(5)
  - Specified crops from first point of harvest to storage or processing – does not include manure
  - 115% of legal gvw and axle weights allowed (92k)
  - Valid for single and 2-vehicle combos
  - Vehicles must either be exempt from registration e.g., IoH per s.341, or be registered for a minimum of 50k gvw
  - Valid September 1st to December 31st (Just extended from November 30th)
WHAT ABOUT OVERWEIGHT PERMITS?

- Wisconsin has more divisible overweight permits than any other state, but none authorize overweight transport of manure.

- Ag-related Permits:
  + S.348.27(9m) – Raw forest, Fruits & Vegetables Permit – 90k on 5 axles; suspended in Spring
  + S.348.27(9t) – Transportation of Seed Potatoes – 90k on 6 axles; specified transport corridor; not suspended in Spring
  + New Farm & Field Permit – available 6/1/12 – 90k on 6 axles; will be suspended in Spring