

EXECUTIVE SUMMARY FROM THE TOWN'S ASSOCIATION  
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### New IOH Law Overview

On Wednesday, April 23, 2014, Governor Scott Walker signed 2013 Wis. Act 377 (which had been SB 509). It was published on April 24, 2014, which means parts of the new law are in effect now, and some parts become effective in the future as outlined later in this article. This bill as passed by the legislature is a compromise which is intended to give operators of Implements of Husbandry (IOHs) more flexibility to operate on highways as to weight, length and width, while retaining a balance for local officials to protect their highways and highway users from the risks of ever increasing weights, lengths and widths of IOHs. This new act has many aspects and some important points for both IOH operators and local officials to understand. It is hoped by all interested stakeholders that the next few months can be a learning period for all parties.

### What does Act 377 do?

First, the new act created new definitions for various types of implements of husbandry. (1) An **Implement of Husbandry (IOH)** is defined as "a self-propelled or towed vehicle that is manufactured, designed, or reconstructed to be used and that is exclusively used in the conduct of agricultural operations." An IOH may include any of the following four categories:

- (a) Farm tractors (**Referred to a Category A vehicles**)
- (b) A self-propelled combine, a self-propelled forage harvester, or pesticide application equipment *but not including manure application equipment*; towed tillage, planting, and cultivation equipment and its towing power unit; or another self-propelled vehicle that

directly engages in harvesting farm products, directly applies fertilizer, spray, or seeds *but not manure* or distributes feed to livestock. (**Referred to as Category B vehicles**)

- (c) A farm wagon, farm trailer, manure trailer, or trailer adapted to be towed by, or to tow or pull, another implement of husbandry. (**Referred to as Category C vehicles**)

The new act goes on to say that a combination of vehicles in which each vehicle in the vehicle combination is an implement of husbandry as described in (1) above or in which an implement of husbandry described (c) {the category C vehicles} above is towed by a farm truck, farm truck tractor, or motor truck.

The new act goes on to say specifically that an IOH does not include any of the following: 1. An agricultural commercial motor vehicle (which has its own new definition, see below), and 2. A vehicle that is a commercial motor vehicle under federal code 49CFR 390.5.

The new definition in the act for **agricultural commercial vehicle (Ag CMV)** means a commercial motor vehicle to which all the following apply:

- (a) The vehicle is substantially designed or equipped or materially altered from its original construction, for the purpose of agricultural use.
- (b) The vehicle was designed and manufactured primarily for highway use.
- (c) Unless the manufactured prior to 1970, the vehicle was manufactured to meet federal motor vehicles safety standard certification label

requirements as specified in 49 CFR 567.

- (d) The vehicle is used exclusively in the conduct of agricultural operations.
- (e) The vehicle is directly engaged in harvesting farm products, directly applies fertilizer, spray, or seeds to a farm field, or distributes feed to livestock.

The significance of the various categories and specific definitions referred to above is that some provisions of the new act apply different to certain categories but not others. In general the Category B (typically self-propelled units) gain some protections that other IOHs do not have under the new act. Please note that typical manure tankers are not included in Category B, and thus are treated more generally as general IOHs, without the protections of Category B IOHs.

The new Ag CMV definition typically applies to the straight trucks that have a box or tank, or units on a tractor body with a box or tank. These Ag CMV's have not been subject to registration requirements and will continue not to be required to be registered as other CMVs are required if all the provisions (a) through (e) above are complied with. Subsections (d) {used exclusively in the conduct of agricultural operations} and (e) {directly engaged in harvesting farm products, directly applies fertilizer, spray, or seeds to a farm field, or distributes feed to livestock} will be limiting factors that keep this definition narrower than all straight trucks with a box or tank that are used on the highways.

#### **Provisions of Act 377 as it Relates to Height, Length, and Width**

##### **Height**

There is no limit for height for IOH, under the new Act 377. However, the operator remains responsible for ensuring clearance for all bridges and utility lines that are constructed to proper height over highways. Unlike weight limits (which is discussed below) *there is no state or local permit that*

*will allow a 18 foot piece of IOH to go under a 15 foot bridge or telephone line.* The IOH operator is responsible to make sure that proper clearance can be maintained any highway the taller IOHs are operated.

For Ag CMVs, the maximum height is 13 feet 6 inches under Act 377.

##### **Length Issues**

For single IOH vehicles (see definition above, but note this does not include Ag CMV's) the Act permits up 60 feet in length. The Act goes on to allow single IOHs vehicles to exceed this maximum length with a "no fee permit" (which will be discussed later in this article) from either the state on state highways, or local jurisdictions on town, village, city or county highways.

For two vehicle IOHs combination the maximum length is 100 feet under Act 377. "No-fee permits" may be required again to exceed this maximum length.

For three vehicle IOHs combination the maximum length of no more than 100 feet when operated with a maximum speed restriction 25 mph or less, or 70 feet at speeds greater than 25mph. "No-fee permits" may be required to again exceed this maximum length. Towed units being drawn by a motor truck, truck tractor, or Ag CMV must be empty. (Empty means less than 20% full.)

All length limits apply to IOHs being **operated or transported for delivery, service, repair by a dealer or farmer within 75-mile radius of business or farm.** Beyond these dimensions (see maximums above), standard commercial single or annual permits are required. (Note that there is an exemption from axle weight limits and total gross vehicle limits for this type of operation by dealer or farmer. See below under weight discussion.)

For a single Ag CMV the maximum length is 45 feet, but a "no-fee permit" may be required for a Ag CMV to exceed 45 feet.

For a two vehicle Ag CMV combination the maximum length is 70 feet,

but a “no fee permit” may be required over 70 feet.

For a three vehicle Ag CMV combination the maximum length is 100 feet with speed restriction of 25 mph or less or 70 feet maximum length for speeds greater than 25 mph. Note that IOH trailers in combination must be empty (which means less than 20% full).

### **Width**

No width limitations for IOHs were written into the new Act 377, except additional lighting and marking requirements are effective November 1, 2015. See a more detailed discussion of these lighting and marking limitations in a table provided following this article. This provision of no width limitation and additional lighting and marking requirements after November 1, 2015 applies to IOH being operated or transported for delivery, service, repair by dealer or farmer within 75 miles of radius of business or farm.

For Ag CMV the maximum width is 10 feet including attachments or accessories. There is an exception for pesticides sprayers, lime and fertilizer spreaders (not including manure) with extending tires, fenders, or fender flares but may not exceed 12 feet in width.

### **Act 377 as it applies to Weight**

First, it needs to be noted that prior to this new Act 377 being passed agricultural vehicles have been subject to the same weight limits as any other vehicles, with an exception for 15% additional weight during seasonal harvest from September 1<sup>st</sup> to December 31<sup>st</sup> for certain agricultural products (corn, soybeans, cranberries, potatoes, vegetables and manure) from field to storage or from pit to field. This seasonal harvest exception still remains after Act 377 was passed, but is not in addition to the weights established in the act.

Second, under the new Act 377 all IOHs and Ag CMVs still are required to abide by special or seasonal postings of weight limits. This general authority is under Sec. 349.16 of Wis. Statutes for local governments to post for special or seasonal conditions of a local highway at less than the established state weight limits. Please remember that under Sec. 349.16 (2) of Wis. Statutes if this authority is used, **the local jurisdiction must erect signs on or along the highway imposing the special or seasonal weight limit sufficient to give reasonable notice that a special weight limitation is in effect and the nature of that limitation.** This is the same requirement for posting of special weight limitations for bridges or culverts. This posting requirement under Sec. 349.16 (2) is not new in the law and has been the law for many years.

The new provisions under Act 377 in general provide that all IOHs and Ag CMVs will have an additional 15% per axle and 15% gross vehicle weights as established by a new IOH/Ag CMV Maximum Weight Table. The new weight table is based upon the “federal bridge law” and requires for total gross weight increases that there be adequate axles and axle spacing. The 15% per axle increase is from 20,000 lbs. per axle to 23,000 lbs. per axle. The maximum gross vehicle weight is from 80,000 lbs gross weight to 92,000 lbs gross weight is the vehicle has at least five axles and the spread from the foremost axle to the rearmost axle is at least 51 feet. (Be aware that a lot of tractor and manure tankers do not meet the 51 foot distance requirement and thus will not get to 92,000 lbs.)

It was mentioned in the first part of this article that the Category B (typically self-propelled IOHs) gain some additional protections under the new act. It is with weight that Category B has the most significance. Category B IOHs: (1.) exempt from the 23,000 lb. per axle limitation, unless the local jurisdiction adopts and ordinance to

impose the same per axle limit of 23,000 lb.; (2.) exempt from gross vehicle weight and axle weight limits when operating between fields and operated on the highway for a distance of ½ mile or less from farm to field; and (3.) exempt from Class B highway weight limit postings. {The local jurisdiction option to impose the same 23,000 lbs. per axle limitation on Category B is one of the ordinance options (Option E) to be discussed later in this article.} For all IOHs, including Category B self propelled, “no-fee permits” may be required to exceed the axle limitations or gross vehicle weights established by the new IOH/Ag CMV table or established by the local jurisdiction. For Category B self-propelled units, if a “no-fee permit” is applied for the local jurisdiction must give an approved route for the operation of such a Category B unit, which may be on other highways in the local jurisdiction or neighboring highways of other municipalities, the county or state highway system.

It should be noted that for most Category B self-propelled units they are used for planting, tilling, or harvesting and will not be making repetitive trips on local highways. They typically make limited trips from farm to field to do the planting, tilling or harvesting. Category C IOHs (including manure tankers) are the types of units that make repetitive hauls and do not have the right to an approved alternative route if a “no-fee permit” is applied for.

Ag CMVs will be also allowed the 23,000 lb. maximum weights on highways that are not posted for special or seasonal weight limits under Sec. 349.16, plus the total gross weight as established by the new IOH/Ag CMV table, which is dependent upon the number of axles and axle spacing. Ag CMVs must abide by all special and seasonal postings on highways, culverts and bridges. There is an exemption from the maximum weight limits under the new IOH/Ag CMV table and Class B highway weight postings

for Ag CMV traveling for delivery, service, repair, by dealer or farmer within 75 miles of business or farm. Ag CMV’s may also apply for a “no-fee permit” from the local jurisdictions, but no alternate route is required to be given for Ag CMVs as is required for Category B self-propelled units as described above.

While this may appear very complicated at first, there will be training provided around the state by University of Wisconsin Extension and other groups. Our Association will be sending notices of the training opportunities that we are aware of. We will be including this topic on the Fall Workshops and at the State Convention in October for those that want more training and information.

#### **“No-Fee Permits”**

As described above there are several opportunities for IOH owners and operators to apply for “no-fee permits” from local jurisdictions to operate in excess of length and weight limitations as established in this new Act and as established by local jurisdictions (the local options will be discussed later).

The “no-fee permit” was included in the new act to encourage IOH/Ag CMV owners and operators to work with their local jurisdictions to allow the most flexibility to these vehicles while retaining local control over the local highways. **Current law under Sec. 66.0628 of Wis. Statutes provides that “any fee imposed by a political jurisdiction shall bear a reasonable relationship to the service fee for which the fee is imposed.”** Therefore any fee imposed for exceeding weight limits would have been limited to the cost of issuing the permit. The law would not allow a permit fee to charge a fee for use of the highway to raise revenues. Again the no-fee permit was a part of the overall compromise in this act to gain cooperation and discussion by the IOH/Ag CMV owners/operators and local jurisdictions.

“No-fee permits” may impose conditions upon the operators of IOHs and Ag CMVs to provide additional protection to the highways. For example, limiting IOHs that exceed axle limitations to conditions such as one way routes established by the local jurisdiction, Category B self-propelled units to run empty without any product in the bin or attachments. “No-fee permits,” particularly for Category C combinations of IOHs and Ag CMVs to provide financial assurance for security if excess weights are permitted under the “no-fee permits.” We would suggest that language be included in all “no-fee permits” that if damage is done to a local highway by an IOH or Ag CMV, that the permit does not exempt the owner or operator from liability for such damage, but in fact **the permit should expressly state that the owner or operator is still liable for any damage done by excess weight to the highway.** {The issue here may well be the problem of proving that such damage was done by that vehicle, but where the damage is provable, such as entrances to farms and fields, the liability will still be imposed for that damage, although operated under a permit.}

There are some fairly stringent timeline requirements under the new act for local jurisdictions to act. First the State of Wis. DOT has prepared a standard application and permit form that can be used by IOH and Ag CMV owners and operators to apply for these permits from local jurisdictions. This standard application and permit form can be obtained at the DOT website at: [www.dot.state.wi.us/business/ag/index.htm](http://www.dot.state.wi.us/business/ag/index.htm) We have linked this site on our home page of our association website for your reference.

If an application is made to a town, village, city, or county, the jurisdiction has three weeks to approve or deny the application. If the application is denied for any particular highway, the local jurisdiction must deny the application in writing and give notice to the applicant. The reasons for denial

must be reasonable and structurally based explanation of the denial that relates to the preservation of the roadway. Remember if the application is a Category B self-propelled type unit described on the first page of this article, the local jurisdiction must give an approved alternate route or map of highways for operation of these types of units.

The local jurisdiction must deny or approve the application for all IOH/Ag CMVs request within three weeks of receipt of the application, or the application is presumed approved for up to six weeks from date of receipt by the local jurisdiction. If the application is still not approved or denied with six weeks of the original application, the application is presumed approved for the remainder of the year. Anyone who has applied for a no-fee permit may apply for an amendment at any time. Upon receipt of an amendment the local jurisdiction has five business days to approve or deny the amendment.

We want to recommend that each town board or village board establish as specific person authorized to consider these IOH/Ag CMV permits within the time limits provided or retain the authority by the full town or village board. **We want to discourage boards from designating their clerks for this responsibility.** Town boards and village boards are responsible for the supervision of their highways, clerks are not required under clerks’ duties to supervise the highways. If a highway superintendent is designated in a town or village to consider the applications and make the decision on approval or denial of the IOH/Ag CMV permits, an appeal can be made to the town or village board on a denial. Any decision at the local level can be appealed to a circuit court, therefore, local decisions should be made on reasonable, rational basis, giving due consideration to the needs of agriculture, while still protecting the public investment in the local highway system.

## **Ordinance Options for Local Jurisdictions**

As was stated earlier there are several options that local jurisdictions (towns, village, cities, and counties) have as to implementation of this new act. Basically there are six potential options under the new law, some of which do not require any action, and others that do require adoption of an ordinance or resolution. (Our Association has prepared draft ordinances for those options that would require an ordinance and have posted these on our Association website for your use. We encourage towns and villages to work with their local legal counsel for legal advice in adoption of these ordinances.)

We will call the options A through F for ease of identifying them in the samples prepared and for future questions. Again not all of these options require ordinances, only options B through E require the adoption of an ordinance or resolution.

### **Option A Special or Seasonal Posting Bridge or Culvert Special Posting**

This option does not require an ordinance to be adopted. Under **Sec. 349.16 (1)(a)** of Wis. Statutes, a local jurisdiction may post special or seasonal postings on highways or portion of a highway under their jurisdiction, **“because of weakness of the roadbed due to deterioration or climatic conditions or special or temporary condition, would likely be seriously damaged or destroyed in the absence of such special limitation.”** Sec. 349.16 (1)(b) provides special weight limitations may be imposed on bridges or culverts when in the judgment of the local jurisdiction such bridge or culvert cannot safely sustain the maximum weights permitted by statute.

Nothing in 2013 Wis. Act 377 takes away any authority of a local jurisdiction to impose any special or seasonal limitations on highways, bridges, or culverts that are reasonable and rational based upon sound judgment of the governing body. It should be noted that for bridge posting, should be based

upon the biennial bridge inspections. Culverts are not subject to such inspections, therefore some special expertise may be wise to justify posting of culverts. We have heard that some towns are considering to limit the impact of Act 377, considering posting their highways for a maximum of 20,000 lbs per axle and 80,000 gross vehicle weight for all vehicles, which were the weights prior to Act 377 for IOHs and Ag CMVs. It needs to be pointed out (as was stated earlier in this article) if weight limits are imposed under this section, Sec. 349.16 (2) of Wis. Statutes, requires that each highway, bridge, and culvert that is posted must be properly signed for the special weight limitation, and must comply with the Manual on Uniform Traffic Control Devices. It should also be pointed out that attempting to limit the use of local highways with such a standard could well be challenged in court, if there is not adequate reasons or evidence to support this type of standard weight on all highways. We would discourage this type of special or seasonal posting on all highways to try to avoid the intent of Act 377.

### **Option B Total Opt out of IOH and Ag CMV Length and Weight Limits**

This option does require an ordinance be adopted and a copy provided to the Wisconsin DOT. (Information of where to provide a copy of the ordinance is on our website with the sample ordinances.)

Option B means that your town or village does not intend to impose any of the weight limits established by state statute under the new IOH/Ag CMV table or limits on length under the new act on your town or village highways. This is a total opt out of these requirements and mean that any IOH or Ag CMV can operate at any unlimited weight or length in your town or village. This option was included in the law because a few town officers indicated at public hearings last year that they did not care what weight IOHs or Ag CMVs operated in their town and they did not

intend to require any permits for excess weight.

Option B is not an option that our Association legal staff recommends. While it is the easy way out of having to consider applications for “no-fee permits,” it means that your highways may potentially carry weights that could easily damage the highways. While the opt out is only for IOHs and Ag CMVs do you really think that other heavy vehicles such as loggers, gravel trucks, septic haulers, etc. won’t be knocking on your door asking for permits to exceed weight limits on your highways year around? Option B is the least desirable for keeping local control over excess weights and lengths on your town or village highways.

**Option C Opt out of IOH and Ag CMV,  
But impose limits in excess of state limits  
On all highways under their authority**

This option does require an ordinance to be adopted and a copy provided to DOT.

Option C means that your town or village is setting higher length and/or weight limits than the state weight limits under the new IOH/Ag CMV table on all highways. This would generally mean that the town or village would have axle limits greater than 23,000 lbs. per axle (which is what Act 377 allows) and more than 92,000 lbs. total gross weight for five or more axles with proper spacing. Under Option C the ordinance provides that the limits adopted in this ordinance **apply to all highways** in the town or village. {Note that the Option D, provides that only certain designated highways would have the higher limits).

While Option C provides uniformity throughout the town or village, the question is whether all highways in the town or village can handle the increased weight limits? IOH/Ag CMV owners or operators who have units that exceed these higher limits still have the option of asking for “no-fee permits” to exceed the limits adopted by this ordinance.

Category B self-propelled also must be provided an alternate route if they need to exceed the higher limits imposed in Option C.

**Option D Opt out of IOH and Ag CMV, but  
impose limits in excess of state limits**

**Only on designated highways**

This option does require an ordinance to be adopted and a copy provided to DOT.

Option D means that your town or village is setting higher length and/or weight limits than the state weight limits under the new IOH/Ag CMV table on designated highways, as opposed to Option C which increases length and/or weight limits on all highways. Again, “no-fee permits” can be requested on any highway, including the designated highways if an IOH/Ag CMV unit exceeds either the axle weight limits or total gross weight limits.

Option D allows the town or village to retain the state weight limits under the new IOH/Ag CMV table for certain highways and allow a higher weight limit for highways that can handle higher weights. This option may reduce the number of “no-fee permits” that may be required depending on the increased weight and if the designated highways can accommodate the local IOH/Ag CMV needs. This option gives more flexibility to the agriculture community, but retains local authority on highways that need to limit excess weights.

**Option E Opt in for Category B Units**

This option does require an ordinance to be adopted and a copy provided to DOT.

Option E means that your town or village is requiring Category B IOHs (typically the self-propelled units, see definition on first page of this article) to comply with the 23,000 lbs. per axle limit. Act 377 allows Category B IOHs to exceed the per axle limit of 23,000 lbs. unless the local jurisdiction “opts in” under this option for applying the limit on Category B IOHs.

All other categories remain subject to the 23,000 lbs. and total gross weight as established in the new IOH/Ag CMV table.

This option allows the municipality to exercise the most local control over their highways as to the weight limits. It may require more “no-fee permits” than any other option, because the weight limits on Category B are the lowest. Also remember that under Act 377 Category B self-propelled units must be given an alternate route if the requested route can not be approved.

#### **Option F No Action Taken**

This option does not require an ordinance, because there is no change from the lengths and weights imposed under Act 377. This will mean that the 23,000 lbs per axle apply to IOHs and Ag CMVs and the new IOH/Ag CMV table will control, except for Category B IOHs where there is exemption from 23,000 lb per axle weight but no exemption from total gross weight up to 92,000 lbs. There still can be “no-fee permits” requested to exceed the state limits on length and weights. Under Act 377, Category B units must be given an alternate route if the requested route is denied.

Option F provides both flexibility to the agriculture community, but retains local control over weights beyond the new IOH/Ag CMV table.

Again for Options B, C, D, and E ordinances need to be adopted by the town, village, city or county. Options A and F do not require adoption of an ordinance. “No-fee permits” may be applied for under all options.

Our Association will post the sample ordinances for the various options where an ordinance is required on our website. We would also encourage everyone to go to the Wis. DOT website for agricultural equipment: <http://www.dot.state.wi.us/business/ag/index.htm>

At this site, you can link to the full Act 377, the state application/permit for local

governments, the new IOH/Ag CMV weight table, and other information of use on this subject. It is our hope that this calendar year, will be a year of education and discussion between IOH/Ag CMV owners/operators and local governments. University of Wisconsin Extension has developed a powerpoint presentation for Extension agents to use in training any interested persons on the new law. Our Association will be providing notice of training sessions that we are made aware of. WTA will also be doing training this fall and at the state convention to answer more questions as they arise.

#### **Hiring of New Executive Director**

The WTA board of directors has conducted interviews of several candidates for the WTA Executive Director position. An offer has been made and accepted. The announcement of the new Executive Director’s name will be made by June 1<sup>st</sup> and posted on our WTA website. Further information will be provided in the July WTA magazine. The new Executive Director is expected to start work on August 1<sup>st</sup>. Rick Stadelman, the current Executive Director will be retiring on August 31<sup>st</sup>. More information to come on the WTA website and in the July WTA magazine.

#### **One day Workshop on DNR Role in Industrial Sand Permits**

Late in June (June 23, 24, & 25<sup>th</sup>) a one day workshop will be co-sponsored by the Wis. DNR, Wisconsin Counties Association, Wisconsin League of Municipalities, and Wisconsin Towns Association on the various permits that DNR issues for Industrial Sand Mines and operations. **See the announcement later in this magazine.** The sites of the workshops are Eau Claire, Menomonie, and Tomah. We would encourage all town officers, town plan commissioners and anyone interested in this issue to attend one of these workshops.

# Wisconsin Act 377

## Definition of Implement of Husbandry (IoH) 340.01(24)(a)

(1) A self-propelled or towed vehicle that is manufactured, designed or reconstructed to be used and that is exclusively used in the conduct of agricultural operations. An "implement of husbandry" may include any of the following:

- a. A farm tractor. (**Referred to as Category A**)
- b. A self-propelled combine; a self-propelled forage harvester; self-propelled fertilizer or pesticide application equipment but not including manure application equipment; towed tillage, planting, and cultivation equipment and its towing power unit; or another self-propelled vehicle that directly engages in harvesting farm products, directly applies fertilizer, spray, or seeds but not manure, or distributes feed to livestock. (**Referred to as Category B**)
- c. A farm wagon, farm trailer, manure trailer, or trailer adapted to be towed by, or to tow or pull, another implement of husbandry. (**Referred to as Category C**)

(2) A combination of vehicles in which each vehicle in the vehicle combination is an implement of husbandry as described in subd. 1. or in which an implement of husbandry described in subd. 1. c. is towed by a farm truck, farm truck tractor, or motor truck.

(b) "Implement of husbandry" does not include any of the following:

1. An agricultural commercial motor vehicle.
2. A vehicle that, notwithstanding s. 340.01 (8), is a commercial motor vehicle under 49 CFR 390.5<sup>1</sup>

## Definition of an Agricultural Commercial Motor Vehicle 340.01 (1o)

Agricultural Commercial Motor Vehicle (Ag CMV) means a commercial motor vehicle to which all of the following apply:

- a. Substantially designed or equipped, or materially altered from its original construction, for the purpose of agricultural use
- b. Designed and manufactured primarily for highway use
- c. Manufactured to meet federal motor vehicle safety standard certification label requirements 49 CFR 567, after 1970
- d. Used exclusively in the conduct of agricultural operations
- e. Is directly engaged in harvesting farm products, directly applies fertilizer, spray or seeds to a farm field, or distributes feed to livestock

<sup>1</sup> A commercial motor vehicle (CMV) in this definition is based on the federal definition. In this definition a CMV has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 10,001 pounds or more, whichever is greater.

Dimensions		Implement of Husbandry (IoH) – Defined by Act 377
Width		No width limitations, however additional lighting and marking requirements are effective November 1, 2015 Also applies to IoH being operated or transported for delivery, service, repair by dealer or farmer within 75-mile radius of business or farm.
Height		No height limitations Operator of IoH remains responsible for ensuring safe clearance of any overhead obstructions.
L e n g t h	Single IoH vehicle	60 feet No-fee permit may be required over 60 feet
	2 vehicle IoH combination	100 feet No-fee permit may be required over 100 feet
	3 vehicle IoH combination	No more than 100 feet with speed restriction of 25 mph or less OR 70 feet at a speed greater than 25 mph. No-fee permit may be required if exceeding 100 feet in length. Towed units being drawn by a motor truck, truck tractor, or agricultural commercial motor vehicle must be empty. "Empty" means less than 20% full.
		All length limits also apply to IoH being operated or transported for delivery, service, repair by dealer or farmer within 75-mile radius of business or farm. Beyond these dimensions, standard commercial (single or annual) permits are required.
Weight		New <b>IoH/Ag CMV Maximum Weight Limits Table</b> applies. This allows for a maximum single axle weight of 23,000 pounds and a gross vehicle weight of 92,000 pounds dependent on number of axles and axle spacing. See IoH/Ag CMV Maximum Weight Limits Table. Category B IoH must be given an approved route. No-fee permit may be required if gross vehicle weight or axle weight is greater than the IoH/Ag CMV Maximum Weight Table. <i>All operators must abide by seasonal or other special postings.</i> <i>IoH/Ag CMV weight allowances do not apply on Interstate Highways. See §348.15 (9)(c)2.(d)</i> <b>Exemptions:</b> Empty potato harvester is exempt from axle weight limit. Also exempt from Class B postings. <b>Category B IoH</b> (see Definition of IoH) - are: <ul style="list-style-type: none"> <li>exempt from axle weight limits unless local road authority passes ordinance or resolution enforcing 23K axle weight.</li> <li>exempt from gross vehicle weight and axle weight limits when operating between fields and operated on the highway for a distance of 1/2 mile or less</li> <li>exempt from Class B postings</li> </ul> IoH traveling for delivery, service, repair by dealer or farmer within 75-mile radius of business or farm is exempt from gross vehicle weight and axle weight limits. Also exempt from Class B postings.
Other Changes		Limits on hours of operation are eliminated. Effective November 2015, all vehicles exceeding 15 feet in width must have front and rear warning lights on and reflective material visible anytime on highway, unless operating in daylight with an escort vehicle and two orange or red flags marking the outside edges. Vehicles exceeding 22 feet in width must have an escort vehicle with hazard flashers activated if they are traveling more than 1/2 mile.

Dimensions	<b>Agricultural Commercial Motor Vehicle (Ag CMV) Defined by Act 377</b>
<b>Width</b>	Width limit is 10 feet including attachments or accessories  Exception: Pesticide sprayers lime and fertilizer spreaders (not including manure) with extending tires, fenders or fender flares may not exceed 12 feet in width.
<b>Height</b>	13 feet 6 inches
<b>Length Single vehicle</b>	45 feet No-fee permit may be required over 45 feet
<b>Length <u>2 vehicle</u> combination</b>	70 feet No-fee permit may be required over 70 feet
<b>Length <u>3 vehicle</u> combination</b>	No more than 100 feet with speed restriction of 25 mph or less OR 70 feet at a speed greater than 25 mph.  No-fee permit may be required if exceeding 100 feet in length.  <i>Note: I/H trailers must be empty 348.08(1)(d)</i>
<b>Weight</b>	<b>IoH/Ag CMV Maximum Weight Limits Table</b> applies. This allows for a maximum single axle weight of 23,000 pounds and a gross vehicle weight of 92,000 pounds dependent on number of axles and axle spacing. See Maximum IoH/Ag CMV Weight Limits Table.  No-fee permit may be required if gross vehicle weight or axle weight is greater than the IoH/Ag CMV Weight Limit Table.  <b>All operators must abide by seasonal or other special postings. IoH Weight Limits do not apply on Interstate Highways. See §348.15 (9)(c)2.(d)</b>  <b>Exemptions:</b> Ag CMVs traveling for delivery, service, repair by dealer or farmer within 75-mile radius of business or farm is exempt from gross vehicle weight and axle weight limits. Also exempt from Class B postings.
<b>Other Changes</b>	Ag CMV self-certification must be completed by owner or operator and kept with the vehicle (effective May 23, 2014).  No registration is required.

For more information see the WisDOT website: <http://www.dot.wisconsin.gov/business/ag/index.htm>

You may also email your questions to: [AgVehicles@dot.wi.gov](mailto:AgVehicles@dot.wi.gov)

*Please contact your local equipment dealer for specific vehicle information.*

This information was prepared by the Education and Outreach Committee of the IoH Study Group, representing Wisconsin Department of Transportation, Wisconsin Department of Agricultural Trade and Consumer Protection, University of Wisconsin- Extension/Madison, Wisconsin Farm Bureau Federation, Professional Nutrient Applicators Association of Wisconsin, and Wisconsin Independent Business Agri-Business Coalition. Information is provided as guidance. For legal reference see Wisconsin Act 377 available at [www.wisconsin.gov](http://www.wisconsin.gov), May, 2014.

## Wide IoH Lighting and Marking Requirements

Lighting and marking of implements of husbandry (IoH) are valuable safety features when operating on public roads. New regulations will take effect November 1, 2015. Many pieces of farm machinery have already been manufactured with the lighting and marking requirements that are now reflected in the law.

**Wide implement of husbandry (wide IoH)** is a new definition for IoH with a total width in excess of 15 feet or that partly extends, when operated primarily on the right half of the roadway, over the center of the roadway into any lane intended for travel in the opposite direction. Wide IoH regulations will take effect November 1, 2015 but may be followed at the present time.

**In addition to the current requirements for lighting and marking, the following requirements apply based on the width of the IoH:**

### **Self-propelled IoH including farm tractors in excess of 12 feet:**

Must be equipped with a 360-degree yellow or amber rotating strobe or beacon light, mounted at the highest practicable point or 2 flashing amber lights visible to the front and rear and activated at any time when operated on the road or parked in the right-of-way.

### **Wide IoH in excess of 15 feet:**

At all times when operating on highway wide IoH must have:

- At least 2 amber flashing warning lamps, visible from both the front and rear. Must be mounted, as nearly as practicable, to indicate the extreme width but not more than 16 inches from the lateral extremities.
- Red retroreflective material<sup>1</sup>, visible to the rear and mounted within 25 inches of the extreme left and extreme right of the IoH, spaced as evenly as practicable.
- At least 2 strips of yellow retroreflective material<sup>2</sup> visible to the front. On left and right sides of IoH, the outer edge of this material shall be mounted within 16 inches of the extreme left and extreme right of the IoH.
- At least 2 red tail lamps mounted to the rear of the IoH, or as close to the rear as practicable. These lamps are not required to be wired to light when headlamps or other lamps are activated. This provides for the use of battery powered tail lamps.
- Slow-moving vehicle (SMV) emblem is required.

**In addition, IoH wider than 22 feet traveling greater than 1/2 mile, must have an escort vehicle with hazard lights activated, on a highway with:**

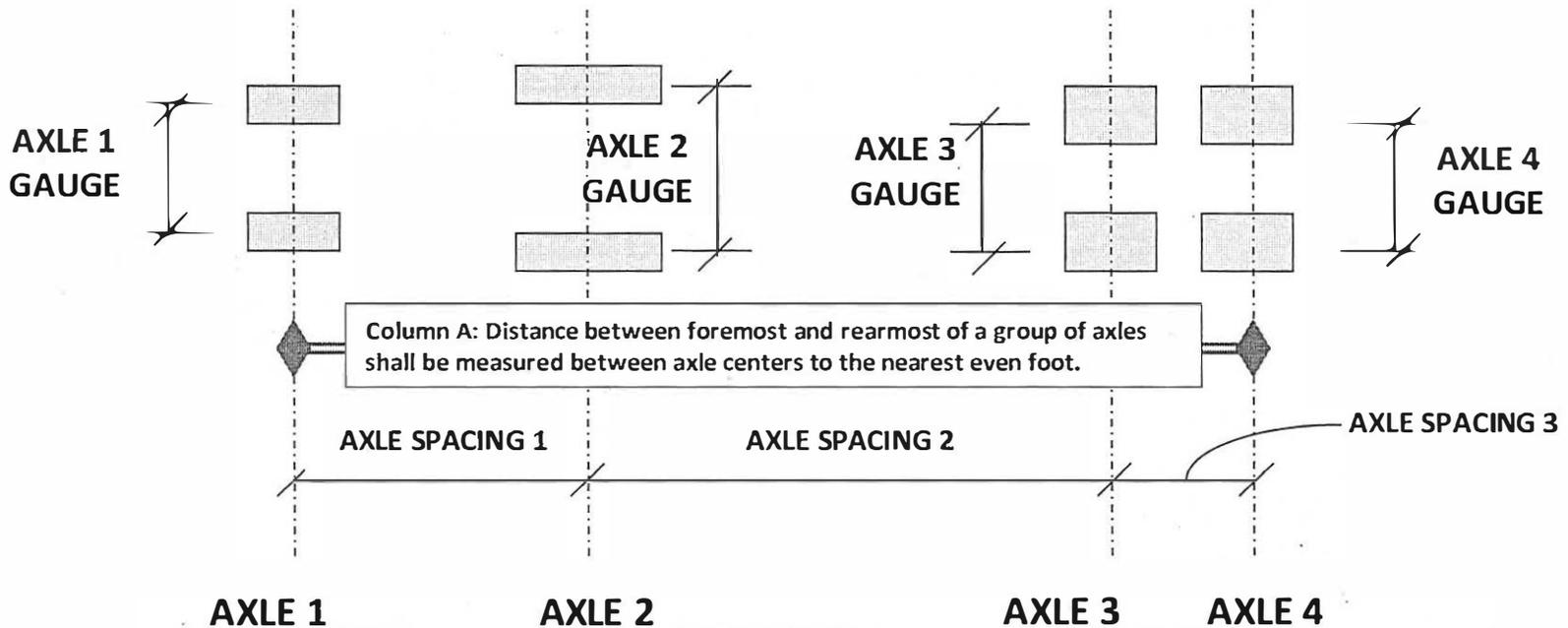
- one lane of travel in each direction, the escort vehicle shall operate ahead of the wide IoH
- more than one lane for travel in each direction or on a 3-lane highway, escort vehicle shall operate behind wide IoH

**At times other than hours of darkness<sup>2</sup>, a wide IoH, may be operated on highway if all of the following apply:**

- Is accompanied by an escort vehicle operating with hazard lights activated.
- 2 orange or red flags, not less than 12 inches square, are attached to the rear of the wide IoH, or as close to the rear as practicable to mark extreme left and extreme right of IoH

<sup>1</sup> **Retroreflective materials** must be visible during hours of darkness by headlights within 500 feet of IoH.

<sup>2</sup> **Hours of Darkness** is the period of time from one-half hour after sunset to one-half hour before sunrise and all other times when there is not sufficient natural light to render clearly visible to any person or vehicle upon a highway at a distance of 500 feet.



Axles must be at least 42 inches apart to qualify as a separate axle and must bear at least 8% of the GVW.

## Implement of Husbandry/Ag CMV Maximum Weight Limit Table

[§348.15(3)(g)]

A - Distance in feet between foremost and rearmost axles of a group*	B - 2 axles of a vehicle or combination of vehicles	C - 3 axles of a vehicle or combination of vehicles	D - 4 axles of a vehicle or combination of vehicles	E - 5 axles of a vehicle or combination of vehicles	F - 6 axles of a vehicle or combination of vehicles	G - 7 Axles of a vehicle or combination of vehicles	H - 8 Axles of a vehicle or combination of vehicles
4	39,500						
5	40,500						
6	41,500						
7	43,000	47,500					
8	44,000	48,500					
9	45,000	49,500					
10	46,000	50,500	56,000				
11		51,000	57,000				
12		52,000	57,500				
13		53,000	58,500				
14		53,500	59,500	65,500			
15		54,500	60,000	66,000			
16		55,500	61,000	67,000			
17		56,500	61,500	67,500	74,000		
18		57,000	62,500	68,500	75,000		
19		58,000	63,000	69,000	75,500		
20		59,000	64,000	70,000	76,000		
21		60,000	64,500	70,500	77,000	83,500	
22		60,500	65,500	71,500	77,500	84,000	
23		61,500	66,000	72,000	78,000	84,500	
24		62,500	67,000	72,500	79,000	85,500	92,000
25		63,000	67,500	73,500	79,500	86,000	
26		64,000	68,500	74,000	80,500	86,500	
27		65,000	69,000	75,000	81,000	87,500	
28		66,000	70,000	75,500	81,500	88,000	
29		66,700	71,000	76,500	82,500	88,500	
30		67,275	71,500	77,000	83,000	89,500	
31		68,425	72,500	77,500	83,500	90,000	
32		69,000	73,000	78,500	84,500	90,500	
33			74,000	79,000	85,000	91,500	
34			74,500	80,000	86,000	92,000	
35			75,500	80,500	86,500		
36			76,000	81,500	87,000		
37			77,000	82,000	88,000		
38			77,500	83,000	88,500		
39			78,000	83,500	89,500		
40			79,000	84,000	90,000		
41			80,000	85,000	90,500		
42			80,500	85,500	91,500		
43			81,500	86,500	92,000		
44			82,500	87,000	86,825		
45			83,000	88,000	87,400		
46			84,000	88,500	88,550		
47			84,500	89,000	89,125		
48			85,500	90,000	89,700		
49			86,000	90,500	90,275		
50			87,000	91,500	91,425		
51			87,500	92,000	92,000		
52			88,500				
53			89,000				
54			90,000				
55			90,500				
56			91,500				
57			92,000				

**\*Measuring: [348.15 (5m)]**  
 The distances between the foremost and rearmost of a group of axles shall be measured between axle CENTERS to the nearest even foot, and when a fraction is exactly one-half foot, the nearest larger whole number shall be used. Example: 50 feet 5 inches = 50 feet; 50 feet 6 inches = 51 feet

Axles must be at least 42 inches apart to qualify as a separate axle and must bear at least 8% of the GVW.

In 348.15(3)(c) single vehicles with 4,5,6 axles are already set 15% over the Federal Bridge Formula (FBF).



## *Doing Business*

### **Implement of Husbandry (IoH) new size and weight information**

View [Wisconsin Act 377 definitions for IoH](#)

#### **Width**

- No width limitations however additional lighting and marking requirements are effective Nov. 1, 2015.
- Also applies for IoH being operated or transported for delivery, service, or repair by dealer or farmer within 75-mile radius of business or farm.

#### **Height**

- No height limitations.
- Operator of IoH remains responsible for ensuring safe clearance of any overhead obstructions.

#### **Length**

- Single vehicle
  - 60 feet
  - No-Fee permit may be required over 60 feet
- Two vehicle combination
  - 100 feet
  - No-Fee permit may be required over 100 feet
- Three vehicle combination
  - No more than 100 feet with speed restriction of 25 mph or less OR 70 feet at a speed greater than 25 mph.
  - No-Fee permit may be required if exceeding 100 feet in length.
  - Towed units being drawn by a motor truck, truck tractor, or Ag CMV must be empty. "Empty" means less than 20 percent full.
  - Length limits also apply to IoH being operated or transported for delivery, service, repair by dealer or farmer within 75-mile radius of business or farm. Beyond these dimensions, standard commercial (single or annual) permits are required.

To operate at lengths greater than those listed above, you may need to apply for an [IoH/Ag CMV Permit](#) from the maintaining authority for the roads on which you are proposing to operate.

#### **Weight**

- New maximum IoH/Ag CMV weight limits table applies. This allows for a maximum single axle weight of 23,000 pounds and a gross vehicle weight of 92,000 pounds dependent on number of axles and axle spacing.

- View the [IoH/Ag CMV Maximum Weight Limits](#) table for details.
- No-Fee permit may be required if gross vehicle weight or axle weight is greater than the IoH weight table.
- All operators must abide by seasonal or other special postings.
- IoH weight limits do not apply on Interstate highways. §348.15 (9)(c)2.(d)
- Exemptions
  - Empty potato harvester is exempt from axle weight limit. Also exempt from Class B road postings.
  - Category B is:
    - Exempt from axle weight limits unless local road authority passes ordinance or resolution limiting self-propelled IoH axle weight.
    - Exempt from gross vehicle weight and axle weight limits when operating between fields and operated on the highway for a distance of 1/2 mile or less.
    - Exempt from Class B road postings.
  - IoH traveling for delivery, service, repair by dealer or farmer within 75-mile radius of business or farm is exempt from gross vehicle weight and axle weight limits. Also exempt from Class B road postings.

To operate at weights greater than those listed above, you may need to apply for an [IoH/Ag CMV Permit](#) from the maintaining authority for the roads on which you are proposing to operate.

### Other Changes

- Limits on hours of operation are eliminated.
- As of Nov. 1, 2015:
  - All vehicles exceeding 15-feet must have front and rear warning lights on and reflective material visible anytime on highway, unless operating in daylight with an escort vehicle and two orange or red flags marking the outside edges.
  - All vehicles exceeding 22 feet must have an escort vehicle with hazard flashers activated. Escort is not required for incidental travel of 1/2 mile or less.

### IoH dimensions

Questions about the content of this page:

WisDOT Division of Transportation System Development (DTSD), [division-office.dtsd@dot.wi.gov](mailto:division-office.dtsd@dot.wi.gov)

Last modified: May 23, 2014

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## *Doing Business*

### **Agricultural Commercial Motor Vehicle (Ag CMV) new size and weight information**

View [Wisconsin Act 377 definitions for Ag CMV](#)

#### **Ag CMV Self-Certification**

The Ag CMV Self-Certification is not required. It is provided as a convenient reference for operators and law enforcement.

View [Ag CMV Self-Certification](#)

#### **Width**

- Width limit is 10 feet including attachments or accessories
- Exception: Pesticide sprayers, lime and fertilizer spreaders (not including manure) with extending tires, fenders and fender flares may not exceed 12 feet in width.

#### **Height**

- 13 feet 6 inches

#### **Length**

- Single vehicle
  - 45 feet
  - No-Fee permit may be required over 45 feet
- Two vehicle combination – one towed unit driven by a power unit
  - 70 feet
  - No-Fee permit may be required over 70 feet
- Three vehicle combination - two towed units drawn by a power unit.
  - No more than 100 feet with speed restriction of 25 mph or less or 70 feet at a speed greater than 25 mph.
  - No-Fee permit may be required if exceeding 100 feet in length.
  - Towed units being drawn by a motor truck, truck tractor, or agricultural commercial motor vehicle must be empty. “Empty” means less than 20 percent full. §348.08(1)(d)

To operate at lengths greater than those listed above, you may need to apply for an [IoH/Ag CMV Permit](#) from the maintaining authority for the roads on which you are proposing to operate.

#### **Weight**

- [IoH/Ag CMV Maximum Weight Limits table](#) applies. This allows for a maximum single axle weight of 23,000 pounds and a gross vehicle weight of 92,000 pounds dependent on number of axles and axle spacing.
- No Fee Permit may be required if gross vehicle weight or axle weight is greater than the IoH weight table.
- All operators must abide by seasonal or other special postings.
- IoH weight limits do not apply on Interstate highways. §348.15 (9)(c)2.(d).
- Exemptions:
  - Ag CMVs traveling for delivery, service, repair by dealer or farmer within 75-mile radius of business or farm is exempt from gross vehicle weight and axle weight limits. Also exempt from Class B road postings. Exemptions also pertain to Class B highways.

To operate at weights greater than those listed above, you may need to apply for an [IoH/Ag CMV Permit](#) from the maintaining authority for the roads on which you are proposing to operate.

### Ag CMV dimensions

Questions about the content of this page:

WisDOT Division of Transportation System Development (DTSD), [division-office.dtsdr@dot.wi.gov](mailto:division-office.dtsdr@dot.wi.gov)

Last modified: June 9, 2014

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## ACT 377 – Local Government Options

Below is a summary of options local governments may take to govern loH and AG CMV operation on their roads. Note:

Category B must be given route – but may include conditions for operation.

Permits may not be given to exceed limits on posted bridges.

Options		Action	Communication	Permit	Result
<b>A</b>	<b>Posting Approach</b> (§349.16)	Post roads limiting weight below 23K/92K/Wt Table	No publication required – but roads must be posted	Must respond to permit applications	Could post notice giving commodities/vehicles exemptions (e.g. milk trucks and Category B). §349.16 (3)
<b>B</b>	<b>Total Opt Out</b> §348.27 (19)5.a.	No weight or length limit on any jurisdiction road for loH or Ag CMVs	Must pass and post/publish ordinance or resolution. Also posted on DOT website.	No permits necessary	loH or Ag CMVs of any weight or length can run on roads subject to seasonal and special postings
<b>C</b>	<b>Partial Opt Out I</b>	Sets weight limit above 23K/92K/Wt Table on all roads under jurisdiction	Must pass and post/publish ordinance or resolution. Also posted on DOT website.	Must respond to permit applications	loH or Ag CMVs can run up to set limits without permit subject to seasonal and special postings
<b>D</b>	<b>Partial Opt Out II</b> §348.27 (19)5.c.	Designates roads for over-weight/over-length loH and Ag CMVs	Must pass and post/publish ordinance or resolution. Also posted on DOT website.	Must respond to permit applications	loH or Ag CMVs can run up to set limits on designated roads without permit subject to seasonal and special postings
<b>E</b>	<b>Opt In</b> §348.15 (9)(f)2.a.  State highways fall into this category	Pass ordinance requiring Category B and all loH/Ag CMVs to follow 23K/92K/Wt Table	Must pass and post/publish ordinance or resolution. Also posted on DOT website.  State Highway operate like this per 348.15 (9)(f)3	Must respond to permit applications	loH and Ag CMVs must apply for permit to exceed 23K/92K/Wt Table
<b>F</b>	<b>Abides by Act 377</b>	No special action taken – 23K/92K/Table governs loH and Ag CMVs – except Category B (no axle limit/ 92K GVW)	No publishing required	Must respond to permit applications	loH and Ag CMVs must apply for permit to exceed 23K/92K/Wt Table; Category B must apply for permit to exceed 92K GVW



**Option B Total Opt Out of IOH Length and Weight limits**

**Effect of this Option B:** Adoption of this ordinance pursuant to Sec. 348.27 (19)(b)5.a. of Wis. Statutes (as provided by 2013 Wis. Act 377) means that the governing body of a municipality or county authorizes operation, on all highways under their jurisdiction, implements of husbandry as defined in Sec. 340.01 (24) (see Act 377) and agricultural commercial vehicles as defined in Sec. 340.01 (1o) (see Act 377) to operate in excess of any length and weight limitations imposed by Chapter 348 of Wis. Statutes. However, all implements of husbandry and agricultural commercial vehicles are still bound to follow seasonal and special postings and any postings on highway bridges or culverts under Sec. 349.16 of Wis. Statutes.

***Ordinance to Totally Opt Out of IOH Length and Weight Limits***  
***Ordinance # \_\_\_\_\_***

Whereas, 2013 Wis. Act 377 under Sec. 348.27 (19)(b)5.a. provides that a municipality or county may authorize implements of husbandry as defined in Sec. 340.01 (24) and agricultural commercial vehicles as defined in Sec. 340.01 (1o) of Wis. Statutes to exceed any statutory length and weight limits imposed by Chapter 348 of Wis. Statutes,

Now, therefore, BE IT HEREBY ORDAINED by the Town/Village Board of \_\_\_\_\_, of \_\_\_\_\_ County, that pursuant to Sec. 348.27 (19)(b)5.a. of Wis. Statutes, implements of husbandry and agricultural commercial vehicles as defined by Chapter 340 of Wis. Statutes may exceed any length and weight limits imposed by Chapter 348 of Wis. Statutes.

Further, BE IT HEREBY ORDAINED that this ordinance shall be in effect for the calendar year of 201\_\_.

*{Option for length of time of effect... Further, BE IT HEREBY ORDAINED that this ordinance shall remain in effect until rescinded by further action of the board.}*

Further, BE IT HEREBY ORDAINED that a copy of this ordinance shall be provided to the Wisconsin Department of Transportation to be posted on the state DOT website.

Adopted by the Town/Village Board this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Town Chairperson/Village President

Attested to by the Town/Village Clerk

\_\_\_\_\_  
Town/Village Clerk

Note for this ordinance to be effective in any calendar year, it must be adopted on or before January 15 of that calendar year or in a prior year.

This ordinance should be published in a newspaper or posted within 30 days of adoption pursuant to Sec. 60.80 of Wis. Statutes for towns or pursuant to Sec. 61.50 of Wis. Statutes for villages.

This ordinance shall also be forwarded to the Wisconsin Department of Transportation via email to [AgVehicles@dot.wi.gov](mailto:AgVehicles@dot.wi.gov) for posting on a state website.

**Option C Opt Out of IOH Length and Weight limits, but impose length and/or weight limits in excess of statutory limits for all highways under maintaining authority jurisdiction**

**Effect of this Option C:** Adoption of this ordinance pursuant to Sec. 348.27 (19)(b)5.c. of Wis. Statutes (as provided by 2013 Wis. Act 377) means that the governing body of a municipality or county authorizes operation, on all highways under its jurisdiction, implements of husbandry as defined in Sec. 340.01 (24) (see Act 377) and agricultural commercial vehicles as defined in Sec. 340.01 (1o) (see Act 377) to operate in excess of any length and weight limitations imposed by Chapter 348 of Wis. Statutes, but establishes limits on length and/or weight that exceed those established by Chapter 348. This option establishes specific limitations on length and/or weight that exceed those established under Chapter 348. A governing body of a municipality or county may select from the options listed in this ordinance to exceed statutory length and/or weight limits. This ordinance, as written, applies to all highways under the municipal or county jurisdiction. However, all implements of husbandry and agricultural commercial vehicles are still bound to follow seasonal and special postings and any postings on highway bridges or culverts under Sec.349.16 of Wis. Statutes.

***Ordinance to Opt out of Statutory IOH Length and/or Weight Limits and impose specific length and/or weight limits that exceed statutory limits on all highways under local jurisdiction***  
***Ordinance # \_\_\_\_\_***

Whereas, 2013 Wis. Act 377 under Sec. 348.27 (19)(b)5.c. provides that a municipality or county may authorize implements of husbandry as defined in Sec. 340.01 (24) and agricultural commercial vehicles as defined in Sec. 340.01 (1o) of Wis. Statutes to exceed any statutory length and weight limits imposed by Chapter 348 of Wis. Statutes, but authorizes these vehicles to exceed the statutory limits as provided by ordinance,

Now, therefore, BE IT HEREBY ORDAINED by the Town/Village Board of \_\_\_\_\_, of \_\_\_\_\_ County, that pursuant to Sec. 348.27 (19)(b)5.c. of Wis. Statutes, implements of husbandry and agricultural commercial vehicles as defined by Chapter 340 of Wis. Statutes may exceed any length and weight limits imposed by Chapter 348 of Wis. Statutes, as follows:

- A. Length: Implements of husbandry
  - a. Single vehicle implements of husbandry may exceed the statutory length requirement under Sec. 348.07(2)(e)1. of 60 feet by \_\_\_\_\_ additional feet for a total of \_\_\_\_\_ feet for a single vehicle.
  - b. Two vehicle implements of husbandry may exceed the statutory length requirement under Sec. 348.07 (2)(e)2. of 100 feet by \_\_\_\_\_ additional feet for a total of \_\_\_\_\_ feet for a two vehicle combination.
  - c. Three vehicle implements of husbandry combinations as described in Sec. 348.08 (1) may exceed the statutory length requirement under Sec. 348.08 (1) (b) of 70 feet, or 100 feet, , by \_\_\_\_\_ additional feet for a total of \_\_\_\_\_ feet for three vehicle combination as described in Sec. 348.08 (1), if the three

vehicle combination as described is traveling at a speed of not more than 25 miles per hour.

- B. Length: Agricultural Commercial Vehicles
  - a. Single vehicle Agricultural Commercial Vehicles may exceed the statutory length requirement under Sec. 348.07 (1) of 45 feet by \_\_\_\_\_ additional feet for a total of \_\_\_\_\_ feet for a single Ag Commercial Vehicle
  - b. Two vehicle Agricultural Commercial Vehicles may exceed the statutory length requirement under Sec. 348.07 (1) of 70 feet by \_\_\_\_\_ additional feet for a total of \_\_\_\_\_ feet for a two vehicle Agricultural Commercial Vehicle combination.
  - c. Three-vehicle Agricultural Commercial Vehicle combinations as described in Sec. 348.08 (1)(d) may exceed the state length requirement of 70 feet, or 100 feet if the three-vehicle combination as described is traveling at a speed of not more than 25 miles per hour, by \_\_\_\_ additional feet. Trailers defined under Sec. 348.08 (1)(d) must be empty. Empty means less than 20% full.
- C. Weight: Implements of husbandry and agricultural commercial vehicles on all highways under this jurisdiction may exceed the statutory weight limits as established by Sec. 348.15 (3)(g) of Wis. Statutes as follows:
  - a. Maximum gross weight limits established under Sec. 348.15 (3)(g) may be exceeded by \_\_\_\_ percent over the gross weight limits. Any and all maximum axle weight limits proportionately increased due to the increased gross weight limits authorized under this ordinance shall be allowed.”.

Further, BE IT HEREBY ORDAINED that to exceed the length and/or weight limitations on highways under this jurisdiction a no-fee permit may be applied for from the municipal jurisdiction.

Further, BE IT HEREBY ORDAINED that this ordinance shall be in effect for the calendar year of 201\_\_.

*{Option for length of time of effect... Further, BE IT HEREBY ORDAINED that this ordinance shall remain in effect until rescinded by further action of the board.}*

Further, BE IT HEREBY ORDAINED that a copy of this ordinance shall be provided to the Wisconsin Department of Transportation to be posted on the state DOT website.

Adopted by the Town/Village Board this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Town Chairperson/Village President

Attested to by the Town/Village Clerk

\_\_\_\_\_  
Town/Village Clerk

Note for this ordinance to be effective in any calendar year, it must be adopted on or before January 15 of that calendar year or in a prior year.

This ordinance should be published in a newspaper or posted within 30 days of adoption pursuant to Sec. 60.80 of Wis. Statutes for towns or pursuant to Sec. 61.50 of Wis. Statutes for villages.

This ordinance shall also be forwarded to the Wisconsin Department of Transportation via email to [AgVehicles@dot.wi.gov](mailto:AgVehicles@dot.wi.gov) for posting on a state website.



**Option D Opt Out of IOH Length and/or Weight limits, but impose length and weight limits on specified highways under local jurisdiction**

**Effect of this Option D:** Adoption of this ordinance pursuant to Sec. 348.27 (19)(b)5.c. of Wis. Statutes (as provided by 2013 Wis. Act 377) means that the governing body of a municipality or county authorizes operation, on specified highways under its jurisdiction, implements of husbandry as defined in Sec. 340.01 (24) (see Act 377) and agricultural commercial vehicles as defined in Sec. 340.01 (1o) (see Act 377) to operate in excess of any length and/or weight limitations imposed by Chapter 348 of Wis. Statutes or established on specified highways, but establishes limits on either length or weight that exceed those established by Chapter 348. However, all implements of husbandry and agricultural commercial vehicles are still bound to follow seasonal and special postings and any postings on highway bridges or culverts under Sec.349.16 of Wis. Statutes.

***Ordinance to Opt out of State IOH Length and/or Weight Limits, but impose length/ weight limits that exceed statutory limits on specified highways under local jurisdiction***  
***Ordinance # \_\_\_\_\_***

Whereas, 2013 Wis. Act 377 under Sec. 348.27 (19)(b) 5.c. provides that a municipality or county may authorize implements of husbandry as defined in Sec. 340.01 (24) and agricultural commercial vehicles as defined in Sec. 340.01 (1o) of Wis. Statutes to exceed any statutory length and weight limits imposed by Chapter 348 of Wis. Statutes on specified highways under their jurisdiction, but authorizes these vehicles to exceed the statutory limits as provided by ordinance,

Now, therefore, BE IT HEREBY ORDAINED by the Town/Village Board of \_\_\_\_\_, of \_\_\_\_\_ County, that pursuant to Sec. 348.27 (19)(b) 5.c. of Wis. Statutes, implements of husbandry and agricultural commercial vehicles as defined by Chapter 340 of Wis. Statutes may exceed any length and weight limits imposed by Chapter 348 of Wis. Statutes, as follows:

- A. Length: Implements of husbandry
  - a. Single vehicle implements of husbandry may exceed the statutory length requirement under Sec. 348.07(2)(e)1. of 60 feet by \_\_\_\_\_ additional feet for a total of \_\_\_\_\_ feet for a single vehicle.
  - b. Two vehicle implements of husbandry may exceed the statutory length requirement under Sec. 348.07 (2)(e)2.of 100 feet by \_\_\_\_\_ additional feet for a total of \_\_\_\_\_ feet for a two vehicle combination.
  - c. Three vehicle implements of husbandry combinations, as described in Sec. 348.08 (1), may exceed the statutory length requirement under Sec. 348.08 (1) (b) of 70 feet, or 100 feet, by \_\_\_\_\_ additional feet for a total of \_\_\_\_\_ feet for three vehicle combination as described in Sec. 348.08 (1), if the three vehicle combination as described is traveling at a speed of not more than 25 miles per hour.

- B. Length: Agricultural Commercial Vehicles
  - a. Single vehicle Agricultural Commercial Vehicles may exceed the statutory length requirement under Sec. 348.07 (1) of 45 feet by \_\_\_\_\_ additional feet for a total of \_\_\_\_\_ feet for a single Ag Commercial Vehicle
  - b. Two vehicle Agricultural Commercial Vehicles may exceed the statutory length requirement under Sec. 348.07 (1) of 70 feet by \_\_\_\_\_ additional feet for a total of \_\_\_\_\_ feet for a two vehicle Agricultural Commercial Vehicle combination.
- C. Weight: Implements of husbandry and agricultural commercial vehicles on all highways under this jurisdiction may exceed the statutory weight limits as established by Sec. 348.15 (3)(g) of Wis. Statutes as follows:
  - a. Maximum gross weight limits established under Sec. 348.15 (3)(g) may be exceeded by \_\_\_\_\_ percent over the gross weight limits Any and all maximum axle weight limits proportionately increased due to the increased gross weight limits authorized under this ordinance shall be allowed.”
- D. Any Length or Weight for implements of husbandry and agricultural commercial vehicles as established in this ordinance apply to the following highways, but do not apply to any highway under this jurisdiction that is not listed in this ordinance:
  - a. *{List of Names of highways for which the increased length or weight limits would apply}*

Further, BE IT HEREBY ORDAINED that to exceed the length and weight limitations on highways under this jurisdiction a no-fee permit may be applied for from the municipal jurisdiction.

Further, BE IT HEREBY ORDAINED that this ordinance shall be in effect for the calendar year of 201\_\_.

*{Option for length of time of effect... Further, BE IT HEREBY ORDAINED that this ordinance shall remain in effect until rescinded by further action of the board.}*

Further, BE IT HEREBY ORDAINED that a copy of this ordinance shall be provided to the Wisconsin Department of Transportation to be posted on the state DOT website.

Adopted by the Town/Village Board this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Town Chairperson/Village President

Attested to by the Town/Village Clerk

\_\_\_\_\_  
Town/Village Clerk

Note for this ordinance to be effective in any calendar year, it must be adopted on or before January 15 of that calendar year or in a prior year.

This ordinance should be published in a newspaper or posted within 30 days of adoption pursuant to Sec. 60.80 of Wis. Statutes for towns or pursuant to Sec. 61.50 of Wis. Statutes for villages.

This ordinance shall also be forwarded to the Wisconsin Department of Transportation via email to [AgVehicles@dot.wi.gov](mailto:AgVehicles@dot.wi.gov) for posting on a state website.



**Option E Opt-In for Category B--IOHs Pursuant to Sec. 348.15 (9)(f)2.a. to follow the Table of Statutory Weight Limits under Sec. 348.15-(3)(g)**

**Effect of this Option E:** Adoption of this ordinance pursuant to Sec. 348.15 (9)(f)2.a. of Wis. Statutes (as provided by 2013 Wis. Act 377) means that the governing body of a municipality or county imposes on all highways or specified highways under its jurisdiction, the maximum single axle limits and maximum gross vehicle weight limits as established in Sec. 348.15 (3) (g) for all Category B implements of husbandry as defined in Sec. 340.01 (24) (a)1. b. (see Act 377). Sec. 348.15 (9) (f)1. provides that unless a municipality opts in by adopting a resolution or ordinance, there is no weight limit per wheel, axle, or group of axles, on Category B implements of husbandry as defined in Sec. 340.01 (24)(a)1.b. However, the maximum gross vehicle weight of 92,000 pounds applies to these described vehicles. All implements of husbandry are required to comply with seasonal and special postings and any postings on highway bridges or culverts under Sec.349.16 of Wis. Statutes.

***Ordinance to Opt-In for Category B—IOHs to Comply with the Table of Statutory Weight Limits under Sec. 348.15 (3)(g)***

***Ordinance # \_\_\_\_\_***

Whereas, 2013 Wis. Act 377 under Sec. 348.15 (9) (f) 1. provides that there is no weight limitation per wheel, axle, or group of axles for Category B implements of husbandry as defined in Sec. 340.01 (24) (a)1.b., but does apply gross vehicle weight limitations to these vehicles, and

Whereas, Wis. Stat. § 348.15(9)(f)1. authorizes the municipality or county to require compliance with axle weight limitations established under Sec. 348.15 (3)(g) for Category B implements of husbandry defined in Sec. 340.01(24)(a)1.b. on all highways under its jurisdiction

Now, therefore, BE IT HEREBY ORDAINED by the Town/Village Board of \_\_\_\_\_, of \_\_\_\_\_ County, that pursuant to Sec. 348.15 (9) (f) of Wis. Statutes, all implements of husbandry (including Category B implements of husbandry defined in Sec. 340.01 (24) (a) 1.b.) may not exceed the weight limits imposed by Chapter 348.15 (3) (g) of Wis. Statutes.

Further, BE IT HEREBY ORDAINED that to exceed the length and/or weight limitations on highways under this jurisdiction a no-fee permit may be applied for from the municipal jurisdiction.

Further, BE IT HEREBY ORDAINED that pursuant to Sec. 348.27 (19)(b) 4m.a. in the event an application for a no-fee permit is made for a Category B implement of husbandry as defined in Sec. 340.01 (24)(a)1.b., the municipal jurisdiction or county is required to provide an approved alternate route, which may include highways that are not under this jurisdiction if prior approval has been given by the jurisdiction over the alternate routes not under this entity's jurisdiction for operation of Category B implements of husbandry as defined in Sec. 340.01 (24) (a) 1. b.

Further, BE IT HEREBY ORDAINED that this ordinance shall be in effect for the calendar year of 201\_\_.

*{Option for length of time of effect... Further, BE IT HEREBY ORDAINED that this ordinance shall remain in effect until rescinded by further action of the board.}*

Further, BE IT HEREBY ORDAINED that a copy of this ordinance shall be provided to the Wisconsin Department of Transportation to be posted on the state DOT website.

Adopted by the Town/Village Board this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Town Chairperson/Village President

Attested to by the Town/Village Clerk

\_\_\_\_\_  
Town/Village Clerk

Note for this ordinance to be effective in any calendar year, it must be adopted on or before January 15 of that calendar year or in a prior year.

This ordinance should be published in a newspaper or posted within 30 days of adoption pursuant to Sec. 60.80 of Wis. Statutes for towns or pursuant to Sec. 61.50 of Wis. Statutes for villages.

This ordinance shall also be forwarded to the Wisconsin Department of Transportation via email to [AgVehicles@dot.wi.gov](mailto:AgVehicles@dot.wi.gov) for posting on a state website.

# NO FEE PERMIT APPLICATION FOR IMPLEMENTS OF HUSBANDRY (IoH) and AGRICULTURAL COMMERCIAL VEHICLES (Ag-CMV), Local Government

Wisconsin Department of Transportation  
MV2578LG 5/2014

## PART A

Permit must be carried in the vehicle authorized and produced in either printed or electronic format according to s.348.28(1)(b), Wis. Stats.

Please provide information on operation of vehicle or vehicle combination that exceed:

1. Weight Limits:
  - a. Axle Weight Limit exceeding Figure s.348.15(3)(g), Wis. Stats.  
OR
  - b. Gross Vehicle or Vehicle Combination Weight exceeding Figure s.348.15(3)(g), Wis. Stats.  
OR
2. Length Limits:
  - a. 60 feet for a IoH single vehicle, OR
  - b. 100 feet for two IoH vehicles combined, OR
  - c. 70 feet for three IoH vehicles combined that will operate at greater than 25 mph, OR
  - d. 100 feet for three IoH vehicles combined that will operate at 25 mph or less, OR
  - e. 45 feet for an Ag-CMV vehicle.

Submit completed form MV2578 to all highway maintenance authorities, or designees, responsible for the roads on which you wish to operate. Listings and contact information (email, fax and mailing addresses) is available at: [www.dot.wi.gov/business/ag/permits.htm](http://www.dot.wi.gov/business/ag/permits.htm).

**Note:** No Permit is required for certain self-propelled IoH (only applies to weight) as described in 340.01(24)(a)1.b. traveling between fields and operated on the highway for a distance of ½ mile or less or for delivery, service or repair of IoH or Ag-CMV by dealer or farmer within 75-mile radius.

## SECTION 1

Applicant Name and Business Name <i>(enter name of individual or company owner or lessee operating the vehicle)</i>	
Contact Name	(Area Code) Telephone Number
Street Address	Email Address
City, State, ZIP Code	County

## SECTION 2 – Routes

Enter the Road(s) Requested (example: Route 1: Origin, west on County Z, north on County H for two miles. Route 2: Origin, east on County Z, north on County S, and return.) Alternatively, please attach a map of the requested roads to be used when operating overweight or over length equipment:

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Signature of Applicant

**X**

(Signature of Permit Applicant – electronic signature – Brush Script font)

(Date – m/d/yyyy)



**NO FEE PERMIT APPLICATION FOR IMPLEMENTS OF HUSBANDRY (IoH) and AGRICULTURAL COMMERCIAL VEHICLES (Ag-CMV), Local Government (continued)**

Wisconsin Department of Transportation MV2578LG

**PART B**

**SECTION 1 – Description(s) of IoH equipment exceeding statutory limitations on length or weight, or both**

Power Unit – Make	Power Unit – Model Number	Power Unit – Description	Power Unit – Number
Power Unit – Type (choose only one)			
<input type="checkbox"/> <b>Implements of Husbandry (IoH)</b> Is vehicle or vehicle combination a <u>Category B type according to s.340.01(24)(a)1.b, Wis. Stats.?</u> <input type="checkbox"/> YES <input type="checkbox"/> NO			
<input type="checkbox"/> <b>Agricultural Commercial Motor Vehicle (Ag-CMV)</b>			

**Towed Unit Information (enter the make and model of up to two towed units)**

1. Make	Model Number	Description
2. Make	Model Number	Description

**1. Overall Length**

- Single IoH Vehicle Length: \_\_\_\_\_ feet.
  - Single Ag-CMV Vehicle Length: \_\_\_\_\_ feet.
- OR**
- Length of the Vehicle Combination: \_\_\_\_\_ feet.

If applying for a permit for a vehicle or a vehicle combination that will be over length but not overweight, see: **Figure 348.07.**

- Check here and go to Part A, Section 2 – Routes (first page of this form).

**2. Vehicle Weight**

**a. Total Gross Weight**

Enter the maximum gross weight of the IoH or Ag-CMV power unit and any towed units: \_\_\_\_\_ pounds.

**AND**

**b. Axle Weight and Spacing**

Enter the maximum axle weight and spacing from front to rear of the implement/vehicle or implement/vehicle combination, enter the distance in inches, or feet and inches, between axles:

Maximum Axle Weights																			
Gauge* / Width of Axles																			
Spacing Between Axles																			

\* **Axle Gauge:** the crosswise distance in feet and inches between the center of the tires on either side of a vehicle. On an axle with one tire on either side of the vehicle, gauge is the distance between the center of the tires on the left and right sides of the vehicle. If the vehicle has two tires on either end of the axle, the axle gauge is the distance from the space between the tandem on the left and right sides of the vehicle.

Frequency Trips per Day: _____ <b>AND</b> Weeks of Operation: _____	Time of Year – Season <input type="checkbox"/> Spring <input type="checkbox"/> Summer <input type="checkbox"/> Fall <input type="checkbox"/> Winter
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**For additional vehicles please print as many copies as needed to cover all of the equipment you intend to use that will exceed weight or length limits.**

