

CR 83-33

C E R T I F I C A T E

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AUG 12 1983  
10:45  
Revisor of Statutes  
Bureau

STATE OF WISCONSIN )  
 ) ss.  
DEPARTMENT OF TRANSPORTATION )

TO ALL TO WHOM THESE PRESENTS COME, GREETINGS:

I, Lowell B. Jackson, Secretary of the Wisconsin Department of Transportation and custodian of the official records of the Department, do hereby certify that the annexed rule relating to the application for and issuance of single-trip permits by telephone was duly approved and adopted by this Department on the 11<sup>th</sup> day of August, 1983.

I further certify that the annexed copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have here-  
onto set my hand and affixed the  
official seal of the Department  
at the Hill Farms State Office  
Building in the City of Madison,  
Wisconsin, this 11<sup>th</sup> day of  
August, 1983.



*Lowell B. Jackson*  
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LOWELL B. JACKSON, P.E.  
Secretary  
Wisconsin Department of  
Transportation

10-1-83

OFFICE OF THE SECRETARY

|                                     |   |          |
|-------------------------------------|---|----------|
| IN THE MATTER OF THE ORDER TO       | : |          |
| CREATE TRANS 275, WIS. ADMIN. CODE, | : | ORDER    |
| RELATING TO THE APPLICATION FOR AND | : | ADOPTING |
| ISSUEANCE OF SINGLE TRIP PERMITS    | : | RULE     |
| BY TELEPHONE                        | : |          |

Clearing House Rule 83-33

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Analysis Prepared by the  
Wisconsin Department of Transportation

AUG 12 1983  
*Dr. 10:45*  
Revisor of Statutes  
Bureau

General summary of the rule. Current law, sec. 348.26 of the statutes, allows the Department to issue single trip permits for oversize and overweight loads. At the present time, a request for such a permit must be made in writing. In Chapter 20, Laws of 1981, the Legislature enacted sec. 348.26(1m) of the statutes directing the Department to develop a telephone call-in procedure for the issuance of single trip permits. The legislation specified that the telephone call-in procedure could not be utilized until the permit information could be computerized to ensure inquiry capability into the data base for enforcement purposes. The Department now has the computer capability mandated by the statute and hence is adopting this rule in accordance with the directive of the Legislature.

Under the rule, the Department will accept telephone applications only to those persons who have applied for and received permission from the Department to utilize the service. Any applicant to use the service must submit a bond to guarantee the payment of fees for the permits issued by the Department. The amount of the bond cannot be less than two times the fees which the applicant estimates may be incurred in any one month. The Department will bill the applicant monthly for the permits issued. The applicant is required to pay within 21 days of receipt of the invoice.

Under the procedure developed, the applicant will select an account number consisting of any combination of five letters or numerals from 1 to 9. This code will be used by the applicant when requesting a permit by telephone. All calls for these permits will be tape-recorded. The applicant who receives a permit by telephone is required to write the permit information on a form which will be supplied by the Department and is required to carry the form in the vehicle.

The rule also sets out certain limitations on applying for permits via the telephone. Under the rule, telephone applications will not be accepted on Saturdays, Sundays or holidays. In addition, the rule sets out limits on the maximum size and weight of vehicles for which permits may be applied for by telephone. Persons who wish to obtain permits for vehicles which exceed those limits will be required to apply in writing.

The rule allows the Department to suspend approval of the telephone procedure if the applicant fails to comply with the rules for its use, or if the applicant's bond is invalid, or if the total fees owed exceed the amount of the

bond. An applicant's approval to use the telephone procedure may be revoked by the Department after providing the applicant an opportunity for a hearing.

Fiscal Estimate. The computer programming necessary to implement the program and which is required by the statute has been completed. The Department estimates issuing approximately 15,000 permits annually by telephone. The statute mandates a \$5 fee for each permit issued by telephone. This will result in revenue of \$75,000. This revenue should offset the computer operating costs which are estimated to be about \$70,000 annually. At this time, the Department does not anticipate additional staff to handle the telephone requests. However, it is possible that one additional person may be employed in the future if the Department finds the current staff cannot handle the additional workload due to the implementation of telephone call-in procedure.

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Pursuant to authority vested in the department of transportation by s. 348.26(lm) and s. 227.014(2), Stats., the department of transportation hereby adopts rules interpreting s. 348.26(lm), Stats., as follows:

TEXT OF RULE

SECTION 1. Chapter TRANS 275 is created to read:

TRANS 275

APPLICATION FOR AND ISSUANCE OF

SINGLE TRIP PERMITS BY TELEPHONE

TRANS 275.01 PURPOSE AND SCOPE. (1) The purpose of this rule is to establish the general policies which apply to applying for and issuing single trip permits by telephone under s. 348.26(lm), Stats.

(2) The scope of this rule includes all applicable provisions of s. 348.26(lm) and requirements contained in ch. 341 to ch. 349, Stats. This chapter applies only to applications for and issuance of single trip permits under s. 348.26, Stats.

TRANS 275.02 DEFINITIONS. The definitions of words and phrases in chs. 340, 348 and 990, except s. 990.01(12), Stats., and ch. TRANS 250, apply to this chapter.

TRANS 275.03 PERSONS AUTHORIZED TO USE TELEPHONE PROCEDURE. (1) Applications for single trip permits by telephone shall be accepted from and single trip permits shall be issued by telephone to only those persons who have applied for and received approval from the department for use of the telephone procedure.

(2) Applications for approval to use the telephone procedure shall be submitted to the department of transportation, chief traffic engineer, p.o. box 7916, Madison, Wisconsin 53707. Applications shall be on the applicant's business stationery and shall include: (a) A statement that approval to use the telephone procedure to apply for single trip permits is requested.

(b) A statement that, if approval is granted, the applicant will pay for the permits obtained by telephone within 21 days after receipt of the department's invoices.

(c) The address to which invoices and other correspondence concerning permits issued by telephone may be sent. More than one address may be provided if the applicant wishes separate invoices. The department shall consider each address as a separate application.

TRANS 275.04 BOND. (1) The applicant for approval for use of the telephone procedure shall deposit with the department a good and sufficient surety bond guaranteeing payment of fees for permits issued by the department by telephone to the applicant. The amount of the bond shall be not less than 2 times the fees which applicant estimates may be incurred in any calendar month. The form of the bond and the surety is required to be in a form acceptable to the department before approval to use the telephone procedure is given.

(2) Any bond filed with the department under this section shall contain a clause stating that the bonding company shall notify the department at least 30 days prior to the effective date of any suspension, revocation or cancellation

of the bond. Any notice of suspension, revocation or cancellation of a bond under this section is not effective until 30 days after the date it is received by the department.

(3) Any bond filings, notices of suspension, revocation or cancellation of bonds and any correspondence relating to bonds shall be submitted to the department of transportation, chief traffic engineer, p.o. box 7916, Madison, Wisconsin 53707.

(4) In lieu of the bond, the applicant may deposit a sum of money not less than 2 times the fees which the applicant estimates may be incurred in any calendar month. The deposit may be in the form of cash, certified check, cashiers check, corporate check or personal check. If a corporate or personal check is utilized, no authorization to use the telephone procedure shall be issued until the check has been honored. The invoice and payment provisions of ss. TRANS 275.08 and 275.09 apply to an applicant utilizing this subsection. The deposit under this subsection shall be returned to applicant upon the applicant's request less any unpaid invoices. The applicant's authority to use the telephone procedure shall be revoked upon the applicant's request for return of the deposit.

NOTE: The department does not have a form for this bond. A guarantee of payment bond in the standard form normally used by the bonding company should be used.

TRANS 275.05 AUTHORIZATION CODE. (1) The applicant shall select an authorization code consisting of any combination of letters or numerals, or both. The combination shall consist of 5 digits and may not include the numeral zero (0). The applicant shall advise the department in writing of the code selected either as a part of the initial application or after approval of the application but before applying for permits. If more than one address has been designated

under s. TRANS 275.03(2)(c), different authorization codes shall be selected for each address.

(2) When a permit is requested by telephone, the department shall ask the caller for the authorization code and no permit may be issued unless the authorization code is correctly provided.

(3) After the application is approved, the applicant may change the authorization code or codes at any time by notifying the department in writing of the new authorization code which the applicant has designated for each account number assigned under s. TRANS 275.07(1).

TRANS 275.06 CALLER CODE. In addition to assigning an authorization code to each account, the applicant may assign up to 35 caller codes to individuals who are authorized to request permits on the applicant's behalf. Each caller code shall consist of a single letter or a single numeral from 1 to 9. If caller codes are assigned, the department's invoices shall show the caller code for each permit issued.

NOTE: The caller codes are intended to assist the applicant in reviewing the invoices and permits issued. The department will not determine whether or not the caller code is valid before issuing permits.

TRANS 275.07 APPROVAL FOR USE OF TELEPHONE PROCEDURE. Upon receipt of an application to use the telephone procedure which complies with ss. TRANS 275.03 and TRANS 275.04, the department shall approve the application and advise the applicant in writing. At that time, the department shall:

(1) Assign an account number for each billing address the applicant has requested and advise the applicant of the number or numbers.

(2) Advise the applicant of the telephone number to be used in applying for permits.

(3) Furnish the applicant with an initial supply of the form on which permits are to be written when a permit is issued by telephone.

TRANS 275.08 INVOICES. The department shall mail monthly invoices to each applicant who was issued one or more permits during the preceding billing period. The invoices shall include the permit number of each permit issued, the caller code, if any, of the person who requested the permit, the fee for each permit, and the total amount payable to the department.

TRANS 275.09 PAYMENT OF INVOICES. The applicant shall pay each invoice within 21 days of its receipt.

TRANS 275.10 LIMITATIONS ON APPLYING FOR PERMITS. (1) Applications by telephone for single trip permits will be received by the department between 7:30 a.m. and 3:30 p.m. Monday through Friday except on New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve, Christmas Day, and New Year's Eve. When any of the named holidays falls on Sunday and is celebrated on the following Monday, permit applications will not be received on the day celebrated as the holiday.

(2) Approved applicants may apply for single trip permits by telephone provided the overall size and weight of the loaded vehicle or vehicles do not exceed a:

(a) Length of 95 feet for a combination of vehicles;

(b) Length of 50 feet for a single vehicle, except 60 feet for a mobile crane;

(c) Width of 14 feet;

(d) Height of 15 feet;

(e) Gross weight of 120,000 pounds.

(3) The department may decline to accept applications for more than 2 permits during a single telephone call.

NOTE: This provision is intended to allow the department to free its telephone lines for use by other applicants during periods of high workloads. If workload is low and other telephone lines are free, additional applications may be accepted.

(4) An approved applicant may only apply for permits for loads to be carried on a vehicle which is owned, leased or controlled by the applicant and not on a vehicle which is controlled by any other person.

(5) A permit which is requested by telephone may be issued only by telephone.

(6) A permit which is requested by any means other than by telephone may not be issued by telephone.

(7) The department may not accept collect telephone calls.

TRANS 275.11 PERMIT APPLICATION PROCEDURE. (1) To request a single trip permit, the applicant shall telephone the department using the number provided under s. TRANS 275.07(2) and provide the assigned account number.

NOTE: All calls to this telephone number will be tape-recorded.

(2) When requested by the department as required under s. TRANS 275.05(2), the applicant shall also provide the authorization code and caller code, if any.

(3) When requested, the applicant shall provide all other information regarding the proposed transportation as shown on the department's permit application form.

(4) When the permit is issued, the applicant shall copy it, as dictated by the department, on the form provided under s. TRANS 275.07(3), and shall sign and date the form.

TRANS 275.12 PERMIT RETRANSMITTAL. The applicant may retransmit an approved permit by telephone provided that the person to whom it is retransmitted copies it on the form provided under s. TRANS 275.07(3) or may mail or



personally deliver the copy of the permit which he or she first wrote to another person but may not retransmit the permit by other means.

TRANS 275.13 PERMIT TO BE CARRIED. A copy of the permit on the form provided under s. TRANS 275.07(3) shall be carried in the vehicle to which it applies during the transportation for which it was issued.

TRANS 275.14. SUSPENSION OR REVOCATION. (1) Failure to comply with any provision of this chapter; suspension, revocation, cancellation or expiration of the bond under s. TRANS 275.04; or a total of fees owed to the department greater than the amount of the bond or cash deposit shall be good cause for the summary suspension, upon notice verbally or in writing, of the approval to use the telephone procedure. The department may revoke its approval for good cause after providing the applicant a reasonable opportunity for a hearing. The length of the suspension and other matters pertaining to the suspension or revocation shall be determined by the department.

(2) If the department has suspended an applicant's authorization to use the telephone call-in procedure because the applicant's bond is insufficient to cover the permit fees due, the department may remove the suspension upon the applicant's compliance with either of the following provisions:

(a) The applicant's submission of a bond which is not less than 2½ times the total of the fees for permits issued during the preceding 30 calendar days; or

(b) The applicant's payment of the total permit fees due. Any such payment shall be made in cash or by money order or by certified check.

TRANS 275.15 PERMIT SERVICES. In the case of persons whose business is obtaining permits for other persons and who have entered into a contract with the department for placing communication equipment in the department's office

and guaranteeing payment of fees, the department may waive the provisions of ss. TRANS 275.04 and TRANS 275.10(4).

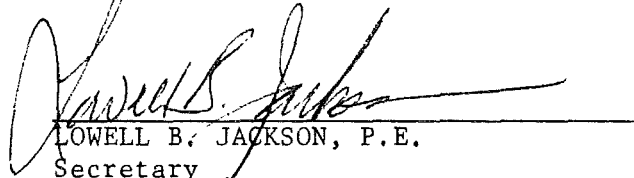
(End)

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The rule created in this order shall take effect on the first day of the month following publication in accordance with sec. 227.026(1)(intro.), Stats.

Signed at Madison, Wisconsin, this

11<sup>th</sup> day of August, 1983.



LOWELL B. JACKSON, P.E.

Secretary  
Wisconsin Department of Transportation