

(3) **FLAGS.** (a) When a vehicle, load, or vehicle and load is overlength, a single flag shall be fastened at the extreme rear of the load if the overlength or projecting portion is 2 feet wide or less.

(b) When a vehicle, load, or vehicle and load is overlength, 2 flags shall be fastened at the rear of the load to indicate maximum width if the overlength or projecting portion is wider than 2 feet.

(c) When a vehicle, load, or vehicle and load is overwidth, a flag shall be fastened at each front and rear corner of the load. In addition, if any part of the load is more than 4 inches wider than the width of load or vehicle at the front or rear, a flag shall be placed at the widest point of the load.

(d) Each flag shall be solid red or orange in color, and not less than 18 inches square.

(e) In order to wave freely, flags shall be securely fastened by at least one corner or securely mounted on a staff.

(4) **SIGNS.** (a) When a vehicle, load, or vehicle and load is more than 10 feet wide or is overlength, 2 warning signs shall be displayed. One sign shall be fastened at the front of the power unit and the other at either the rear of the towed unit or at the rear of the load.

(b) Each sign shall state, in black letters on a yellow background, "OVERSIZE LOAD," and may not be less than 7 feet long and 18 inches high. The letters of the sign may not be less than 10 inches high with a brush stroke of not less than 1.4 inches.

(c) The sign message may not be displayed when the vehicle is not operating under the permit.

(5) **TRUCK WEIGHT AND TIRES.** Unless otherwise provided in a permit:

(a) The vehicle towing a mobile home or modular building section more than 8½ feet in width but less than 12 feet in width shall be a truck of not less than 16,000 pounds manufacturer's gross vehicle weight rating. The power unit shall be equipped with dual wheels on the drive axle and the minimum size of the tires shall be 10 ply 8.25 x 20, or equivalent.

(b) The vehicle towing a mobile home or modular building section 12 feet in width, but not more than 16 feet in width, shall be a truck of not less than 19,200 pounds manufacturers' gross vehicle weight rating. The power unit shall be equipped with dual wheels on the drive axle and the minimum size of the tires shall be 10 ply 8.25 x 20, or equivalent.

(6) **MUDGUARDS.** Mobile home and modular building sections and the power unit operating a permit shall be equipped with rear fenders or mudguards of such material and constructed and placed as to restrict to a minimum the splashing of water, mud, stones, and other material which may be thrown up by the rear wheels. If mudguards are provided, they shall be at least as wide as the tire and shall cover the tire or multiple tires they are guarding starting at the top from a line drawn vertically through the center of the axle and extending rearward and downward so that the fender or mudguard under any condition of operation or loading of the vehicle has a ground clearance of not more than ¼ of the

horizontal distance from the center of the rearmost axle to the fender or mudguard.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 261.11 Times of operation.** (1) Except as otherwise specified in a permit, no vehicle or vehicle combination operating under a permit that is equal to or less than 12 feet in width, 13½ feet in height, and 100 feet in length, may operate:

(a) Between 4:00 p.m. and 11:00 p.m. on Sunday.

(b) Between 4:00 p.m. and 11:00 p.m. on Friday between the 4th Friday in May and Labor Day.

(c) Between 4:00 p.m. and 11:00 p.m. on any holiday, or, when Independence Day falls on Sunday, on the following Monday.

(d) Between 4:00 p.m. and 11:00 p.m. on the day before any holiday, except that this restriction does not apply to Independence Day when it falls on a Sunday.

(2) In addition to the conditions provided in sub. (1), no vehicle or vehicle combination operating under a permit that exceeds 12 feet in width, 13½ feet in height, or 100 feet in length, may operate:

(a) During the hours of darkness.

(b) During the period beginning at 12:00 noon on the day preceding and continuing until sunrise on the day following every Sunday and holiday.

(3) In addition to the conditions provided in subs. (1) and (2), no over-size vehicle or vehicle combination may operate on any part of the Milwaukee county expressway system constructed pursuant to s. 59.965, Stats., except on U.S. highway 45 between West Florist Avenue and West Hampton Avenue and on interstate highway 94 between the Waukesha county line and 108th Street:

(a) Between 6:00 a.m. and 9:00 a.m. and between 3:00 p.m. and 6:00 p.m. on Monday through Thursday.

(b) Between 6:00 a.m. and 9:00 a.m. and between 3:00 p.m. and 11:00 p.m. on Friday and Sunday.

(4) An issuing authority may issue a permit for times other than those specified in subs. (1), (2), or (3), under extraordinary circumstances when, in the opinion of the issuing authority, public health and welfare is better served, and may impose additional conditions to promote the safe operation of the vehicle and load.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 261.12 Route limitations.** (1) No permit allowing the dimensions of a vehicle or load to exceed 11 feet in width, 13½ feet in height or 100 feet in length is valid on any part of the Milwaukee county expressway system constructed pursuant to s. 59.965, Stats., except on U.S. highway 45 between West Florist Avenue and West Hampton Avenue and on Interstate highway 94 between the Waukesha county line and 108th Street.

(2) A permit issued by the department authorizes the use of any highways of the state, subject to the limitations stated the permit.

(3) An oversize vehicle may not be operated on a highway, whether loaded or empty, at any time that a permit is not valid.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 261.13 Transfers.** In the event of a breakdown or other circumstance requiring a change of the power unit stated on the permit, transfers to another vehicle, under the control of the permittee, may be made following the completion of a new application and the issuance of a new permit. The words, "This is a transfer from permit # \_\_\_\_\_," shall be written on the bottom of the application. The original permit shall be sent to the issuing authority with the transfer application.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 261.14 Insurance and liability conditions.** (1) In applying for and accepting a permit, a permittee agrees to:

(a) Pay any claim for any bodily injury or property damage resulting from operation under the permit for which the permittee is legally responsible.

(b) Hold the state, its subdivisions, officers, employes and agents harmless from any claim which may arise from operation over public highways under the permit.

(2) Whether or not insurance, bond, or deposit as set forth in sub. (7) is required, the permittee shall be liable for all damages which any highway or its appurtenances may sustain by reason of any operation under the permit.

(3) An issuing authority may waive insurance requirements for permits issued to government.

(4) Where a certificate of insurance is required, no insurer may cancel the certificate of insurance without providing the issuing authority 10 days advance written notice of the cancellation.

(5) An issuing authority may require a permittee to provide more bodily injury damage liability coverage than is set forth in sub. (6).

(6) The following insurance amounts are required:

(a) When the permitted power unit and mobile home or modular building section combination does not exceed 12 feet in width, and 13½ feet in height or 100 feet in length:

Bodily injury liability—each person	.....\$150,000	or \$750,000
Bodily injury liability—each accident	.....\$450,000	combined single
Property damage liability—each accident	.....\$300,000	limit

(b) When the permitted load exceeds the size limitations in par. (a):

Bodily injury liability—each person	.....\$200,000	or \$1,000,000
Bodily injury liability—each accident	.....\$600,000	combined single
Property damage liability—each accident	.....\$400,000	limit

(7) A permittee shall certify, and may be required to present satisfactory written evidence, that the amount of insurance coverage given in

sub. (6), or a bond in a form satisfactory to the issuing authority, will be in effect for the vehicle and load designated in the permit while operating on the public highway, unless this requirement is expressly waived by the issuing authority.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 261.15 General conditions and requirements.** (1) A permittee shall comply with all applicable statutes, ordinances, rules and policies of any state agency or subdivision of the state, unless they are modified by the conditions of the permit.

(2) When a vehicle operating under a permit is overweight, the permittee shall give prior notice to the owners of overhead wires, cables or other facilities which may be affected.

(3) A properly equipped escort vehicle as described in ch. Trans 252 shall accompany a vehicle and load:

(a) When any part of a vehicle or load extends beyond the left of the roadway centerline on 2-way roadways,

(b) When any part of a vehicle or load extends beyond the left edge of the right hand lane on highways with more than 2 lanes, or

(c) On a highway designated in a permit.

(4) A vehicle and load that does not require an escort vehicle may, when safe, move to the left of the centerline or beyond the left lane line while crossing a bridge or railroad crossing, but only after yielding to all other traffic.

History: Cr. Register, December, 1990, No. 420, eff. 1-1-91.

**Trans 261.16 Denial, suspension or revocation of permit.** (1) An issuing authority may deny, suspend, or revoke a permit for good cause, pursuant to s. 348.25 (7), Stats. Grounds for the denial, suspension, or revocation of a permit include:

(a) Violation of any condition of a permit.

(b) Preventing an employe of an issuing authority or a law enforcement officer from performing his or her official duties, or interfering with the lawful performance of his or her duties.

(c) Physically assaulting an employe of an issuing authority or a law enforcement officer while performing his or her official duties.

(d) Making a material misstatement in an application for a permit.

(e) Unauthorized alteration of a permit.

(f) Refusal or failure, without just cause, to produce required records.

(g) Payment of an application fee with a worthless check.

(h) Violation of any other applicable provision under ch. 348, Stats., or this chapter.

(2) A permittee shall immediately return a suspended or revoked permit to the issuing authority after receiving notice from the issuing authority of the suspension or revocation of the permit.

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**Note:** If a permit is denied, suspended, or revoked, an applicant or permittee may request a hearing before the office of the commissioner of transportation, pursuant to s. 348.25 (9), Stats.

**History:** Cr. Register, December, 1990, No. 420, eff. 1-1-91.