

# The Regulation of Agricultural Equipment on Wisconsin's Roadways

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As the practice of agriculture has modernized, agricultural equipment has become larger and heavier. Although this often improves efficiency, it has also given rise to concerns about the impact these vehicles have on pavement and road structures. In Wisconsin, the state Department of Transportation convened a study group comprised of representatives of state and local governments, law enforcement, citizens, and agricultural groups to develop recommendations for changes to state law governing the use of highways by agricultural equipment. The resulting legislation, Wisconsin Act 377, was signed into law by Governor Scott Walker on April 23<sup>rd</sup>.

Wisconsin is one of the first states to update its laws governing agricultural vehicles traveling on public roads, and many states are watching Wisconsin to see how it is implemented. This article provides only a brief overview of the topic. For more information, watch the [Wisconsin Department of Transportation's website](#), which will be updated in the coming months as the agency begins implementing the Act.

## What Vehicles Are Covered?

The law updates the definition of agricultural vehicles, or *Implements of Husbandry (IOH)*, and creates a new class of vehicles known as *Agricultural Commercial Motor Vehicles (Ag CMV)*. IOHs are generally the types of vehicles that were manufactured and designed for agricultural use, and Ag CMVs are generally vehicles that were designed primarily for highway use, but have been modified in some way for exclusive agricultural use. You should consult the law directly to understand whether your vehicle may be an IOH or an Ag CMV.

## Weight & Permitting

By far the most controversial part of the Act involved establishing weight limits for both Ag CMVs and IOHs. Because of limited enforcement, widespread misunderstanding of the law, and a lack of clarity in the definition of agricultural equipment, many Ag CMVs and IOHs operating on Wisconsin's roadways were too heavy under previous law. Act 377 increased the allowable weights by approximately 15% and created a local, no-fee permit program that grants local governments the authority to allow oversized vehicles to travel legally on the roadways under their jurisdictions. It's still unclear, however how this program will be implemented locally and statewide.

For an operator to understand what weights may apply to his or her vehicle, he must ask these questions:

- 1) *What kind of vehicle am I driving?* (New weight limits only apply to Ag CMVs and IOHs. These categories do not include some vehicles very common to agricultural operations, such as a manure tanker attached to a semi-tractor trailer.)
- 2) *Where am I driving?* (Different jurisdictions have authority over the roads, and each has some authority to impact the weights allowed on the roads under their jurisdiction. Operators will need to understand which local town, county or the state controls the roads along its vital routes.)
- 3) *What actions have these local authorities taken to affect the regulation of the roads?* (Local authorities may post weight restrictions on bridges and roads, regardless of the regulations passed by Act 377. In addition, Act 377 gives local governments the ability to opt into and out of the local permit program in different ways. Operators must understand these actions, and how they affect the regulation of the roads along the routes they travel.)
- 4) *Finally, what weight limits govern my vehicle?* (Once an operator understand what local actions have been taken to influence weight limits along its route, it can determine what weights apply. In some cases, the authority may have elected only to impose a simple gross vehicle weight limit of 92,000. In other cases, the authority may have chosen to implement the no-fee permit system, which requires operators to use a chart to determine applicable weights. These weights can be determined by looking at a table which determines the maximum gross vehicle weight depending on how many axles the vehicle has, and how far apart the front-most and rearmost axle are spaced. Any vehicle – or vehicle combination – must be permitted to be legal.)

## Other Provisions (an Overview)

- The law requires additional lighting and marking for any IOH that extends over the center-line of a roadway, and for all IOHs that are more than 15 feet wide. IOHs wider than 22 feet must be accompanied by an escort vehicle.
- Ag CMVs may be no wider than 10 feet, except for certain fenders, fender flares or tires which may be up to 12 feet wide.
- Passing an IOH or Ag CMV in a no-passing zone is now prohibited.
- Single, two- and three-vehicle combinations are now subject to new length limits, depending on the configuration.