

## Kim Manley

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**From:** Wendt, Michael - DOT <Michael.Wendt@dot.wi.gov>  
**Sent:** Thursday, September 28, 2023 8:02 AM  
**To:** Kim Manley  
**Subject:** FW: [External] Truck Routes

Hello Kim,

The Bureau of Highway Maintenance forwarded your question onto the region. Limitations of trucking on public roadways is limited by State Statute, for what I think you are asking you would want to refer to State Statute 348.15. There are options there, but it is limited to whom they may apply.

Hope this helps.

*Michael B. Wendt, PE*

North Central Region Deputy Director  
Wisconsin Department of Transportation  
(715)-365-5798

**From:** Kim Manley <kmanley@kronenwetter.org>  
**Sent:** Wednesday, September 27, 2023 10:31 AM  
**To:** DOT DTSD BHM Oversize-Overweight Permit Unit <osow@dot.wi.gov>  
**Subject:** Truck Routes

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Good morning,

Can a Village set a truck route in it's community? Not to give trucks a route through the community but to prevent a truck from traveling down a particular road.

I need this for a meeting next Monday night.

Kim Manley,  
Interim Administrator  
Village of Kronenwetter  
(715)693-4200 Ext. #102

## Kim Manley

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**From:** Lee D. Turonie <LDT@dempseylaw.com>  
**Sent:** Friday, September 29, 2023 11:39 AM  
**To:** Kim Manley  
**Cc:** Leonard Ludi  
**Subject:** [External] kowalski road

Kim,

Some info regarding your CLIPP memo. Wis. Stat. s. 349.17 is to designate truck routes. The way it works is that you designate other ways to get someplace than Kowalski. It's a negative thing. Wis. Stat. s. 349.15 can designate Class B highways at a stroke. That cuts weights to 60% of normal to significantly lower the bar on what is allowed, making it an unattractive route because it is way more expensive if caught. There is an exception for a local pick up or delivery, i.e., if it is the only way to get to the destination. Wis. Stat. s. 349.16 is direct statutory authority for special conditions or actually seeing damage being done. I still prefer an ordinance on this though for additional clarity of exercising the authority. This is how spring weight limits are done. I assume that these are not farm vehicles, that is a separate thing called Implements of Husbandry (IOH).

I brought a case against a vehicle once without a traffic stop. You can find out about how much a vehicle weighs, and if transporting a commodity, both sides know how much so that a person gets paid accurately. This was discoverable information after the fact. Probably not where we are here though.

You can request enforcement by the State Patrol. If so, they will pay a visit, but you have no control over when they get to it. They basically put you on the list if you ask kind of thing. Other issue is contracting with a Sheriff, if they have the equipment. Local police almost never have the equipment and training.

So there are some things that can be done. I think this is another facet of our long, rural roads that I was talking about before. Traffic is more of an issue the more development we have. Maybe Ludi can look into it. Long term, might need roads with more lanes, etc. In this same agenda: more development on Martin Road, e.g. Best case, there is no Kowalski interchange for 20 years, if ever. That leaves only these rural roads like Maple Ridge. Thanks,

See statutes here: <https://docs.legis.wisconsin.gov/statutes/statutes/349>

**Current ordinance is s. 496-28** and is largely unworkable except for minimally addressing special/seasonal and IOH: <https://ecode360.com/15241713>

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## Chapter 496. Vehicles and Traffic

### Article IV. Traffic Schedules

#### § 496-28. Weight limits.

- A. Violations of weight limits.
- (1) The Village Attorney shall prosecute cases under this section in the Municipal Court of the Village.
  - (2) Any person who shall violate any provision of this section shall pay a forfeiture as set forth in the Village Bond Schedule.
  - (3) Milk haulers, public utility vehicles, school buses, fuel haulers and septic tank pumpers who are in route to or from a failing septic tank within the Village are exempt from this section.
- B. **Scope. The spring breakup of roads is causing considerable damage to the Village highways.** Such damage can be reduced by controlling the heavy load weights of vehicles traveling over Village highways. It is in the best interest of the public that load weights passing over Village highways be limited to protect the interests of the Village taxpayers.
- C. Limits established; posting signs; enforcement of weight limits.  
[Amended 10-13-2014 by Ord. No. 14-14]
- (1) Pursuant to Wis. Stats. § 349.16, the Village Director of Public Works shall be authorized to establish and impose special or seasonal weight limitations as necessary within the Village.
  - (2) Pursuant to Wis. Stats. § 348.15(9)(f), all implements of husbandry [including Category B implements of husbandry defined in Wis. Stats. § 340.01(24)(a)1.b.] may not exceed the weight limits imposed by Wis. Stats. § 348.15(3)(g).
  - (3) For all implements of husbandry (including Category B implements of husbandry) that exceed the length and/or weight limitations on highways under the Village jurisdiction, a no-fee permit may be applied for from the Village.
  - (4) Pursuant to Wis. Stats. § 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 Wis. Stats. § 348.15(3)(g), the Village is required to provide an approved alternate route, which may include highways that are not under its 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 Wis. Stats. § 348.15(3)(g).
  - (5) The Village Police Department shall enforce this section.