



**Division of State Patrol
Policy and Procedure**

Number
8-7

Subject ANNUAL SIZE/WEIGHT ENFORCEMENT PLAN AND CERTIFICATION	
Author/Originator Bureau of Field Operations	Approved by <i>Stephen Fitzgerald</i> Superintendent
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I. POLICY

It is the policy of the Division of State Patrol (DSP) as a part of the Motor Carrier Enforcement Program to protect and preserve Wisconsin’s highway system through the enforcement of motor carrier regulations.

II. BACKGROUND

To preserve our nation’s highway infrastructure and to provide a safe and efficient driving environment for the motor carrier industry, states must ensure that commercial motor vehicles comply with federal size and weight standards. The Federal Highway Safety Administration (FHWA) requires that all states have a plan to protect their highway infrastructure through the enforcement of vehicle size and weight laws that are compliant with federal standards. Federal highway funds are linked to having an approved annual size/weight enforcement plan and certification in place.

FHWA’s Size/Weight program is administered through 23 CFR, Part 657, which lays the foundation for the development and operation of an enforcement process to regulate the motor carrier industry through a systematic approach that eliminates size and weight violations. DSP submits a *Size/Weight Enforcement Plan* to FHWA on or before July 1st of each year. In cooperation with DSP, the Wisconsin Department of Transportation’s Office of General Counsel (OGC) submits a *Size/Weight Certification* to FHWA prior to the end of each calendar year.

III. OBJECTIVES

- A. Establish parameters in coordinating the development and submission of the Size/Weight Enforcement Plan and the Size/Weight Certification.
- B. Document DSP requirements that must be accomplished each year for the State to be in compliance with mandated federal regulations found in 23 CFR, Part 657.
- C. Identify information DSP is responsible to collect and provide to OGC for completion of the Size/Weight Certification.

IV. GENERAL PROVISIONS

- A. The Size/Weight Enforcement Plan shall:
 - 1. Document the procedures, resources and facilities which the State intends to devote to the enforcement of its vehicle size and weight laws.
 - 2. Conform to Chapter I, Title 23, Code of Federal Regulations, Part 657.9.
 - 3. Serve as the basis by which the annual certification of enforcement will be evaluated for adequacy.
- B. The Size/Weight Certification is the responsibility of OGC. DSP's responsibility in the *certification* process is, upon request from OGC, to provide current and projected data regarding enforcement operations.

V. PROCEDURES

- A. The Motor Carrier Enforcement Section (MCES), within the DSP Bureau of Field Operations (BFO) shall be responsible annually for writing and submitting the Size/Weight Enforcement Plan and for providing data annually to OGC for the accompanying Size/Weight Certification.
- B. The Size/Weight Enforcement Plan shall be completed online using the FHWA prescribed *template* available at FHWA's Vehicle and Size Weight site, <https://fhwaapps.fhwa.dot.gov/upacsp/tm?transName=MenuSystem&action=buildHTML>
 - 1. The *template* requires completion of the following fields:
 - a. Number of fixed platform scales, portable wheel weighers, and weigh-in-motion equipment.
 - b. Participating law enforcement agencies and number of personnel from each.

- c. Funding expended for personnel and facilities.
 - d. Proposed plan of operation including geographical coverage and hours of operation.
 - e. Policy and practices with respect to overweight violators.
 - f. Policy and practices with respect to penalties.
 - g. Penalties for repeated violations.
 - h. Policy and practices with respect to special permits for overweights.
 - i. Changes in vehicle size/weight laws and regulations.
 - j. Short, Medium, and Long-Term Goals.
 - k. Evaluation of related enforcement operations.
2. The Size/Weight Enforcement Plan is approved by the DSP Superintendent, Deputy Superintendent, BFO Director and MCES Captain.
 3. The Size/Weight Enforcement Plan is due (online) on or prior to July 1st of each year. *Failure to file a plan is deemed failure to certify and impacts WisDOT's allocation of federal highway funds.*
 4. The federal office having oversight of the Size/Weight Enforcement Plan and the program is FHWA, located at 525 Junction Road, Suite 8000, Madison, Wisconsin.
- C. The annual Size/Weight Certification is the responsibility of the OGC and must be submitted electronically on or prior to December 31st of each year on FHWA size/weight site:
<https://fhwaapps.fhwa.dot.gov/upacsp/tm?transName=MenuSystem&action=buildHTML>
1. The Size/Weight Certification includes:
 - a. Copies of state laws or regulations pertaining to vehicle size and weight laws adopted since the state's last certification.
 - b. An analysis of any changes made that affect the program.
 - c. The number of current and forecasted scales by type. (DSP provides)
 - d. The number of oversize and overweight violations. (DSP provides)
 - e. The number of vehicles weighed by scale type. (DSP provides)

- f. The number of citations by axle group. (DSP provides)
 - g. Number of vehicles whose loads were shifted or offloaded. (DSP provides)
 - h. Number of permits issued for overweight loads.
- D. Failure to file an acceptable Size/Weight Enforcement Plan and Size/Weight Certification can result in a 10% reduction in federal aid funds.

VI. REFERENCES

23 CFR, Part 657

<https://fhwaapps.fhwa.dot.gov/upacsp/tm?transName=MenuSystem&action=buildHTML>

FHWA Office, 525 Junction Road, Suite 8000, Madison, Wisconsin