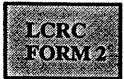


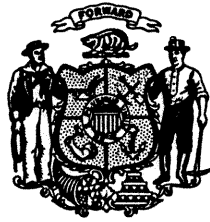
WISCONSIN LEGISLATIVE COUNCIL STAFF



OCT 04 1999

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

Richard Sweet
Assistant Director
(608) 266-2982

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 99-136

AN ORDER to repeal Trans 252.05 (2); to renumber and amend Trans 252.05 (3) and (4); to renumber Trans 252.05 (5); to amend Trans 252.05 (1); and to repeal and recreate Trans 252.02, relating to escort vehicles.

Submitted by **DEPARTMENT OF TRANSPORTATION**

09-02-99 RECEIVED BY LEGISLATIVE COUNCIL.
09-28-99 REPORT SENT TO AGENCY.

RNS:AS;jal;rv

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

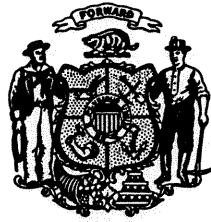
Comment Attached YES NO

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 99-136

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. In s. Trans 252.05 (1), "or" following "gross vehicle weight" could be replaced by an underscored comma. Also, the underscored comma on the last line should follow "and".
- b. Section Trans 252.05 (3) (c) should be created in a separate SECTION of the rule and should not be underscored.
- c. In s. Trans 252.05 (3) (c) 1., will it be clear to readers what is meant by "solid state construction"?

The Wisconsin Department of Transportation proposes an order to repeal TRANS 252.05(2); renumber and amend TRANS 252.05(3) and (4); renumber TRANS 252.05(5); amend TRANS 252.05(1); and repeal and recreate TRANS 252.02, relating to escort vehicles.

**NOTICE OF HEARING
AND
TEXT OF PROPOSED RULE**

NOTICE IS HEREBY GIVEN that pursuant to s. 348.25(3), Stats., and interpreting s. 348.25(3), Stats., the Department of Transportation will hold a public hearing in **Room 551** of the Hill Farms State Transportation Building, 4802 Sheboygan Avenue, Madison, Wisconsin on the **12th** day of **October**, 1999, at **1:00 PM**, to consider the amendment of chapter Trans 252, Wisconsin Administrative Code, relating to escort vehicles.

An interpreter for the hearing impaired will be available on request for this hearing. Please make reservations for a hearing interpreter at least 10 days prior to the hearing.

The public record on this proposed rule making will be held open until close of business October 15, 1999, to permit the submission of written comments from persons unable to attend the public hearing or who wish to supplement testimony offered at the hearing. Any such comments should be submitted to Kathleen Nichols, Department of Transportation, Motor Carrier Services Section, Room 151, P. O. Box 7980, Madison, WI 53707-7980.

Parking for persons with disabilities and an accessible entrance are available on the north and south sides of the Hill Farms State Transportation Building.

Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: s. 348.25(3), Stats.

STATUTES INTERPRETED: s. 348.25(3), Stats.

General Summary of Proposed Rule. This proposed rule will amend ch. Trans 252, relating to Escort Vehicles, to update some requirements reflecting changes in vehicle manufacturing and industry practices. The rule is amended to expand vehicles which may be used as escort vehicles to include single-unit trucks up to 32,000 pounds actual gross vehicle weight, gross vehicle weight rating, or registered weight. The proposed amendment clarifies the reference to a Type 1 automobile as defined in state law, and clarifies that any escort vehicle must meet the "overhang" requirements of s. 348.09, Stats., when carrying the required sign. The rule allows either the current sign or a smaller (5' long) sign. Finally, the proposed rule amendment eliminates the requirement that escort vehicles display flags on the bumpers but, instead, requires flashing lights or strobe lights that are visible all around (360 degrees).

Fiscal Effect. The proposed rule will have no fiscal impact on the State or local units of government.

Initial Regulatory Flexibility Analysis. The proposed rule amendment will benefit small businesses involved in oversize/overweight load transport. The amendment reflects changes in vehicle manufacturing and industry practices, and thus should reduce business costs in complying with escort vehicle requirements. Escort vehicle requirements are necessary to adequately protect safety of the traveling public which may encounter an oversize/overweight load in transit.

Copies of Proposed Rule. Copies of the proposed rule may be obtained upon request, without cost, by writing to Kathleen Nichols, Department of Transportation, Motor Carrier Services Section, Room 151, P. O. Box 7980, Madison, WI 53707-7980, or by calling (608) 266-6648. Hearing-impaired individuals may contact the Department using TDD (608) 266-3096. Alternate formats of the proposed rule will be provided to individuals at their request.

TEXT OF PROPOSED RULE

Under the authority vested in the state of Wisconsin, department of transportation, by s. 348.25(3), Stats., the department of transportation hereby proposes to amend a rule interpreting s. 348.25(3), Stats., relating to escort vehicles.

SECTION 1. Trans 252.02 is repealed and recreated to read:

TRANS 252.02 Definitions. Unless otherwise stated, the definitions of words and phrases in ss. 340.01 and 348.01(2), Stats., and s. Trans 250.02 apply to this chapter.

SECTION 2 Trans 252.05(1) is amended to read:

Trans 252.05(1) **VEHICLE.** An escort vehicle shall be a ~~passenger~~ Type 1 automobile or a ~~light~~ single-unit motor truck of not more than 32,000 pounds actual gross vehicle weight or gross vehicle weight rating or registered weight. The escort vehicle shall be so designed as to afford its driver a clear and unobstructed view to both front, ~~and rear,~~ rear, right and left.

NOTE: The escort vehicle sign may not exceed "overhang" limitations specified in s. 348.09, Stats., which states:

348.09 Projecting loads on side of vehicles. (1) No person, without a permit therefor, shall operate on a highway any motor vehicle, trailer or semitrailer carrying any load extending beyond the fender line on the left side or extending more than 6 inches beyond the fender line on the right side of the vehicle. In the case of motor trucks, "fender line" means the outermost limits of the rear fenders, flare boards or floor of the body, whichever projects outward the farthest.

(2) This section applies even though the total width of the vehicle and load does not exceed the maximum permitted under s. 348.05.

SECTION 3. Trans 252.05(2) is repealed.

SECTION 4. Trans 252.05(3) and (4) are renumbered Trans 252.05(2) and (3) and amended to read:

Trans 252.05(2) **OVERSIZE LOAD SIGN.** ~~An escort~~ A vehicle escorting an oversize vehicle shall have an "OVERSIZE LOAD" sign mounted above the roof of the escort vehicle and above any equipment mounted on the vehicle which would obscure an approaching driver's clear view of the sign. The lettering on the sign shall be 10 inches high in black on ~~an~~ a solid yellow or amber background and may not have a stroke width of less than one and ~~five-eighths~~ one-half inches. The sign may not be less than ~~6~~ 5 feet wide or ~~48~~ 14 inches high. The sign shall be visible to traffic approaching

from the front of an escort vehicle preceding a load. In the case of an escort vehicle operating to the rear of the load being transported, the sign shall be visible to traffic approaching from the rear. No sign message may be displayed to traffic when the escort vehicle is not escorting an oversize load.

(3) WARNING LAMPS. (a) An escort vehicle shall be equipped with at least 2 amber warning lamps mounted on or above the vehicle roof. Each such warning lamp shall be equipped with a reflector ~~at least 7 inches in diameter~~ and shall flash, oscillate or rotate between 30 and 90 times per minute. Each such warning lamp shall have sufficient intensity to be clearly visible and attention-attracting at a distance of 500 feet, under all conditions when the oversize or overweight vehicle or load is on the highway, except when visibility of the lamp is temporarily obstructed by a hill crest, a curve or an object such as another vehicle.

(b) The 2 amber warning lamps shall be mounted at the same level, shall be separated laterally as much as possible, shall be visible all around, or 360 degrees, and shall flash, oscillate or rotate ~~simultaneously~~.

cr- (c) In lieu of amber warning lamps, an escort vehicle may be equipped with at least 2 amber strobe lights mounted on or above the vehicle roof at the same level, and spaced laterally as much as possible. These strobe lights shall comply with the ^{*all of*} following requirements: _{*^*}

1. The strobe light shall be of solid state construction. It shall emit an amber light by flashing 360 degrees around the vertical axis.

2. The strobe light shall be capable of operating continuously without any significant change in the flash rate under all operating conditions or weather extremes

experienced in this state. The flash rate shall be no less than 30 nor more than 120 per minute. The double flash effect shall be counted as a single flash.


3. The electronic power supply circuit shall provide sufficient light intensity to be clearly visible and attention-attracting at a distance of 500 feet, under all conditions when the oversize or overweight vehicle or load is on the highway, except when visibility of the lamp is temporarily obstructed by a hill crest, a curve, or an object such as another vehicle. The flash shall be so designed that there is a single or double flash or pulsing of the flash tube. A double flash unit may have different intensities with the first flash having the highest intensity.

SECTION 5. Trans 252.05(5) is renumbered Trans 252.05(4).

(END OF RULE TEXT)

Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 1 day of
September, 1999.



CHARLES H. THOMPSON
Secretary
Wisconsin Department of Transportation

PART 4
CR 99-136

ANALYSIS OF FINAL DRAFT OF TRANS 252

(a) **Need for Amended Rule.** This proposed rule will update some requirements reflecting changes in vehicle manufacturing and industry practices. The rule is amended to expand vehicles which may be used as escort vehicles to include single-unit trucks up to 16,000 pounds actual gross vehicle weight, gross vehicle weight rating, or registered weight. The proposed amendment clarifies the reference to a Type 1 automobile as defined in state law, and clarifies that any escort vehicle must meet the "overhang" requirements of s. 348.09, Stats., when carrying the required sign. The rule allows either the current sign or a smaller (5' x 12') sign. Finally, the proposed rule amendment eliminates the requirement that escort vehicles display flags on the bumpers but, instead, requires flashing lights or strobe lights that are visible all around (360 degrees).

(b) **Modifications as a Result of Testimony at Public Hearing.** Section Trans 252.05(1) was modified by adding a sentence explaining that unobstructed view to the rear may be provided by outside mirrors on both sides of the escort vehicle, and by reducing the size of a motor truck used as an escort vehicle from 32,000 pounds to 16,000 pounds.

Section Trans 252.05(2) was modified by reducing the size of the "OVERSIZE LOAD" sign to 5 feet wide and 12 inches high, and by adding language clarifying that these dimensions refer to the visible surface of the sign.

Section Trans 252.05(3)(a) was modified by including a sentence explaining that warning lamps include strobe lights; by deleting the requirement that reflectors be at least 7 inches in diameter; by changing the flash, pulse, or rotation frequency to a range of from 30 to 120 per minute; and by explaining that multiple flash effect will be counted as a single flash.

Section Trans 252.05(3)(b) of the hearing draft was deleted.

(c) **List of Persons who Appeared or Registered at Public Hearing.** The public hearing was held in Madison on October 12, 1999. The following two persons attended the hearing:

Ross Kinzler, Executive Director, Wisconsin Manufactured Housing Association, 202 State Street, Suite 200, Madison, WI 53703. (Spoke in favor of the rule.)

Kenneth L. Kasper, Escort Car Operator, representing Jay Kay Escort Service, 300 Fischer Street, Unity, WI 54488. (Spoke in opposition and for information. Mr. Kasper also submitted written comments.)

The written comment period was also held open until close of business October 15, 1999. Written comments were received from the following individuals:

Cyndi Mauney, President, Texas Pilot Car Association, 3831 Postwood, Spring, TX 77388-5064.

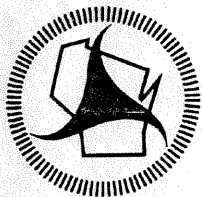
Jake Kimmel, Trailblazer Pilot Car Services, 115 Antrim, San Antonio, TX 78218.

Comments were also provided by phone by Don Baasch, M412 Staadt Road, Marshfield, WI 54449 and by Bob Wilder, Wisconsin Transportation Builders Association, 1 South Pinckney Street, Madison, WI 53703.

(d) **Response to Legislative Council Recommendations.** The Legislative Council report contained three recommendations, all of which have been incorporated into the proposed rule. The Legislative Council's question about the meaning of "solid state construction" was addressed by deleting this phrase, along with the remainder of s. Trans 252.05(3)(b).

(e) **Final Regulatory Flexibility Analysis.** The proposed rule amendment will benefit small businesses involved in oversize/overweight load transport. The amendment reflects changes in vehicle manufacturing and industry practices, and thus should reduce business costs in complying with escort vehicle requirements. Escort vehicle requirements are necessary to adequately protect safety of the traveling public which may encounter an oversize/overweight load in transit.

NOV 15 1999



Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

Office of General Counsel
4802 Sheboygan Ave., Rm. 115B
P.O. Box 7910
Madison, WI 53707-7910

Telephone: 608-266-8810
FAX: 608-267-6734
E-Mail: ogc.exec@dot.state.wi.us

November 11, 1999

The Honorable Fred Risser
President, Wisconsin State Senate
Room 220 South, State Capitol
Madison, Wisconsin 53707

The Honorable Scott Jensen
Speaker, Wisconsin State Assembly
Room 211 West, State Capitol
Madison, Wisconsin 53707

RE: Proposed Administrative Rule **TRANS 252**
Notification of Legislative Standing Committees
CLEARINGHOUSE RULE 99-136

Gentlemen:

Enclosed is a copy of Clearinghouse Rule **99-136**, relating to **escort vehicles**.
The rule is submitted to you for referral to the appropriate standing committees.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Johnson".

Julie A. Johnson
Paralegal

JAJ/dim

Enclosure

cc: Gary Poulson/Senator Judy Robson/Representative Glenn Grothman/
Roger Cross/David Schumacher/James Gruendler/Kathleen Nichols/
Brian Ausloos/Ashwani Sharma/Carson Frazier

CR 99-136

The Wisconsin Department of Transportation proposes an order to repeal TRANS 252.05(2); renumber and amend TRANS 252.05(3) and (4); renumber TRANS 252.05(5); amend TRANS 252.05(1); and repeal and recreate TRANS 252.02, relating to escort vehicles.

**REPORT OF THE DEPARTMENT OF TRANSPORTATION
ON THE FINAL RULE DRAFT**

This report is submitted to the presiding officers of the Senate and Assembly for referral to the appropriate standing committees. The report consists of the following parts:

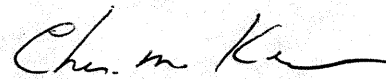
Part 1--Analysis prepared by the Department of Transportation.

Part 2--Rule text in final draft form.

Part 3--Recommendations of the Legislative Council.

Part 4--Analysis prepared pursuant to the provisions of s. 227.19(3), Stats.

Submitted by:



CHARLES M. KERNATS
Assistant General Counsel
Office of General Counsel
Department of Transportation
Room 115-B, Hill Farms State
Transportation Building
P. O. Box 7910
Madison, WI 53707-7910
(608) 267-7940

PART 1

Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: s. 348.25(3), Stats.

STATUTES INTERPRETED: s. 348.25(3), Stats.

General Summary of Proposed Rule. This proposed rule will amend ch. Trans 252, relating to Escort Vehicles, to update some requirements reflecting changes in vehicle manufacturing and industry practices. The rule is amended to expand vehicles which may be used as escort vehicles to include single-unit trucks up to 16,000 pounds actual gross vehicle weight, gross vehicle weight rating, or registered weight. The proposed amendment clarifies the reference to a Type 1 automobile as defined in state law, and clarifies that any escort vehicle must meet the "overhang" requirements of s. 348.09, Stats., when carrying the required sign. The rule allows either the current sign or a smaller (5' x 12') sign. Finally, the proposed rule amendment eliminates the requirement that escort vehicles display flags on the bumpers but, instead, requires flashing lights or strobe lights that are visible all around (360 degrees).

Fiscal Effect. The proposed rule will have no fiscal impact on the State or local units of government.

Copies of Proposed Rule. Copies of the proposed rule may be obtained upon request, without cost, by writing to Kathleen Nichols, Department of Transportation, Motor Carrier Services Section, Room 151, P. O. Box 7980, Madison, WI 53707-7980, or by calling (608) 266-6648. Hearing-impaired individuals may contact the Department using TDD (608) 266-3096. Alternate formats of the proposed rule will be provided to individuals at their request.

PART 2

TEXT OF PROPOSED RULE

Under the authority vested in the state of Wisconsin, department of transportation, by s. 348.25(3), Stats., the department of transportation hereby proposes to amend a rule interpreting s. 348.25(3), Stats., relating to escort vehicles.

SECTION 1. Trans 252.02 is repealed and recreated to read:

TRANS 252.02 Definitions. Unless otherwise stated, the definitions of words and phrases in ss. 340.01 and 348.01(2), Stats., and s. Trans 250.02 apply to this chapter.

SECTION 2 Trans 252.05(1) is amended to read:

Trans 252.05(1) VEHICLE. An escort vehicle shall be a ~~passenger~~ Type 1 automobile or a ~~light~~ single-unit motor truck of not more than 16,000 pounds actual gross vehicle weight, gross vehicle weight rating or registered weight. The escort vehicle shall be so designed as to afford its driver a clear and unobstructed view to ~~both~~ the front and, rear, right and left. Unobstructed view to the rear may be provided by outside mirrors on both sides of the vehicle.

NOTE: The escort vehicle sign may not exceed "overhang" limitations specified in s. 348.09, Stats., which states:

348.09 Projecting loads on side of vehicles. (1) No person, without a permit therefor, shall operate on a highway any motor vehicle, trailer or semitrailer carrying any load extending beyond the fender line on the left side or extending more than 6 inches beyond the fender line on the right side of the vehicle. In the case of motor trucks, "fender line" means the outermost limits of the rear fenders, flare boards or floor of the body, whichever projects outward the farthest.

(2) This section applies even though the total width of the vehicle and load does not exceed the maximum permitted under s. 348.05.

SECTION 3. Trans 252.05(2) is repealed.

SECTION 4. Trans 252.05(3) and (4) are renumbered Trans 252.05(2) and (3) and, as renumbered, are amended to read:

Trans 252.05(2) OVERSIZE LOAD SIGN. ~~An escort~~ A vehicle escorting an oversize vehicle shall have an "OVERSIZE LOAD" sign mounted above the roof of the escort vehicle and above any equipment mounted on the vehicle which would obscure an approaching driver's clear view of the sign. The lettering on the sign shall be 10 inches high in black on ~~an~~ a solid yellow or amber background and may not have a stroke width of less than one and ~~five-eighths~~ one-half inches. The visible surface of the sign may not be less than 6 5 feet wide or 18 and 12 inches high. The sign shall be visible to traffic approaching from the front of an escort vehicle preceding a load. In the case of an escort vehicle operating to the rear of the load being transported, the sign

shall be visible to traffic approaching from the rear. No sign message may be displayed to traffic when the escort vehicle is not escorting an oversize load.

(3) WARNING LAMPS. (a) An escort vehicle shall be equipped with at least 2 amber warning lamps mounted on or above the vehicle roof. A warning lamp includes a single or multiple pulse strobe light. Each such warning lamp shall ~~be equipped with a reflector at least 7 inches in diameter and shall flash, oscillate pulse~~ or rotate between 30 and ~~90~~ 120 times per minute. The multiple flash effect shall be counted as a single flash. Each such warning lamp shall have sufficient intensity to be clearly visible and attention-attracting at a distance of 500 feet, under all conditions when the oversize or overweight vehicle or load is on the highway, except when visibility of the lamp is temporarily obstructed by a hill crest, a curve or an object such as another vehicle.

(b) The 2 amber warning lamps shall be mounted at the same level, shall be separated laterally as much as possible, shall be visible all around, or 360 degrees, and shall flash, ~~oscillate pulse~~ or rotate ~~simultaneously.~~

SECTION 5. Trans 252.05(5) is renumbered Trans 252.05(4).

(END OF RULE TEXT)

Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 11 day of November, 1999.



CHARLES H. THOMPSON
Secretary
Wisconsin Department of Transportation



Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

Office of General Counsel
4802 Sheboygan Ave., Rm. 115B
P.O. Box 7910
Madison, WI 53707-7910

Telephone: 608-266-8810
FAX: 608-267-6734
E-Mail: ogc.exec@dot.state.wi.us

The Honorable Judy Robson
Senate Chairman
Joint Committee for Review
of Administrative Rules
Room 15 South, State Capitol
Madison, Wisconsin 53702

September 1, 1999

SEP 03 1999

SEP 03 RECD

The Honorable Glenn Grothman
Assembly Chairman
Joint Committee for Review
of Administrative Rules
Room 15 North, State Capitol
Madison, Wisconsin 53702

RE: **NOTICE OF PUBLIC HEARING** and Text of Proposed Rule, relating to **escort vehicles**,
Trans 252

Dear Senator Robson and Representative Grothman:

Enclosed for your information is a Notice of Public Hearing and Text of Proposed Rulemaking relating to the above-entitled matter. These documents have also been filed with the Revisor of Statutes, the Legislative Council, and the Department of Administration in accordance with the requirements of §§ 227.15 and 227.17, Stats.

Sincerely,


Julie A. Johnson
Paralegal

Enclosure

cc: Sandy Beaupre
Mike Goetzman
Roger Cross
Jim Gruendler
David Schumacher
Tom Cantwell
Kathleen Nichols
Carson Frazier



Wisconsin Department of Transportation

www.dot.state.wi.us

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

Office of General Counsel
4802 Sheboygan Ave., Rm. 115B
P.O. Box 7910
Madison, WI 53707-7910

Telephone: 608-266-8810
FAX: 608-267-6734
E-Mail: ogc.exec@dot.state.wi.us

July 9, 1999

JUL 13 REC'D

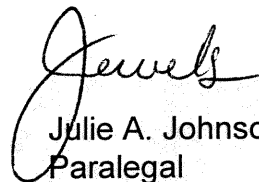
Mr. Gary L. Poulson, Deputy Revisor
Revisor of Statutes Bureau
131 West Wilson Street
Suite 800
Madison, Wisconsin 53703

RE: **STATEMENT OF SCOPE OF PROPOSED RULEMAKING, TRANS 252**

Dear Mr. Poulson:

Enclosed is the Statement of Scope for the proposed amendment of ch. Trans 252. Please publish the Scope Statement in accordance with § 227.135(3), Stats., in the Administrative Register.

Sincerely,


Julie A. Johnson
Paralegal

Enclosures

cc: Richard G. Chandler/DOA State Budget Director
Senator Judy Robson, Co-Chair/JCRAR
Representative Glenn Grothman, Co-Chair/JCRAR
Sandy Beaupre
Mike Goetzman
Roger Cross
David Schumacher
James Gruendler
Kathleen Nichols
Carson Frazier

STATEMENT OF SCOPE

DESCRIPTION OF THE OBJECTIVE OF THE RULE:

This rule making will amend ch. Trans 252, relating to Escort Vehicles, to update some requirements reflecting changes in vehicle manufacturing and industry practices.

DESCRIPTION OF EXISTING POLICIES RELEVANT TO THE RULE AND OF NEW POLICIES PROPOSED TO BE INCLUDED IN THE RULE AND AN ANALYSIS OF POLICY ALTERNATIVES:

Currently, the rule requires escort vehicles to be either "passenger vehicle or light truck." We propose to expand allowable vehicles to include single-unit motor trucks up to 32,000 pounds, measured as the highest of actual gross weight, gross vehicle weight rating, or registered weight. This will allow transporters to use as escort vehicles larger trucks which would already be accompanying the oversize load. We propose the following:

- To clarify that "passenger automobile" in state law is defined as "Type 1 automobile," and to clarify that any escort vehicle must meet the "overhang" requirements of s. 348.09, Stats., when carrying the required sign. This will reduce confusion as to exactly what size and type of vehicle may be used as an escort vehicle.

- To allow either the currently required sign which is 6 feet long and says "oversize load" or a 5 foot long sign which says "oversize." Allowing a smaller sign will enable transporters more flexibility in the type and size of vehicle they may use as an escort vehicle.

- To eliminate the requirement that escort vehicles display flags on the vehicle bumpers but, instead, require flashing lights which are visible all around (360 degrees) and have a minimum required visibility. This change accommodates changes in the way vehicles are manufactured – often a bumper is molded, rounded, and unable to securely hold a flag.

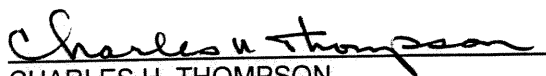
STATUTORY AUTHORITY FOR THE RULE:

s. 348.25(3), Stats.

ESTIMATES OF THE AMOUNT OF TIME THAT STATE EMPLOYEES WILL SPEND DEVELOPING THE RULE AND OF OTHER RESOURCES NECESSARY TO DEVELOP THE RULE:

Approximately 200 hours

Signed at Madison, Wisconsin, this 8 day of July, 1999.


CHARLES H. THOMPSON
Secretary
Wisconsin Department of Transportation