

Vote Record

**Committee on Transportation and Information
Infrastructure**

Date: February 23, 2004

Bill Number: Senate Bill 423

Moved by: Senate Committee on Transportation and Information Infrastructure

Motion: *Passage of Senate Bill 423.*

Committee Member

Senator Mark Meyer

<u>Aye</u>	<u>No</u>	<u>Not Voting</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Signature: _____

Mark Meyer

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Committee Member
Senator Roger Breske

<u>Aye</u>	<u>No</u>	<u>Not Voting</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Signature: _____

Roger Breske

Vote Record

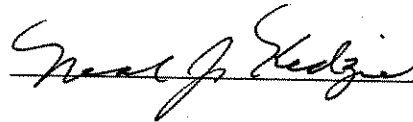
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Committee Member
Senator Neal Kedzie

<u>Aye</u>	<u>No</u>	<u>Not Voting</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Signature:



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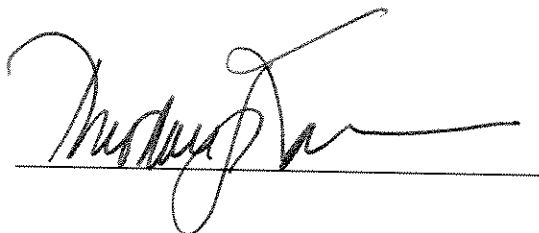
Motion: *Passage of Senate Bill 423.*

Committee Member

Senator Ted Kanavas

Aye **No** **Not Voting**

Signature:





Joe Leibham

STATE SENATOR

TESTIMONY OF STATE SENATOR JOE LEIBHAM

(Senate author of Senate Bill 423)

- Wednesday, February 18, 2004 -

Good morning Committee members.

Wisconsin has vast and unique landscapes that allow the residents of our State to create an economy that utilizes our resources while maintaining its natural beauty. Each area of the State utilizes the surrounding area to grow our economy. I believe it is our responsibility as legislators to provide the proper regulatory environment to attract new business and to allow existing business to grow. I am pleased to testify before you today on Senate Bill (SB) 423, which seeks to help continue the success of our logging industry in Northern Wisconsin.

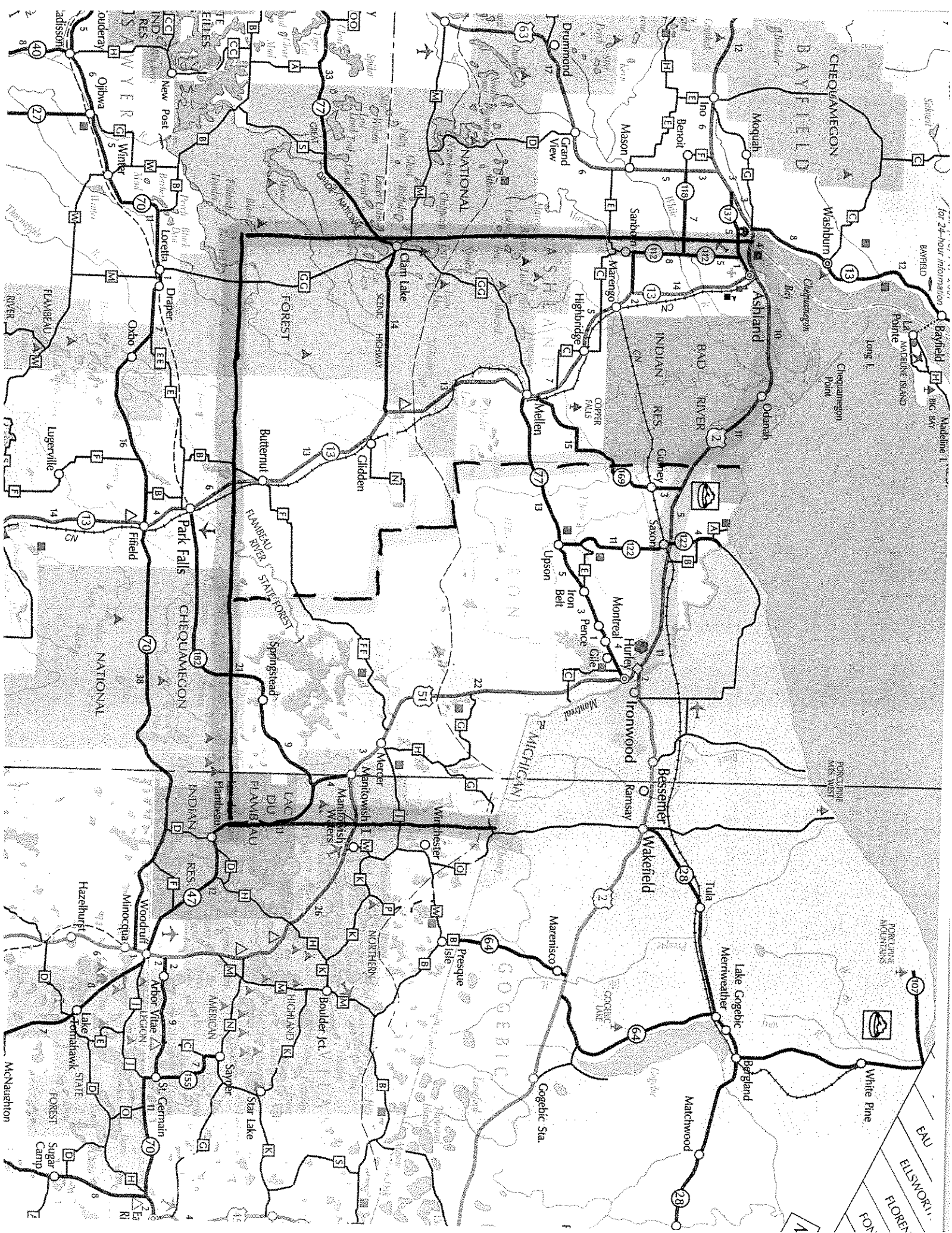
Under current law, with limited exceptions, no person may operate upon a highway any vehicle or combination of vehicles that exceeds certain statutory limits on size, weight or load unless that person possesses a permit issued by the Wisconsin Department of Transportation (WisDOT). WisDOT may issue an annual or consecutive month permit for an oversize or overweight vehicle or combination of vehicles transporting loads over any state highway within 11 miles of the Wisconsin-Michigan state line and, if previously approved by local highway authorities, on local highways within that 11-mile area. This bill extends the area for which such a permit may be issued for certain vehicles or combinations of vehicles traveling on United States Highway (USH) 2. Under the bill, a vehicle or combination of vehicles transporting exclusively peeled or unpeeled forest products cut crosswise may operate under such a permit anywhere upon USH 2 in Ashland County or Iron County if the vehicle or combination of vehicles is traveling between Wisconsin and Michigan and does not violate length or weight limitations established under current Michigan law. The permit does not authorize travel upon local roads unless previously approved by local highway authorities.

SB 423 would bring new revenue to the State as the number of Michigan border permits is expected to rise. The dollars raised by additional permits would help offset any costs incurred by the State as a result of this bill. Additionally, the WisDOT has indicated that it may be possible for the Department to absorb any increase costs associated with SB 423.

The Assembly companion legislation, Assembly Bill (AB) 794, was heard before the Assembly Committee on Highway Safety on February 4, 2004 where it passed out of Committee on a unanimous, bipartisan vote of 6 ayes to 0 noes. AB 794 is currently before the Assembly Committee on Rules, where it awaits scheduling for consideration by the full State Assembly.

I thank you for your attention to SB 423 and hope that you will support this bipartisan bill, allowing the economy of our State to receive the necessary regulatory support to help grow Wisconsin.

Thank you.



TESTIMONY
Wisconsin Department of Transportation
2003 SENATE BILL 423
Senate Transportation and Information Infrastructure Committee

Wednesday, February 18, 2004
Madison, Wisconsin

Thank you Chairman Leibham for hearing my testimony on SB 423 related to permitting overweight trucks carrying wood products between Michigan and Ashland, Wisconsin, on US Highway 2. I'm Randy Romanski, the Executive Assistant to the Secretary of the Department of Transportation. This issue initially came to the department's attention after Senator Jauch and Rep. Sherman requested assistance in promoting improved transportation to stimulate economic growth in northern Wisconsin. In fact, the department helped draft the bill at their request. The department appreciates the willingness of legislators to work with us on this issue, because helping grow Wisconsin's economy is a prime function of the DOT.

As I interpret SB 423, the proposal is to allow trucks weighing up to 154-thousand pounds and configured to Michigan specifications to transport crosscut logs from Michigan's Upper Peninsula approximately 39 miles along Highway 2 to a lumber mill near Ashland. Under current statutes, Michigan-configured trucks cannot travel beyond 11 miles of the Michigan border. This proposal allows those trucks to travel 27 additional miles – on Highway 2 – to Ashland. The permitting requirement for these trucks would remain and DOT estimates that this proposal would increase permitted trucks by about 10%. Last year, DOT issued 170 Michigan Border permits; the expected 10% increase in permits would raise that total to 187 permits, each at an annual fee of \$205.

As you may be aware, a non-statutory "Declaration of Increased Weight Limitations" was placed in effect on Dec. 12, 2003. It will remain in effect until approximately February 29, 2004. It allows increased weight limitations for vehicles "hauling peeled or unpeeled crosscut forest products" from the border with Michigan at Iron County to 11th Avenue East in the City of Ashland. Trucks hauling this increased load do not require a special permit if the total weight does not exceed 98-thousand pounds or if Michigan configured trucks do not exceed 154-thousand pounds.

Routine traffic of overweight trucks can have a damaging effect on Wisconsin's roads and bridges. Currently truck weights are generally limited to 80-thousand pounds. Heavier logging trucks, weighing up to 98-thousand pounds can travel without a permit on roads that are declared frozen during specific times of the year, which can mitigate the roadway damage during those months. This year, northern Wisconsin roads were declared frozen January 12 and we expect them to remain frozen until around March 1st. These pavements are vulnerable to trucks weighing more than 80-thousand pounds during the two to four week period each winter just before roads are frozen, and each spring when roads thaw. By opening Highway 2 to these heavier trucks during the entire year, the road will experience wear due to the additional weight.

The DOT is supportive of allowing the heavier Michigan-configured trucks on Highway 2 between Michigan and Ashland on a limited basis, which will give us time to document the effect of the increased weight limits on the condition of Highway 2 and its bridges. The department would like to be a partner in providing additional economic opportunities in northern Wisconsin, particularly in an area of the state with unemployment rates above the state average, such as Ashland and Iron counties. With more than 68-hundred jobs in forestry or wood products in the region, it represents about one in every seven jobs. The lumber industry, as a result, has a significant impact on the area's economy. Nevertheless, the department must also determine the extent of the long-term effect on our highways if the additional weight is allowed.

While the department is sensitive to the needs of the lumber industry, we are also concerned that by opening Highway 2 to Ashland with permitted heavier crosscut lumber truck weights, other motor carrier, commodity, and economic interests will also ask for additional carrying weights to benefit their businesses. At this point in time, DOT does not know how additional requests for increased weight limits and traffic will impact the roads in northern Wisconsin in the future. However, should changes to allow added weight improve the economy and increase the amount of freight moved, it is important that the added costs associated with moving the freight be covered in order to keep the system available long term.

The proposed language identifies the permitted weight as those that do "not violate length or weight limitations established...under Michigan law." DOT interprets that weight limitation to be at 154-thousand pounds, not the 169-thousand-pound limit allowed by some Michigan logging trucks. It is necessary that any increase in weight limitations be accurately communicated to owners and operators of Michigan-configured vehicles to prevent Michigan trucks of 169-thousand pounds from "mistakenly" entering further than 11 miles into other parts of Wisconsin traveling on roads other than Highway 2.

Enforcement of the additional permitted weights in northern Wisconsin will be more difficult to provide than for other traffic violations. However, we anticipate that the industry is going to follow this law, and the department will enforce it to the best of its ability. Law enforcement officers may stop any vehicle that they suspect is operating overweight. At the traffic stop, the officer will estimate the weight of the vehicle using a formula, established in statute, which estimates the vehicle's gross weight, average length of load, average height of load and average weight per square foot. If the estimated weight of the vehicle and its load is over the lawful limit, the officer is required either to direct the vehicle to the closest permanent scale to be weighed, or to weigh the vehicle with portable scales. A vehicle must be weighed before any overweight citation can be issued.

The DOT is willing to continue working with this committee and the bill authors in their efforts to enhance the economic growth of northern Wisconsin.

Thank you for listening to my testimony. I would be pleased to answer any questions at this time. I may refer to the DOT staff accompanying me for some of the more technical questions.