

SENATE BILL 322 (LRB -3408)

An Act to amend 348.27 (9m) (c) of the statutes; relating to: overweight permits for vehicles transporting raw forest products. (FE)

2011

- 12-07. S. Introduced by Senators **Galloway, Holperin** and **Jauch**; cosponsored by Representatives **Mursau, Petrowski, Spanbauer, Tauchen, Clark, Bewley, Bernier, T. Larson, Endsley** and **Rivard**.
- 12-07. S. Read first time and referred to committee on Transportation and Elections 621
- 12-21. S. Fiscal estimate received.

2012

- 01-18. S. Senate amendment 1 offered by Senator Galloway (**LRB a2102**) 658
- 01-19. S. Public hearing held.
- 01-20. S. Senate amendment 2 offered by Senator Galloway (**LRB a2166**) 662
- 02-09. S. Executive action taken.
- 02-09. S. Report adoption of Senate Amendment 1 recommended by committee on Transportation and Elections, Ayes 5, Noes 0 693
- 02-09. S. Report adoption of Senate Amendment 2 recommended by committee on Transportation and Elections, Ayes 5, Noes 0 693
- 02-09. S. Report passage as amended recommended by committee on Transportation and Elections, Ayes 5, Noes 0 693
- 02-09. S. Available for scheduling.
- 02-13. S. Placed on calendar 2-14-2012 pursuant to Senate Rule 18(1) 698
- 02-14. S. Senator Hansen added as a coauthor 701
- 02-14. S. Read a second time 705
- 02-14. S. Senate amendment 1 **adopted** 705
- 02-14. S. Senate amendment 2 **adopted** 705
- 02-14. S. Ordered to a third reading 705
- 02-14. S. Rules suspended 705
- 02-14. S. Read a third time and **passed** 705
- 02-14. S. Ordered immediately messaged 708
- 02-16. A. Received from Senate 802
- 02-16. A. Read first time and referred to committee on Rules 802
- 02-16. A. Placed on calendar 2-21-2012 by committee on Rules.
- 02-21. A. Rules suspended to withdraw from calendar and take up.
- 02-21. A. Read a second time.
- 02-21. A. Ordered to a third reading.
- 02-21. A. Rules suspended.
- 02-21. A. Read a third time and **concurred in**, Ayes 94, Noes 0.
- 02-21. A. Ordered immediately messaged.
- 02-22. S. Received from Assembly concurred in.

SB

2011
ENROLLED BILL

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ADOPTED DOCUMENTS:

Orig Engr SubAmdt

11-3408/1

Amendments to above (if none, write "NONE"): SA1 - a. 2102/1

SA2 - a. 2166/1

Corrections - show date (if none, write "NONE"): None

Topic Rel

2-23-12

Date

JR Miller

Enrolling Drafter



2011 SENATE BILL 322

December 7, 2011 - Introduced by Senators GALLOWAY, HOLPERIN and JAUCH, cosponsored by Representatives MURSAU, PETROWSKI, SPANBAUER, TAUCHEN, CLARK, BEWLEY, BERNIER, T. LARSON, ENDSLEY and RIVARD. Referred to Committee on Transportation and Elections.

- 1 **AN ACT to amend 348.27 (9m) (c) of the statutes; relating to:** overweight permits
2 for vehicles transporting raw forest products.

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, no person may operate on a highway any vehicle or vehicle combination that exceeds certain statutory weight limits unless the person obtains a permit issued by the Department of Transportation (DOT) or a local highway authority. In issuing an overweight permit, DOT may impose reasonable conditions and restrictions on the permittee as DOT deems necessary for the safety of travel and protection of the highways.

Under current law, DOT may issue annual or consecutive month permits for the transportation of raw forest products in vehicle combinations having a gross weight not exceeding 98,000 pounds if the vehicle combination has six or more axles and meets other criteria (RS permit). "Raw forest products" includes logs, poles, cordwood, wood chips, sawdust, and pulpwood. A vehicle combination operated under an RS permit is subject to certain operating restrictions, including that it cannot be operated on an interstate highway or any highway or bridge with a posted weight limit that is less than the vehicle combination's gross weight, except as described immediately below.

Also under current law, DOT or a local highway authority may impose special weight limits on highways that, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of the special limits. If special weight limits are imposed, the limits must be posted by highway signs along

SENATE BILL 322

the affected highways. The special weight limits apply regardless of whether a vehicle is being operated under an overweight permit unless the permit expressly authorizes the special weight limits to be exceeded. When DOT issues an RS permit, the RS permit must expressly authorize the vehicle combination to exceed, on state trunk highways and state trunk highway routes designated as connecting highways, any special weight limits posted in connection with the thawing of frozen highways.

Under this bill, an RS permit issued by DOT may not contain any condition or limitation imposed by DOT in connection with the thawing of frozen highways that are not state trunk highways or connecting highways, except that the operation of the vehicle combination under the RS permit is subject to posted weight limits on these local highways.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 348.27 (9m) (c) of the statutes is amended to read:

2 348.27 (9m) (c) A permit issued under par. (a) 4. shall expressly authorize the
3 vehicle combination to exceed, on state trunk highways and connecting highways,
4 any special weight limitation imposed under ss. 348.17 (1) and 349.16 (1) (a) and (2)
5 in connection with the thawing of frozen highways and to be operated at the full
6 weight allowable under par. (a) on state trunk highways and connecting highways.

INS
SA1-1

7 Notwithstanding s. 348.25 (3), a permit issued under par. (a) 4. may not contain any
8 condition or limitation imposed by the department in connection with the thawing
9 of frozen highways that are not state trunk highways or connecting highways, except
10 that the operation of the vehicle combination is subject to posted weight limitations
11 on these local highways.

INS
SA1-2

12 SECTION 2. Initial applicability.

13 (1) This act first applies to permits issued on the effective date of this
14 subsection.

15 SECTION 3. Effective date.

SA2-1

SENATE BILL 322

(1) This act takes effect on the first day of the 3rd month beginning after publication.

SA2-2

1

2

3

(END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2102/1
ARG:kjf&jld:jf

SENATE AMENDMENT 1,
TO 2011 SENATE BILL 322

January 18, 2012 – Offered by Senator GALLOWAY.

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 7: after “not” insert “be suspended by the department, or”.

3 2. Page 2, line 8: delete “department” and substitute “department.”

4 (END)

SAI-1

SAI-2



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2166/1
ARG:kjf:rs

SENATE AMENDMENT 2,
TO 2011 SENATE BILL 322

January 20, 2012 - Offered by Senator GALLOWAY.

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 15: delete that line.

3 2. Page 3, line 1: delete lines 1 and 2.

4 (END)