2013 DRAFTING REQUEST

Bill

Received:	**2/3/2014**	Received By:	**agary**
Wanted:	**As time permits**	Same as LRB:	**-4111**
For:	**Bob Kulp (608) 267-0280**	By/Representing:	**Jim Emerson**
May Contact:		Drafter:	**agary**
Subject:	**Transportation - highways** **Transportation - traffic laws**	Addl. Drafters:	
		Extra Copies:	

Submit via email: **YES**
Requester's email: **Rep.Kulp@legis.wisconsin.gov**
Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Declarations of energy emergency; weight limits for vehicles transporting propane or heating oil

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	agary 2/3/2014	scalvin 2/3/2014		_____ _____			
/1			jfrantze 2/3/2014	_____ _____	mbarman 2/3/2014	lparisi 2/3/2014	State S&L

FE Sent For:

At Intro.

<END>

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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	agary	/1 sac 02/03/2014	/1 sac 02/03/2014	2/3			

FE Sent For:

<END>

Gary, Aaron

From: Fiocchi, Tim
Sent: Monday, February 03, 2014 2:02 PM
To: Gary, Aaron
Cc: Emerson, James
Subject: LRB 4111

Aaron,

Please send an Assembly draft and jacket to Rep. Kulp's office. He's doing the companion bill.

Thank you,

Tim

Tim Fiocchi
Chief of Staff, Senator Jerry Petrowski
29th Senate District
(608) 266-2502

State of Wisconsin
2013 – 2014 LEGISLATURE

in 2/3

LRB-~~[illegible]~~ -4181/1
ARG:sac:~~jm~~ one

needed 2/4

stays RMNR

2013 BILL

companion - no changes - edited today 2/3

gen cat

AN ACT ***to amend*** 348.17 (1); and ***to create*** 348.17 (4) of the statutes; **relating to:** energy emergencies and vehicle weight limits.

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, no person may operate on a highway any vehicle or combination of vehicles that exceeds certain statutory size or weight limits unless the person obtains a permit issued by the Department of Transportation (DOT) or a local highway authority, as applicable.

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 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.

Current law defines an energy emergency as a period of disruption of energy supplies which poses a serious risk to the economic well–being, health, or welfare of the citizens of this state, as certified by executive order of the governor. During an energy emergency, after consultation with the Department of Administration (DOA), DOT may authorize, for a period not to exceed 30 days, the operation of overweight vehicles weighing 50,000 pounds or more and carrying energy resources or fuel or milk commodities designated by the governor to exceed statutory per–axle weight limits by up to 10 percent and statutory gross vehicle weight limits by up to 15

percent. For vehicles operating under an overweight or oversize permit, DOT may also waive the requirement, for issuance of certain permits, that the load being transported be nondivisible.

Under this bill, during an energy emergency, DOT, after consultation with DOA, may authorize motor vehicles that have a gross weight of 26,000 pounds or less and that are transporting propane or heating oil for delivery to residences, businesses, or other end users to exceed posted special weight limits that have been imposed in connection with the thawing of frozen highways. A person operating a motor vehicle under this authorization must, to the extent practicable, deliver propane or heating oil at times of the day when the highways used are the least vulnerable.

Under current law, if any bill introduced in either house of the legislature directly or indirectly establishes an exception to vehicle weight limitations, DOT must prepare a report, containing specified information, relating to the bill within six weeks after the bill is introduced and before any vote is taken on the bill. This bill directs DOT not to prepare such a report on this bill.

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.** 348.17 (1) of the statutes is amended to read:

2 348.17 **(1)** No person, whether operating under a permit or otherwise, shall
3 operate a vehicle in violation of special weight limitations imposed by state or local
4 authorities on particular highways, highway structures or portions of highways
5 when signs have been erected as required by s. 349.16 (2) giving notice of such weight
6 limitations, except when the vehicle is being operated under a permit expressly
7 authorizing such weight limitations to be exceeded <u>or is being operated as authorized</u>
8 <u>under sub. (4)</u>.

9 **SECTION 2.** 348.17 (4) of the statutes is created to read:

10 348.17 **(4)** During an energy emergency, after consultation with the
11 department of administration, the department may authorize motor vehicles that
12 have a gross weight of 26,000 pounds or less and that are transporting propane or

heating oil for delivery to residences, businesses, or other end users to exceed any special weight limitation imposed under ss. 348.17 (1) and 349.16 (1) (a) and (2) in connection with the thawing of frozen highways. Any person operating a motor vehicle as authorized under this subsection shall, to the extent practicable, deliver propane or heating oil at times of the day when the highways used are the least vulnerable.

SECTION 3. Nonstatutory provisions.

(1) Notwithstanding section 13.096 (2) of the statutes, the department of transportation shall not prepare a report on this bill under section 13.096 (2) and (3) of the statutes.

(END)

Parisi, Lori

From: Emerson, James
Sent: Monday, February 03, 2014 3:52 PM
To: LRB.Legal
Subject: Draft Review: LRB -4181/1 Topic: Declarations of energy emergency; weight limits for vehicles transporting propane or heating oil

Please Jacket LRB -4181/1 for the ASSEMBLY.