

2013 DRAFTING REQUEST

Bill

Received: **9/27/2012** Received By: **agary**
Wanted: **As time permits** Same as LRB: **-2747**
For: **Jerry Petrowski (608) 266-2502** By/Representing: **Anna Richter**
May Contact: Drafter: **agary**
Subject: **Transportation - motor vehicles** Addl. Drafters:
Extra Copies: **EVM**

Submit via email: **YES**
Requester's email: **Sen.Petrowski@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Increase maximum length to 97 feet for driveaway saddlemount vehicle combinations NB 1315-11

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 10/8/2012			_____			
/P1	agary 12/18/2012	jdyer 10/23/2012	jmurphy 10/23/2012	_____	sbasford 10/23/2012		State
/P2	agary 1/24/2013	jdyer 12/19/2012	jmurphy 12/19/2012	_____	sbasford 12/19/2012		State
/P3	emueller	jdyer	phenry	_____	sbasford		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	7/22/2013	1/25/2013	1/25/2013	_____	1/25/2013		
		scalvin 7/22/2013	jfrantze 7/22/2013	_____	lparisi 7/22/2013	rose 7/30/2013	State

FE Sent For:

@ intro.

<END>

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	7/22/2013	1/25/2013	1/25/2013	_____	1/25/2013		
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For: **Transportation** By/Representing: **Anna Richter**
May Contact: Drafter: **agary**
Subject: **Transportation - motor vehicles** Addl. Drafters:
Extra Copies: **EVM**

Submit via email: **YES**
Requester's email: **Anna.Richter@dot.wi.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Increase maximum length to 97 feet for driveway saddlemount vehicle combinations NB 1315-11

Instructions:

See attached

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/P3		jdyer	phenry	_____	sbasford		State

11 
7/22

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		1/25/2013	1/25/2013	_____	1/25/2013		

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For: **Transportation** By/Representing: **Anna Richter**
May Contact: Drafter: **agary**
Subject: **Transportation - motor vehicles** Addl. Drafters:
Extra Copies: **EVM**

Submit via email: **YES**
Requester's email: **Anna.Richter@dot.wi.gov**
Carbon copy (CC) to:

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No specific pre topic given

Topic:

Increase maximum length to 97 feet for driveaway saddlemount vehicle combinations NB 1315-11

Instructions:

See attached

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/?	agary 10/8/2012	<i>P3 1/25 jld</i>					
/P1	agary 12/18/2012	jdyer 10/23/2012	jmurphy 10/23/2012		sbasford 10/23/2012		State
/P2		jdyer 12/19/2012	jmurphy 12/19/2012		sbasford 12/19/2012		State

1/25 ph py/jm

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 9/27/2012 Received By: agary
Wanted: As time permits Companion to LRB:
For: Transportation By/Representing: Anna Richter
May Contact: Drafter: agary
Subject: Transportation - motor vehicles Addl. Drafters:
Extra Copies: EVM

Submit via email: YES
Requester's email: Anna.Richter@dot.wi.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Increase maximum length to 97 feet for driveway saddlemount vehicle combinations NB 1315-11

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 10/8/2012	P2 12/19 jld					
/P1		jdyer 10/23/2012	10/23/2012	rsd 12/19	sbasford 10/23/2012		State

FE Sent For:

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For:	Transportation	By/Representing:	Anna Richter
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 Requester's email: Anna.Richter@dot.wi.gov
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/?	agary	PI 10/23 jld	gm 10/23	Self.			

FE Sent For:

<END>

**LEGISLATIVE BUDGET/NON-BUDGET PROPOSAL
2013-2015 BIENNIUM**

Wisconsin Department of Transportation

DT1586 6/2012

Instructions: Complete this form for any budget/non-budget legislative initiative for which a Division requests the Secretary's Office (SO) approval. Check the budget box only if the proposal has a fiscal impact on department expenditures or revenue. This form must be signed by the Division Administrator(s). Include this form with your budget submittal materials or return one completed copy to the Office of Policy, Budget & Finance (OPBF), Attention: Paul Hammer. The form is available at: <http://dotnet/forms/authorized.htm>.

Short Title of Topic Increase maximum length to 97-ft for drive-away saddle-mount vehicle combination			
Type of Proposal <input type="checkbox"/> Budget <input checked="" type="checkbox"/> Non-Budget	OGC OFFICE USE ONLY "T" Number Assigned	"B" Number Assigned	"NB" Number Assigned 1315-11
Date Submitted 7/10/2012	Division(s) State Patrol		
OPBF Contact Person John Swisler	(Area Code) Telephone Number 608-266-0349		
Lead Division Contact Person Capt. David Pabst	(Area Code) Telephone Number 608-267-3622		
OGC Contact Person Paul Nilsen	(Area Code) Telephone Number 608-261-0126		
Define Problem Precisely Section 4141 of SAFETEA-LU increased the federal limit on maximum combination length to 97-ft for drive-away saddle-mount vehicles. This federal law preempts any conflicting state length provisions.			
Description of Proposed Change Increase overall length limit to 97 feet on driveaway saddlemount vehicle combinations with up to 3 towed units, with or without fullmount.			
Justification for Change This would bring Wisconsin into compliance with recently enacted federal law, and render unnecessary any federal injunction to compel the state to adhere with the new federal length limit			
Describe any legislative history and related statutory language s.348.07 LRB bill draft in 2009-10 (LRB-0101/1), but never introduced			

X _____
(Division Administrator Signature) (Date)

X _____
(Division Administrator Signature) (Date)

X _____
(Division Administrator Signature) (Date)



State of Wisconsin
2013 - 2014 LEGISLATURE

in
10/8



LRB-0167/P1

ARG: A...

JLD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

PWF
Jm
10/23
NDF

X

Gen

1 AN ACT ...; relating to: the length limit for certain vehicle combinations operated
2 on the highway without a permit.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate on a highway any single vehicle with an overall length in excess of 45 feet or any combination of two vehicles with an overall length in excess of 70 feet, unless a specific exception applies or the person has a permit to exceed these lengths. Current law also generally prohibits any person from driving a vehicle on a highway while towing two or more vehicles unless the driver possesses a permit. One exception allows two or three vehicles to be towed, without a permit, when they are being transported by the drive-away method in saddlemount combination and the overall length of the vehicle combination does not exceed 75 feet. The term "saddlemount combination" is neither defined nor described by statute, but the Department of Transportation defines it by rule as a combination of vehicles in which a truck or truck-tractor tows one or more trucks or truck-tractors, each connected by a saddle to the vehicle in front of it; the towed vehicles essentially piggyback the power unit or one another.

This bill increases, from 75 feet to 97 feet, the length limit for vehicle combinations, operated without a permit, involving two or three towed vehicles being transported by the drive-away method in saddlemount combination.

Gary, Aaron

From: Gary, Aaron
Sent: Friday, November 16, 2012 2:20 PM
To: Richter, Anna - DOT
Subject: RE: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for driveaway saddlemount vehicle combinations NB 1315-11

Hi Anna,

I can work in some version of this definition, but the draft might involve a little more tweaking than DOT anticipates.

As I read your email, I'm assuming it is DOT's intention that if a unit is towed backward the old 75-foot length limit will apply. Just adding the definition below in LRB-0167/P1, without more, would basically make it illegal to tow a unit backward, not restore the old 75-foot limit. I think what we need is 2 separate provisions. I will therefore create a new paragraph (348.08 (1) (am)) with the new 97-foot limit and incorporating the new definition. However, there is also the complication that the old 75-foot length limit applies to vehicles being transported by the "driveaway method in saddlemount combination," which we are now defining to be something inapplicable. So for the 75-foot limit, I need some new phrase to insert that replaces "the "driveaway method in saddlemount combination" in s. 348.08 (1) (a), and perhaps a definition of this new phrase might also be useful.

Please let me know if this doesn't make sense or if you think I have missed the mark.

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Richter, Anna - DOT [<mailto:Anna.Richter@dot.wi.gov>]
Sent: Thursday, November 15, 2012 10:19 AM
To: Gary, Aaron
Subject: FW: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for driveaway saddlemount vehicle combinations NB 1315-11

Hi Aaron,

May we have a slight revision to this draft?

The program area believes that a definition for the configuration is necessary. This definition will be specific and require all towed units to be forward facing which is consistent with the FHWA definition of what a "saddle" is. This now specifically requires the towed vehicle to be connected at the front axle. Previously language was not that specific and carriers were towing some backward with the front axle on the ground. A combination that is towing a unit backward is not a saddlemount combination and therefore would not get this length increase.

Is it possible to create a definition in the beginning of Chapter 348 that would provide the following definition:

* Drive-Away Method In Saddlemount Combination means a vehicle combination designed and specifically used to tow up to 3 trucks or truck tractors, each connected by a saddle to the frame or fifth-wheel of the forward vehicle of the truck or truck tractor in front of it. The saddle is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. Such combination may include one fullmount. A fullmount is a smaller vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination.

From: LRB.Legal [<mailto:LRB-LegalServices@legis.wisconsin.gov>]

Sent: Tuesday, October 23, 2012 1:30 PM

To: Richter, Anna - DOT

Subject: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for driveway saddlemount vehicle combinations NB 1315-11

Following is the PDF version of draft LRB -0167/P1.

Gary, Aaron

From: Richter, Anna - DOT <Anna.Richter@dot.wi.gov>
Sent: Monday, December 17, 2012 2:37 PM
To: Gary, Aaron
Cc: Merriman Hitchman, Linda H - DOT
Subject: FW: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for drive-away saddlemount vehicle combinations NB 1315-11

Hi Aaron,

Finally a response on the saddlemount issue...

From: Pabst, David - DOT
Sent: Monday, December 17, 2012 1:53 PM
To: Richter, Anna - DOT
Cc: Ausloos, Brian - DOT
Subject: RE: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for drive-away saddlemount vehicle combinations NB 1315-11

Anna, see responses below in holiday **red**.

From: Richter, Anna - DOT
Sent: Monday, November 19, 2012 8:31 AM
To: Vieth, David - DOT; Bernander, Paul - DOT; Warren, Mitchell - DOT; McGinn, Reed - DOT; Nichols, Kathleen - DOT; Pabst, David - DOT; Klingenberg, Michael - DOT; Ausloos, Brian - DOT
Subject: RE: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for drive-away saddlemount vehicle combinations NB 1315-11

Hello Everyone,

I passed along your comments to the LRB and there is some feedback.

The drafting attorney can work in some version of this definition, but the draft might involve a little more tweaking than we anticipate.

Is it our intention that if a unit is towed backward that the old 75-foot length limit will apply? **No**. Just adding the definition below in LRB-0167/P1, without more, would basically make it illegal to tow a unit backward, not restore the old 75-foot limit. **Good**. As I understand it towing backward is not a drive-away saddlemount vehicle combination anyway. It actually should not have been *allowed* under the 75 foot limit either. If a carrier wants to tow a unit backwards they will get the 70 feet allowed for a *two* vehicle combination under ss 348.07(1).

What is being proposed is 2 separate provisions: a new paragraph (348.08 (1) (am)) with the new 97-foot limit and incorporating the new definition. However, there is also the complication that the old 75-foot length limit applies to vehicles being transported by the "driveaway method in saddlemount combination," which we are now defining to be something inapplicable. So for the 75-foot limit, we need some new phrase to insert that replaces "the "driveaway method in saddlemount combination" in s. 348.08 (1) (a), and perhaps a definition of this new phrase might also be useful.

What do folks think?

From: Vieth, David - DOT
Sent: Thursday, October 25, 2012 2:47 PM
To: Bernander, Paul - DOT; Warren, Mitchell - DOT; McGinn, Reed - DOT; Nichols, Kathleen - DOT; Pabst, David - DOT; Klingenberg, Michael - DOT; Richter, Anna - DOT; Ausloos, Brian - DOT

Subject: RE: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for drive-away saddlemount vehicle combinations NB 1315-11

Not much to offer, except that it would seem desirable to use the same terminology in Wisconsin as in federal parlance. The federal definition in 49 USC that Paul provided is titled "driveaway saddlemount vehicle transporter combination". It appears the federal terminology in 23 CFR 658.13, also supplied by Paul, is the same – except for the use of a hyphen in drive-away.

I'd suggest harmonizing with federal law to make it as clear as possible and also not to lose the clarification in federal law the "such combinations may include one fullmount". If I read it correctly, Wisconsin language is silent on a fullmount on a saddlemount. The harmonization could be accomplished either by including the federal definition in the state legislation, or referencing the federal definition, and using the same terminology in this bill draft as exists in federal law, "drive-away saddlemount vehicle transporter combination".

Nothing more substantive.

Dave

From: Bernander, Paul - DOT

Sent: Thursday, October 25, 2012 11:38 AM

To: Warren, Mitchell - DOT; McGinn, Reed - DOT; Nichols, Kathleen - DOT; Pabst, David - DOT; Vieth, David - DOT; Klingenberg, Michael - DOT; Richter, Anna - DOT; Ausloos, Brian - DOT

Subject: RE: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for drive-away saddlemount vehicle combinations NB 1315-11

I like Lt. Ausloos' proposal, but certainly am not the last word.

Here is some additional info and links.

Wisconsin saddlemount permits and definitions are included in Trans 276. http://docs.legis.wisconsin.gov/code/admin_code/trans/276.pdf

In addition, the Wisconsin vehicle train multi-trip permit section of statute, namely 348.27(13) which was superseded (see first note under Trans 276.06) is repealed 11-1-2012. Same for the single trip permit section 348.26(5) – is repealed 11-1-2012, although not referenced in 276.06.

Here is where I found the federal saddlemount provisions in 23 CFR 658.13 LENGTH.

<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=6a52ce1f362685f64c47e10d3274e2e5&rgn=div8&view=text&node=23:1.0.1.7.33.0.1.7&idno=23>

Here is where I found the federal saddlemount definitions in 49 USC.

<http://www.gpo.gov/fdsys/pkg/USCODE-2008-title49/pdf/USCODE-2008-title49-subtitleVI-partB-chap311-subchapII-sec311111.pdf>

Paul

*Paul Bernander, Chief
Motor Carrier Services Section
Wisconsin Division of Motor Vehicles
608-267-4541*

From: Warren, Mitchell - DOT

Sent: Thursday, October 25, 2012 9:11 AM

To: McGinn, Reed - DOT

Cc: Nichols, Kathleen - DOT; Bernander, Paul - DOT

Subject: FW: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for driveway saddlemount vehicle combinations NB 1315-11

Getting Reed in on this.

From: Ausloos, Brian - DOT

Sent: Wednesday, October 24, 2012 7:50 AM

To: Pabst, David - DOT; Bernander, Paul - DOT; Nichols, Kathleen - DOT; Warren, Mitchell - DOT; Vieth, David - DOT

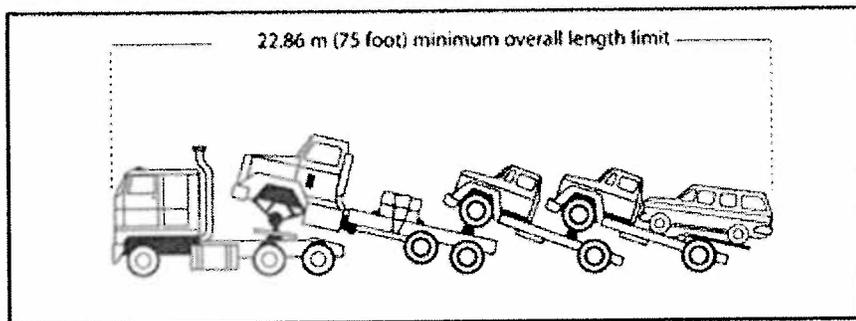
Cc: Klingenberg, Michael - DOT; Richter, Anna - DOT

Subject: RE: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for driveway saddlemount vehicle combinations NB 1315-11

Captain,

I believe the language in the attached legislative bill is addressing the provisions that Safetea LU has posed on the states. I have one suggestion however and that is I believe it is important to define what vehicle configuration this is specifically addressing. I have attached a definition below that I believe addresses all of the questions that have surfaced since Safetea LU. This definition will be specific and require all towed units to be forward facing as FHWA has a definition of what a "saddle" is. This now specifically requires the towed vehicle to be connected at the front axle. Previously language was not that specific and carriers were towing some backward with the front axle on the ground. It is my understanding the combination that is towing a unit backward is not a saddlemount combination and therefore would not get this length increase. I have sent this to others on the Freight Policy work group to see if they have any comments or other suggested language. Here is the definition I am proposing. It could either be placed in the front of Chapter 348 or be included in Chapter 340. I did a search of the statutes and the only "hit" I got on "saddlemount" was in Chapter 348 so it may be relevant, and easier, to simply include it there. FHWA calls this combination a "DRIVEAWAY SADDLEMOUNT VEHICLE TRANSPORTER COMBINATION" but I changed the definition below to address language we have used in the past.

DRIVE-AWAY METHOD IN SADDLEMOUNT COMBINATION.—The term "drive-away method in saddlemount combination" means a vehicle combination designed and specifically used to tow up to 3 trucks or truck tractors, each connected by a saddle to the frame or fifth-wheel of the forward vehicle of the truck or truck tractor in front of it. The saddle is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. Such combination may include one fullmount. A fullmount is a smaller vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination.



Here are the references to the FHWA regulations that have been changed to address this.

Sec. 31111. Length limitations

(a) Definitions.--In this section, the following definitions apply:

...(4) "Drive-away saddlemount with fullmount vehicle transporter combination.--The term 'drive-away saddlemount with fullmount vehicle transporter combination' means a vehicle combination designed and specifically used to tow up

to 3 trucks or truck tractors, each connected by a saddle to the frame or fifth-wheel of the forward vehicle of the truck or truck tractor in front of it."

(b) General Limitations.--(1) Except as provided in this section, a State may not prescribe or enforce a regulation of commerce that--

...(D) "imposes a vehicle length limitation of not less than or more than 97 feet on a driveaway saddlemount with fullmount vehicle transporter combinations;"

(4) DRIVEAWAY SADDLEMOUNT VEHICLE TRANSPORTER COMBINATION.—The term "driveaway saddlemount vehicle transporter combination" means a vehicle combination designed and specifically used to tow up to 3 trucks or truck tractors, each connected by a saddle to the frame or fifth-wheel of the forward vehicle of the truck or truck tractor in front of it. Such combination may include one fullmount.

Fullmount. A fullmount is a smaller vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination.

Saddlemount combination. A saddlemount combination is a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The saddle is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a double saddlemount combination. When three vehicles are towed in this manner, the combination is called a triple saddlemount combination.

From: Pabst, David - DOT
Sent: Tuesday, October 23, 2012 2:13 PM
To: Ausloos, Brian - DOT
Cc: Klingenberg, Michael - DOT; Richter, Anna - DOT
Subject: FW: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for driveaway saddlemount vehicle combinations NB 1315-11

Please let Anna know if this works and cc me. I think it does.

From: Richter, Anna - DOT
Sent: Tuesday, October 23, 2012 1:33 PM
To: Pabst, David - DOT; Wyatt, Zachary D - DOT
Cc: LaSage, Stephanie A - DOT; Nilsen, Paul - DOT
Subject: FW: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for driveaway saddlemount vehicle combinations NB 1315-11

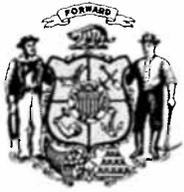
Hello,

Non-budget legislative draft attached for your review. Please let me know if corrections/modifications are needed.

Thanks!
Anna

From: LRB.Legal [<mailto:LRB-LegalServices@legis.wisconsin.gov>]
Sent: Tuesday, October 23, 2012 1:30 PM
To: Richter, Anna - DOT
Subject: Draft review: LRB -0167/P1 Topic: Increase maximum length to 97 feet for driveaway saddlemount vehicle combinations NB 1315-11

Following is the PDF version of draft LRB -0167/P1.



in
12/18



LRB-016774 PZ
ARG:jld

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

PWF
Jan 12/19

LX

Regen

1 AN ACT *to amend* 348.08 (1) (a) of the statutes; **relating to:** the length limit for
2 certain vehicle combinations operated on the highway without a permit.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate on a highway any single vehicle with an overall length in excess of 45 feet or any combination of two vehicles with an overall length in excess of 70 feet, unless a specific exception applies or the person has a permit to exceed these lengths. Current law also generally prohibits any person from driving a vehicle on a highway while towing two or more vehicles unless the driver possesses a permit. One exception allows two or three vehicles to be towed, without a permit, when they are being transported by the drive-away method in saddlemount combination and the overall length of the vehicle combination does not exceed 75 feet. The term "saddlemount combination" is neither defined nor described by statute, but the Department of Transportation defines it by rule as a combination of vehicles in which a truck or truck tractor ^{or A} tows one or more trucks or truck tractors, each connected by a saddle to the vehicle in front of it; the towed vehicles essentially piggyback the power unit or one another. *

This bill increases, from 75 feet to 97 feet, the length limit for vehicle combinations, operated without a permit, involving two or three towed vehicles being transported by the drive-away method in saddlemount combination. *

*

Insert
ANAL ✓

For further information see the *state* 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:

insert
2-1

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9

SECTION 1. 348.08 (1) (a) of the statutes is amended to read:

348.08 (1) (a) Two or 3 vehicles may, without such permit, be drawn or attached when such vehicles are being transported by the drive-away method in saddlemount combination and the overall length of such combination of vehicles does not exceed 75 97 feet.

SECTION 2. Initial applicability.

(1) This act first applies to vehicles operated on the effective date of this subsection.

(END)

1 **INSERT ANAL:**

(no 9) The bill defines "drive-away method in saddlemount combination" as a vehicle combination designed and specifically used to tow up to three trucks or truck tractors, each connected by a saddle to the frame or fifth-wheel of the forward vehicle of the truck or truck tractor in front of it, and including not more than one fullmount. A "fullmount" is a smaller vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination. A "saddle" is a mechanism that connects the front axle of a towed vehicle to the frame or fifth-wheel of the vehicle in front and functions like a fifth-wheel kingpin connection.

2 **INSERT 2-1:**

3 **SECTION 1.** 348.01 (2) (au), (ay) and (bv) of the statutes are created to read:

4 348.01 (2) (au) "Drive-away method in saddlemount combination" means a
5 vehicle combination designed and specifically used to tow up to 3 trucks or truck
6 tractors, each connected by a saddle to the frame or fifth-wheel of the forward vehicle
7 of the truck or truck tractor in front of it, and including not more than one fullmount.

8 (ay) "Fullmount" means a smaller vehicle mounted completely on the frame of
9 either the first or last vehicle in a saddlemount combination.

10 (bv) "Saddle" means a mechanism that connects the front axle of a towed
11 vehicle to the frame or fifth-wheel of the vehicle in front and functions like a
12 fifth-wheel kingpin connection.

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16

Gary, Aaron

From: Gary, Aaron
Sent: Friday, January 11, 2013 11:28 AM
To: Merriman Hitchman, Linda H - DOT
Subject: RE: LRB 13-0167/P2 vehicle combination length limit
Attachments: 13-0167_P3ins.pdf

Hi Linda,

I received your subsequent email, and I'll hold off on making further changes. However, I did want to let you know that I don't believe I can use this language, below. But I can accomplish the same intent (I think) with different language. The problem I see (which is somewhat circular) is that the DOT rule defines long truck route by referencing the statute (s. 348.07 (4)), and that statute cross-references other statutes, and s. 348.08 (1) (a) is not among them. So I think that we cannot rely on the rule and must deal with s. 348.07 (4) directly.

I have attached some language that I sketched out which I believe will accomplish the same end result. Please let me know if DOT believes this language will not work. Also, I will wait to hear back on the 15-mile issue.

Thanks. Aaron

*He w/ Linda, Bruce Asstors, Paul Bernander,
Kathleen Nichols,*

*o proposed changes look good; go ahead
with them; covers 15 mile issue*

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Merriman Hitchman, Linda H - DOT [<mailto:Linda.MerrimanHitchman@dot.wi.gov>]
Sent: Friday, January 11, 2013 8:04 AM
To: Gary, Aaron
Subject: Re: LRB 13-0167/P2 vehicle combination length limit

Hi Aaron

(I think this comes to you, if not please forward to Eric - I am working remotely and don't have all my info.)

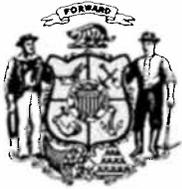
DOT is requesting an additional change to this draft to specify which highways the new combination length applies to. The Department's intent is that the new 97 foot combination length would apply to the national network and long truck route, and that the existing 75 foot limit would apply to all other roads statewide that are not part of these designated highway lists. The national network is a federal designation and the long truck route is a state designation, but both of these are defined in TRANS 276.

Here is what we came up with as an example

348.08 (1) (a) Two or 3 vehicles may, without such permit, be drawn or attached when such vehicles are being transported by the drive-away method in saddlemount combination and the overall length of such combination of vehicles does not exceed 75 97 feet on the national network and long truck route, as defined by the department by rule, and 75 feet elsewhere.

Linda Merriman Hitchman

Budget and Policy Analyst
Office of Policy, Budget and Finance - Room 132-B
Wisconsin Department of Transportation
4802 Sheboygan Avenue - P.O. Box 7910
Madison, WI 53707-7910



State of Wisconsin
2013 - 2014 LEGISLATURE

5000



LRB-016772 P3

ARG:jld:jm

in
1/24

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

X
Regen

1 AN ACT *to amend* 348.08 (1) (a); and *to create* 348.01 (2) (au), (ay) and (bv) of
2 the statutes; **relating to:** the length limit for certain vehicle combinations
3 operated on the highway without a permit.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate on a highway any single vehicle with an overall length in excess of 45 feet or any combination of two vehicles with an overall length in excess of 70 feet, unless a specific exception applies or the person has a permit to exceed these lengths. Current law also generally prohibits any person from driving a vehicle on a highway while towing two or more vehicles unless the driver possesses a permit. One exception allows two or three vehicles to be towed, without a permit, when they are being transported by the drive-away method in saddlemount combination and the overall length of the vehicle combination does not exceed 75 feet. The term "saddlemount combination" is neither defined nor described by statute, but the Department of Transportation defines it by rule as a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the vehicle in front of it; the towed vehicles essentially piggyback the power unit or one another.

✓
(DOT)

This bill increases, from 75 feet to 97 feet, the length limit for vehicle combinations, operated without a permit, involving two or three towed vehicles being transported by the drive-away method in saddlemount combination. The bill defines "drive-away method in saddlemount combination" as a vehicle combination designed and specifically used to tow up to three trucks or truck tractors, each connected by a saddle to the frame or fifth-wheel of the forward vehicle of the truck

✓ on certain highways

✓
insert
ANAL

or truck tractor in front of it, and including not more than one fullmount. A "fullmount" is a smaller vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination. A "saddle" is a mechanism that connects the front axle of a towed vehicle to the frame or fifth-wheel of the vehicle in front and functions like a fifth-wheel kingpin connection.

For further information see the *state* 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.** 348.01 (2) (au), (ay) and (bv) of the statutes are created to read:

2 348.01 (2) (au) "Drive-away method in saddlemount combination" means a
3 vehicle combination designed and specifically used to tow up to 3 trucks or truck
4 tractors, each connected by a saddle to the frame or 5th-wheel of the forward vehicle
5 of the truck or truck tractor in front of it, and including not more than one fullmount.

6 (ay) "Fullmount" means a smaller vehicle mounted completely on the frame of
7 either the first or last vehicle in a saddlemount combination.

8 (bv) "Saddle" means a mechanism that connects the front axle of a towed
9 vehicle to the frame or 5th-wheel of the vehicle in front and functions like a
10 5th-wheel kingpin connection.

Insert
2-11

11 **SECTION 2.** 348.08 (1) (a) of the statutes is amended to read:

12 348.08 (1) (a) Two or 3 vehicles may, without such permit, be drawn or attached
13 when such vehicles are being transported by the drive-away method in saddlemount
14 combination and the overall length of such combination of vehicles does not exceed
15 75 97 feet.

16 **SECTION 3. Initial applicability.**

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0167/P3ins
ARG:.....

1

2

INSERT ANAL:

(no ~~4~~) The increased length limit of 97[✓] feet applies to these vehicle combinations when operating on a highway designated by DOT[✓] as a long truck route or designated by DOT as part of the national system of interstate and defense highways, but the current length limit of 75[✓] feet applies to these vehicle combinations when operating on any other highway.[✓] NO ~~4~~

3

INSERT 2-11:

4

SECTION 1. 348.07 (4) of the statutes is amended to read:

5

348.07 (4) The secretary shall, by rule, designate the highways to which sub.

6

(2) (f), (fm), and (gm) and s. 348.08 (1) (a) 2.[✓] and (e) apply. The designation of

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highways under this subsection may not be inconsistent with the designation of

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highways made by the U.S. secretary of transportation under P.L. 97-424, section

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411. The secretary may also designate additional highways by rule. In adopting a

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rule designating other highways, which may include 2-lane highways, the secretary

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shall specify the factors which resulted in the determination to designate the

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highways. These factors shall include, but are not limited to, safety, economics,

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energy savings, industry productivity and competition. Vehicles to which sub. (2) (f),

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(fm), and (gm) and s. 348.08 (1) (a) 2. and[✓] (e) apply may also operate on highways not

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designated under this subsection for a distance of 15 miles or less in order to obtain

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access to a highway designated under this subsection or to reach fuel, food,

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maintenance, repair, rest, staging, terminal or vehicle assembly facilities or points

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of loading or unloading. The secretary may, by rule, designate an access route of more

19

than 15 miles from a highway designated under this subsection when the longer



1 route provides safer and better access to a location which is within the 15-mile limit.
2 Household goods carriers may operate between highways designated under this
3 subsection and points of loading and unloading.

History: 1975 c. 279; 1977 c. 29 ss. 1487g to 1487m, 1654 (9) (b); 1977 c. 418; 1979 c. 255; 1981 c. 159, 176; 1983 a. 20, 78, 192; 1985 a. 165, 187; 1987 a. 30; 1991 a. 39, 72; 1995 a. 193; 1997 a. 27; 1999 a. 85, 186; 2003 a. 213, 234; 2005 a. 363, 365; 2007 a. 11, 93; 2011 a. 53, s. 2.; 2011 a. 54, 243.

4
5 **SECTION 2.** 348.08 (1) (a) ^x of the statutes is renumbered [✓] 348.08 (1) (a) (intro.)

6 and amended to read: (intro.)

7 348.08 (1) (a) ^(intro.) Two or 3 vehicles may, without such permit, be drawn or attached
8 when such vehicles are being transported by the drive-away method in saddlemount
9 combination and the overall length of such combination of vehicles does not exceed
10 the following: [✓]

11 3. When operating on a highway not identified in subd. 1. or 2., [✓] 75 feet.

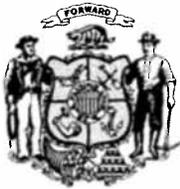
History: 1977 c. 29 s. 1654 (8) (a); 1981 c. 276, 277; 1983 a. 78; 1985 a. 202, 209; 1987 a. 164; 1991 a. 14, 39, 72; 2011 a. 59 s. 2, 243.

12
13 **SECTION 3.** 348.08 (1) (a) 1. and 2. ^x of the statutes are created to read:

14 348.08 (1) (a) 1. When operating on a highway designated as part of the
15 national system of interstate and defense highways under s. 84.29, [✓] 97 feet.

16 2. When operating on a highway designated under s. 348.07 (4), [✓] 97 feet.

17 (end ins)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0167/P3

ARG:jld:gh

stays

RMK

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

7/22/13

Today

1 AN ACT to renumber and amend 348.08 (1) (a); to amend 348.07 (4); and to
2 create 348.01 (2) (au), (ay) and (bv) and 348.08 (1) (a) 1. and 2. of the statutes;
3 relating to: the length limit for certain vehicle combinations operated on the
4 highway without a permit.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate on a highway any single vehicle with an overall length in excess of 45 feet or any combination of two vehicles with an overall length in excess of 70 feet, unless a specific exception applies or the person has a permit to exceed these lengths. Current law also generally prohibits any person from driving a vehicle on a highway while towing two or more vehicles unless the driver possesses a permit. One exception allows two or three vehicles to be towed, without a permit, when they are being transported by the drive-away method in saddlemount combination and the overall length of the vehicle combination does not exceed 75 feet. The term "saddlemount combination" is neither defined nor described by statute, but the Department of Transportation (DOT) defines it by rule as a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the vehicle in front of it; the towed vehicles essentially piggyback the power unit or one another.

This bill increases, from 75 feet to 97 feet, the length limit on certain highways for vehicle combinations, operated without a permit, involving two or three towed vehicles being transported by the drive-away method in saddlemount combination. The increased length limit of 97 feet applies to these vehicle combinations when

operating on a highway designated by DOT as a long truck route or designated by DOT as part of the national system of interstate and defense highways, but the current length limit of 75 feet applies to these vehicle combinations when operating on any other highway. The bill defines "drive-away method in saddlemount combination" as a vehicle combination designed and specifically used to tow up to three trucks or truck tractors, each connected by a saddle to the frame or fifth-wheel of the forward vehicle of the truck or truck tractor in front of it, and including not more than one fullmount. A "fullmount" is a smaller vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination. A "saddle" is a mechanism that connects the front axle of a towed vehicle to the frame or fifth-wheel of the vehicle in front and functions like a fifth-wheel kingpin connection.

For further information see the *state* 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.** 348.01 (2) (au), (ay) and (bv) of the statutes are created to read:

2 348.01 (2) (au) "Drive-away method in saddlemount combination" means a
3 vehicle combination designed and specifically used to tow up to 3 trucks or truck
4 tractors, each connected by a saddle to the frame or 5th-wheel of the forward vehicle
5 of the truck or truck tractor in front of it, and including not more than one fullmount.

6 (ay) "Fullmount" means a smaller vehicle mounted completely on the frame of
7 either the first or last vehicle in a saddlemount combination.

8 (bv) "Saddle" means a mechanism that connects the front axle of a towed
9 vehicle to the frame or 5th-wheel of the vehicle in front and functions like a
10 5th-wheel kingpin connection.

11 **SECTION 2.** 348.07 (4) of the statutes is amended to read:

12 348.07 (4) The secretary shall, by rule, designate the highways to which sub.
13 (2) (f), (fm), and (gm) and s. 348.08 (1) (a) 2. and (e) apply. The designation of
14 highways under this subsection may not be inconsistent with the designation of

1 highways made by the U.S. secretary of transportation under P.L. 97-424, section
2 411. The secretary may also designate additional highways by rule. In adopting a
3 rule designating other highways, which may include 2-lane highways, the secretary
4 shall specify the factors which resulted in the determination to designate the
5 highways. These factors shall include, but are not limited to, safety, economics,
6 energy savings, industry productivity and competition. Vehicles to which sub. (2) (f),
7 (fm), and (gm) and s. 348.08 (1) (a) 2. and (e) apply may also operate on highways not
8 designated under this subsection for a distance of 15 miles or less in order to obtain
9 access to a highway designated under this subsection or to reach fuel, food,
10 maintenance, repair, rest, staging, terminal or vehicle assembly facilities or points
11 of loading or unloading. The secretary may, by rule, designate an access route of more
12 than 15 miles from a highway designated under this subsection when the longer
13 route provides safer and better access to a location which is within the 15-mile limit.
14 Household goods carriers may operate between highways designated under this
15 subsection and points of loading and unloading.

16 **SECTION 3.** 348.08 (1) (a) of the statutes is renumbered 348.08 (1) (a) (intro.)
17 and amended to read:

18 348.08 (1) (a) (intro.) Two or 3 vehicles may, without such permit, be drawn or
19 attached when such vehicles are being transported by the drive-away method in
20 saddlemount combination and the overall length of such combination of vehicles does
21 not exceed the following:

22 3. When operating on a highway not identified in subd. 1. or 2., 75 feet.

23 **SECTION 4.** 348.08 (1) (a) 1. and 2. of the statutes are created to read:

24 348.08 (1) (a) 1. When operating on a highway designated as part of the
25 national system of interstate and defense highways under s. 84.29, 97 feet.

2013 DRAFTING REQUEST

Bill

Received: **9/27/2012** Received By: **agary**
Wanted: **As time permits** Same as LRB:
For: **Jerry Petrowski (608) 266-2502** By/Representing: **Anna Richter**
May Contact: Drafter: **agary**
Subject: **Transportation - motor vehicles** Addl. Drafters:
Extra Copies: **EVM**

Submit via email: **YES**
Requester's email: **Sen.Petrowski@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Increase maximum length to 97 feet for driveaway saddlemount vehicle combinations NB 1315-11

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 10/8/2012			_____			
/P1	agary 12/18/2012	jdyer 10/23/2012	jmurphy 10/23/2012	_____	sbasford 10/23/2012		State
/P2	agary 1/24/2013	jdyer 12/19/2012	jmurphy 12/19/2012	_____	sbasford 12/19/2012		State
/P3	emueller	jdyer	phenry	_____	sbasford		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		1/25/2013	1/25/2013	_____	1/25/2013		

1/1 SUM
FE Sent For: 7/22/13 1/1 SAC
07/22/2013

<END>

Barman, Mike

From: Punches, Derek
Sent: Tuesday, July 30, 2013 10:51 AM
To: LRB.Legal
Subject: Draft Review: LRB -0167/1 Topic: Increase maximum length to 97 feet for driveway
saddlemount vehicle combinations NB 1315-11

Please Jacket LRB -0167/1 for the SENATE.