

## 2013 DRAFTING REQUEST

### Assembly Substitute Amendment (ASA-AB278)

Received: 10/24/2013 Received By: emueller  
Wanted: As time permits Same as LRB:  
For: Keith Ripp (608) 266-3404 By/Representing: Elisabeth Portz  
May Contact: Drafter: emueller  
Subject: Transportation - other Addl. Drafters:  
Extra Copies: ARG

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

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Definition of common motor carrier

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#### Instructions:

See attached

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#### 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>
/?	emueller 10/24/2013			_____			
/1	emueller 10/25/2013	kfollett 10/25/2013	jfrantze 10/25/2013	_____	sbasford 10/25/2013	sbasford 10/25/2013	
/2		kfollett 10/25/2013		_____	srose 10/25/2013	srose 10/25/2013	

FE Sent For:

**<END>**

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Definition of common motor carrier

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See attached

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12	EVW 10/25/13	12kf 10/25	12kf 10/25	eev			

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1?	emueller	11/5f	of	10/25			
1	EMM 10/24/13	10/25					

FE Sent For:

<END>

## Mueller, Eric

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**From:** Gary, Aaron  
**Sent:** Wednesday, October 23, 2013 9:49 AM  
**To:** Mueller, Eric  
**Subject:** FW: amendment to AB 278 and LRB 0179

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**From:** Portz, Elisabeth  
**Sent:** Tuesday, October 22, 2013 3:51 PM  
**To:** Gary, Aaron  
**Cc:** Fiocchi, Tim  
**Subject:** amendment to AB 278 and LRB 0179

Hey Aaron,

Could you please draft an amendment to AB 278 and LRB 0179 with the following language for both our office and Sen. Petrowski's?

- (1) "Common motor carrier" means any person who holds himself or herself out to the public as willing to undertake for hire to transport passengers or property by motor vehicle ~~between fixed end points or over a regular route upon the public highways or property over regular or irregular routes~~ upon the public highways. The transportation of passengers in taxicab service or in commuter car pool or van pool vehicles with a passenger-carrying capacity of less than 46 8 persons or in a school bus under s. 120.13 (27) ~~shall not be construed as being that of~~ is not transportation by a common motor carrier.

Thanks!

Liz

Elisabeth Portz  
Clerk, Assembly Committee on Transportation  
Office of Wisconsin State Representative Keith Ripp  
42<sup>nd</sup> Assembly District



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBs0165/1

EVM: *gf*

ASSEMBLY SUBSTITUTE AMENDMENT,  
TO ASSEMBLY BILL 278

*RMR*

*10/24/13*

*RB*

*Today*

*1*

*gen*

**AN ACT ...; relating to:** the definition of common motor carrier

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

**SECTION 1.** 194.01 (1) of the statutes is amended to read:

194.01 (1) "Common motor carrier" means any person who holds himself or herself out to the public as willing to undertake for hire to transport passengers or property by motor vehicle between fixed end points or over a regular route upon the public highways or property over regular or irregular routes upon the public highways. The transportation of passengers in taxicab service or in commuter car pool or van pool vehicles with a passenger-carrying capacity of less than ~~16~~ 8 persons or in a school bus under s. 120.13 (27) shall ~~not be construed as being that of~~ is not transportation by a common motor carrier.

History: 1971 c. 164 s. 88; 1977 c. 29 ss. 1303, 1304, 1654 (9) (c), (f), (10) (a); 1979 c. 34, 110, 221, 355; 1981 c. 347; 1983 a. 189, 243; 1985 a. 29, 187; 1993 a. 16, 112, 490; 1997 a. 254; 2001 a. 90, 107; 2005 a. 250.

**SECTION 2. Initial applicability.**



## Mueller, Eric

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**From:** Portz, Elisabeth  
**Sent:** Friday, October 25, 2013 3:49 PM  
**To:** Mueller, Eric  
**Cc:** Fiocchi, Tim  
**Subject:** RE: amendment to AB 278 and LRB 0179

Hey Eric,

Thanks for getting that done today. DOT just contacted us with a change to the language I provided you. Can you make the following changes?

"Common motor carrier" means any person who holds himself or herself out to the public as willing to undertake for hire to transport passengers or property by motor vehicle ~~between fixed end points or over a regular route upon the public highways or property over regular or irregular routes~~ upon the public highways. The transportation of passengers in taxicab service or in commuter car pool or van pool vehicles that are designed to transport less than 8 passengers (including the driver) or in a school bus under s. 120.13 (27) ~~shall not be construed as being that of~~ is not transportation by a common motor carrier.

Sorry about the inconvenience. I know it's the end of the day, but would it be possible to see a P2 draft today still? Thanks for working on this!

Liz

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**From:** Mueller, Eric  
**Sent:** Friday, October 25, 2013 1:09 PM  
**To:** Portz, Elisabeth  
**Subject:** RE: amendment to AB 278 and LRB 0179

Liz,

Sorry, I just noticed your email from yesterday afternoon. You should receive your draft today, if you haven't already.

Eric Mueller  
Attorney, Legislative Reference Bureau  
Phone: (608)261-7032  
[eric.mueller@legis.wisconsin.gov](mailto:eric.mueller@legis.wisconsin.gov)

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**From:** Portz, Elisabeth  
**Sent:** Thursday, October 24, 2013 4:46 PM  
**To:** Mueller, Eric  
**Cc:** Fiocchi, Tim  
**Subject:** RE: amendment to AB 278 and LRB 0179

Hey Eric,

The Assembly Transportation Committee will be execing on this bill on Tuesday morning. Would it be possible to get a copy of the amendment by tomorrow so I can have it introduced and shared with members?

Thanks!

Liz

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**From:** Mueller, Eric  
**Sent:** Wednesday, October 23, 2013 10:15 AM  
**To:** Portz, Elisabeth  
**Cc:** Fiocchi, Tim  
**Subject:** RE: amendment to AB 278 and LRB 0179

Liz,

I'll be handling these two drafts. Please let me know if you have any questions or further instructions.

Eric Mueller  
Attorney, Legislative Reference Bureau  
Phone: (608)261-7032  
[eric.mueller@legis.wisconsin.gov](mailto:eric.mueller@legis.wisconsin.gov)

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Thanks!

Liz

Elisabeth Portz  
Clerk, Assembly Committee on Transportation  
Office of Wisconsin State Representative Keith Ripp  
42<sup>nd</sup> Assembly District



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBs0165/1 12  
EVM:kjf:jk  
Stays  
RMR

ASSEMBLY SUBSTITUTE AMENDMENT,  
TO ASSEMBLY BILL 278

10/25/13

Reg'n

Today

1 AN ACT *to amend* 194.01 (1) of the statutes; **relating to:** the definition of  
2 common motor carrier.

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

3 SECTION 1. 194.01 (1) of the statutes is amended to read:

4 194.01 (1) "Common motor carrier" means any person who holds himself or  
5 herself out to the public as willing to undertake for hire to transport passengers or  
6 property by motor vehicle ~~between fixed end points or over a regular route upon the~~  
7 ~~public highways or property over regular or irregular routes~~ upon the public  
8 highways. The transportation of passengers in taxicab service or in commuter car

9 pool or van pool vehicles ~~with a passenger-carrying capacity of less than 16(8) persons~~

10 ~~or in a school bus under s. 120.13 (27) shall not be construed as being that of is not~~

11 transportation by a common motor carrier.

strike  
that are designed to carry  
passengers including the driver  
strike

