

CR 92-155

CERTIFICATE

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **Motor Carrier Safety Requirements for Transportation of Hazardous Materials**, was duly approved and adopted by this Department on February 16, 1993.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 16th day of February, 1993.

Charles H. Thompson

CHARLES H. THOMPSON
Secretary

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5-1-93

IN THE MATTER OF an Order Adopting Rule to AMEND s. Trans 326.01, Wisconsin Administrative Code, relating to motor carrier safety requirements for transportation of hazardous materials.

ORDER ADOPTING RULE

Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: s. 227.11, Stats.

STATUTES INTERPRETED: ss. 110.07, 110.075, 194.38 and 194.43, Stats.

General Summary of Rule. Chapter Trans 326 adopted motor carrier safety requirements for transportation of hazardous materials of the United States Department of Transportation in effect on October 1, 1987. This amendment changes the date from October 1, 1987 to November 1, 1992. This change allows Wisconsin to enforce the most recent version of the motor carrier safety requirements for transportation of hazardous materials. All vehicles operating in interstate commerce are already subject under federal law to any changes that have been adopted between October 1, 1987 and November 1, 1992.

Fiscal Effect. This rule amendment will not have a fiscal effect upon the state, any local governments or the private sector.

Preparation. This analysis was prepared by Joe Maassen, Assistant General Counsel, Office of General Counsel, Wisconsin Department of Transportation, P.O. Box 7910, Madison, Wisconsin 53707 (608) 266-8810.

TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by s. 227.11, Stats., the department of transportation hereby amends a rule interpreting ss. 110.07, 110.075, 194.38 and 194.43, Stats., relating to motor carrier safety requirements for transportation of hazardous materials.

SECTION 1. Trans 326.01 is amended to read:

TRANS 326.01 FEDERAL RULES ADOPTED. The following federal regulations adopted by the United States department of transportation and in effect on ~~October 1, 1987~~ November 1, 1992, are adopted by the department and shall be enforced in relation to those

carriers, drivers or vehicles to which these federal rules apply in the same manner as though the federal regulations were set out in full in this rule:

(1) Title 49, Code of Federal Regulations, part 107, ~~Hazardous Materials Program Procedures~~ hazardous materials program procedures.

(2) Title 49, Code of Federal Regulations, part 171, ~~Hazardous Materials Regulations~~ hazardous materials regulations.

(3) Title 49, Code of Federal Regulations, part 172, ~~Hazardous Materials Tables and Hazardous Materials Communications Regulations~~ hazardous materials tables and hazardous materials communications regulations.

(4) Title 49, Code of Federal Regulations, part 173, ~~General Requirements for Shipments and Packagings~~ general requirements for shipments and packagings.

(5) Title 49, Code of Federal Regulations, part 177, ~~Carriage by Public Highway~~ carriage by public highway.

(6) Title 49, Code of Federal Regulations, part 178, ~~Shipping Container Specifications~~ shipping container specifications.

(END OF RULE TEXT)

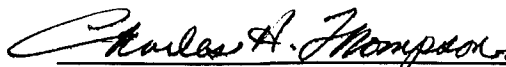
Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 16th day of February, 1993.

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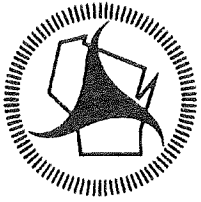
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CHARLES H. THOMPSON

Secretary

Wisconsin Department of Transportation



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

OFFICE OF GENERAL COUNSEL
P. O. Box 7910
Madison, WI 53707-7910

February 16, 1993

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Mr. Gary Poulson
Deputy Revisor of Statutes
119 Martin Luther King, Jr. Blvd.
2nd Floor
Madison, Wisconsin 53703

RE: CLEARINGHOUSE RULE 92-155

In the Matter of the Adoption of **TRANS 326**, Wisconsin Administrative Code, relating to **Motor Carrier Safety Requirements for Transportation of Hazardous Materials**.

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 92-155**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie A. Johnson".

Julie A. Johnson
Paralegal

Enclosures

cc: Tom Walker
Dorothy Kapke
Jim McDonnell
Bill Singletary
Lyle Walheim