

CR 95-128

CERTIFICATE

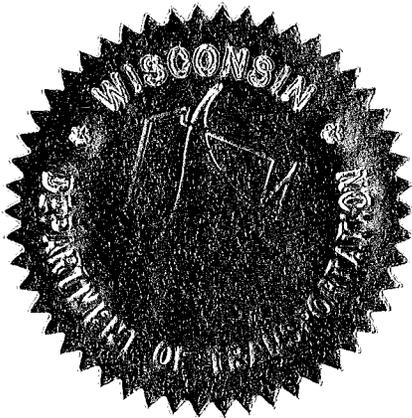


STATE OF WISCONSIN )  
 ) ss.  
DEPARTMENT OF TRANSPORTATION )

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 intrastate transportation of hazardous materials**, was duly approved and adopted by this Department on October 23, 1995.

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 23 day of **October**, 1995.

*Jerome M. Leahy Depledge*  
as CHARLES H. THOMPSON  
Secretary

The Wisconsin Department of Transportation adopts an order to amend TRANS 328.03(title) and (intro.), relating to motor carrier safety requirements for intrastate transportation of hazardous materials.

**ORDER ADOPTING RULE**

**Analysis Prepared by the Wisconsin Department of Transportation**

**STATUTORY AUTHORITY:** ss. 227.11, and 346.45(4), Stats.

**STATUTES INTERPRETED:** ss. 110.07, 110,075, 194.38 and 194.43, Stats.

**General Summary of Rule.** Chapter Trans 328 adopted motor carrier safety requirements for intrastate transportation of hazardous materials of the United States Department of Transportation in effect on November 1, 1993. This amendment changes the date from November 1, 1993 to November 1, 1995. This amendment allows Wisconsin to enforce the most recent version of the motor carrier safety requirements for intrastate transportation of hazardous materials. All vehicles operating in interstate commerce are already subject under federal law to any changes that have been adopted between November 1, 1993 and November 1, 1995.

**Fiscal Impact.** The Department estimates that there will be no fiscal impact on the liabilities or revenues of any county, city, village, town, school district, technical college district or sewerage district.

**Final Regulatory Flexibility Analysis.** This rule will not have any significant adverse effect on small businesses.

**Preparation and Copies of Rule.** This analysis was prepared by Joe Maassen, Assistant General Counsel, Wisconsin Department of Transportation, P.O. Box 7910, Madison, Wisconsin 53707 (608) 266-8810. Copies of this rule may be obtained upon request, without cost, by writing to Frieda Andreas, Division of State Patrol, P. O. Box 7912, Room 551, Madison, WI 53707-7912, or by calling (608) 266-6936. Alternate formats of the rule will be provided to individuals at their request.

**TEXT OF RULE**

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 227.11 and 346.45(4), 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 intrastate transportation of hazardous materials.

**SECTION 1.** Trans 328.03(title) and (intro.) are amended to read:

**Trans 328.03 (title) FEDERAL RULES ADOPTED.** The following federal motor carrier safety regulations adopted by the United States department of transportation and in effect on November 1, ~~1993~~ 1995, are adopted by the department and shall be enforced in relation to those carriers, drivers or vehicles to ~~operate in intrastate commerce~~ these rules apply in the same manner as though the regulations were set out in full in this chapter:

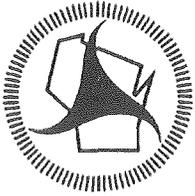
**(END OF RULE TEXT)**

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**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 23 day of October, 1995.

  
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CHARLES H. THOMPSON  
Secretary  
Wisconsin Department of Transportation



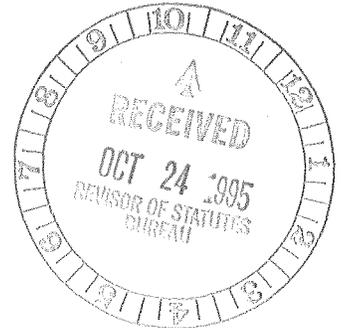
## Wisconsin Department of Transportation

Tommy G. Thompson  
Governor

Charles H. Thompson  
Secretary

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

October 23, 1995



Mr. Gary Poulson  
Deputy Revisor of Statutes  
131 West Wilson Street, Suite 800  
Madison, Wisconsin 53703

RE: **CLEARINGHOUSE RULE 95-128**

In the Matter of the Adoption of **TRANS 328**, Wisconsin Administrative Code, relating to **motor carrier safety requirements for intrastate transportation of hazardous materials**.

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 95-128**, 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 that reads "Julie A. Johnson".  
Julie A. Johnson  
Paralegal

Enclosures

cc: Ann Agnew  
Dorothy Kapke  
Jim McDonnell  
Bill Singletary  
Lyle Walheim