1997 ASSEMBLY BILL 94

February 12, 1997 – Introduced by Representatives Krusick, Schneider, Black, Bock, Boyle, Carpenter, Cullen, Grothman, Kaufert, Murat, Notestein, R. Potter, Robson, Springer, Turner, Urban, Williams and R. Young, cosponsored by Senators Adelman, Cowles, Darling, Grobschmidt, Wineke and Wirch. Referred to Committee on Highways and Transportation.

- AN ACT to renumber and amend 348.10(2); and to create 348.10(2)(b) and
- 2 (c) of the statutes; **relating to:** transporting bulk materials on a highway.

Analysis by the Legislative Reference Bureau

Under current law, no person is permitted to operate a vehicle on a highway unless the vehicle is so constructed and loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping from the vehicle. A forfeiture of not less than \$10 nor more than \$200 may be imposed for violating this provision.

This bill specifies that a load of bulk material, such as sand, gravel or dirt, that is not in containers must be covered when being transported on a highway to prevent the load from dropping or sifting from the vehicle. Failure to comply with this provision also may result in a forfeiture of not less than \$10 nor more than \$200.

The bill specifies that both of these provisions do not apply to bulk material being applied to a highway for highway construction or maintenance.

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

- 3 Section 1. 348.10 (2) of the statutes is renumbered 348.10 (2) (a) and amended
- 4 to read:

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348.10 (2) (a) No person shall may operate a vehicle on a highway unless such
vehicle is so constructed and loaded as to prevent its contents from dropping, sifting,
leaking or otherwise escaping therefrom.
Section 2. 348.10 (2) (b) and (c) of the statutes are created to read:
348.10 (2) (b) Notwithstanding par. (a), no person may operate on a highway
a vehicle loaded with bulk material, such as sand, gravel or dirt, that is not in
containers unless the vehicle is so loaded and covered as to prevent the load from
dropping or sifting from the vehicle.
(c) This subsection does not apply to the application of a bulk material to a
highway for the purpose of maintenance or construction of the highway.

(END)