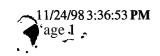
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1999 DRAFTING REQUEST

Bill

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1999 DRAFTING REQUEST

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1999 DRAFTING REQUEST

Bill

Received: 09124198 Received By: nilsepe

Wanted: **As time permits** Identical to LRB:

For: Marlin Schneider (608) 266-0215 By/Representing: Judy

This file may be shown to any legislator: NO Drafter: **nilsepe**

May Contact: Alt. Drafters:

Subject: Transportation - traffic laws Extra Copies: TNF

Topic:

transporting bulk materials; covers and mudflaps

Instructions:

See Attached

Drafting History:

<u>Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required</u>

1? nilsepe 1-11-23 $\frac{1}{1/24}$

FE Sent For:

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Judy Schneider 9/24/98

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1997 ASSEMBLY BILL 161

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D- Note

March 6, 1997 – Introduced by Representatives HARSDORF and NOTESTEIN, cosponsored by Senator GROBSCHMIDT. Referred to Committee on Highways and Transportation.

AN ACT to amend 347.46 (2) (intro.), 347.46 (2) (a) and 347.46 (2) (b); and to create 347.46 (2) (d) of the statutes; relating to: fighting mudguards on road tractors, truck tractors, trailers, semitrailers and farm trailers and minimum

røund externande for fortilgualite.

Fransporting bolk materials

Analysis by the Legislative Reference Bureau

Current law requires every privately owned motor truck and most semitrailers operated on a highway between cities to be equipped with fenders or mudguards to minimize the amount of water, mud and debris thrown by the rear wheels. This requirement does not apply to motor trucks and semitrailers that have dump bodies.

This bill requires every motor truck, road tractor, truck tractor trailer, semitrailer and farm trailer, except farm trucks equipped with dump bodies, whether owned publicly or privately, operated upon a highway to be equipped with fenders or mudguards. The bill reduces the maximum ground clearance of acceptable fenders or mudguards from one-third of the horizontal distance from the center of the **rearmost** axle to the fender or mudguard to one-fifth of that distance. The bill also establishes a maximum ground clearance of a inches for fenders or mudguards on vehicles equipped with dump bodies that are transporting sand, gravel or similar material.

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For further information **see** the **state and local** 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:

SECTION 1. 347.46 (2) (intro.) of the statutes is amended to read:

347.46 (2) (intro.) No person shall may operate on a highway in intercity movement any privately owned any motor truck or privately owned, road tractor, trailer, farm trailer, semitrailer drawn by a or truck tractor, except those motor farm trucks and semitrailers equipped with dump bodies, unless such motor truck or semitrailer the vehicle is equipped with rear fenders or mudguards of such material and so constructed and placed as to restrict to a minimum the splashing of water, mud or other material which may be thrown by the rear wheels. Such The rear fenders or mudguards shall meet all of the following minimum specifications:

SECTION 2. 347.46 (2) (a) of the statutes is amended to read:

347.46 (2) (a) The fenders or mudguards shall cover the tire or multiple tires they are protecting starting at the top from a line drawn vertically through the center of the axle and extending rearward and downward so that the fender or mudguard under any condition of operation or loading of the vehicle has a ground clearance of not more than one-third one-fifth of the horizontal distance from the center of the rearmost axle to the fender or mudguard.

SECTION 3. 347.46 (2) (b) of the statutes is amended to read:

347.46 (2) (b) The fenders or mudguards shall be at least as wide as the tire or multiple tires they are protecting;

SECTION 4. 347.46 (2) (d) of the statutes is created to read:

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347.46 (2) (d) Notwithstanding any other requirement of this subsection, a motor truck or semitrailer equipped with a dump body that dumps through the floor of the cargo body and that is transporting sand, gravel, dirt, rock or similar material shall be equipped with mudguards that are mounted to the rear of the axles, cover the entire width of the vehicle and have a ground clearance of not more than 6 inches when the vehicle is loaded.

SECTION 5. Effective date.

(1) This act takes effect on the first day of the 4th month beginning after publication.

10 (END)

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

(c) of the statutes; **relating to:** transporting bulk materials on a highway.

Analysis by the Legislative Reference Bureau

Winder 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:

SECTION 1. 348.10 (2) of the statutes is renumbered 348.10 (2) (a) and amended

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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 insen 3-6)

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DRAFTER'S NOTE FROMTHE LEGISLATIVE REFERENCE BUREAU

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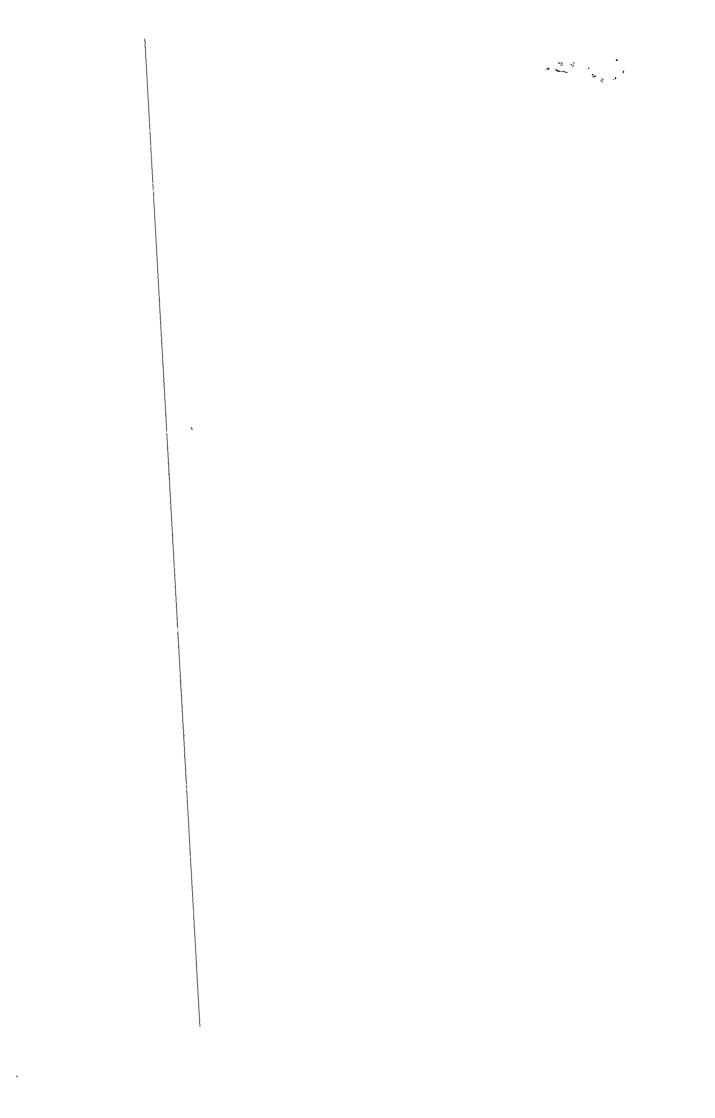
Monday, February 3, 1997

Mon., Sept. 28, 1998

P- The provisions of this bill relating to covering bolk materials 1st identical to 1997 Assembly Bill 94.

This modeled on Minnesota law. See Minn. Stat. § 169.733 (1996).

Paul E. Nilsen Legislative Attorney 261-6926



DRAFTER'S NOTE FROMTHE LEGISLATIVE REFERENCE BUREAU

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LRB-0311/1dn PEN:kg:ijs

November 24, 1998

The provisions of this bill relating to covering bulk materials are identical to 1997 Assembly Bill 94.

The provisions of this bill relating to mudguards are modeled on Minnesota law. See Minn. Stat. § 169.733 (1996).

Paul E. Nilsen Legislative Attorney 261-6926

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SUBMITTAL FORM

LEGISLATIVE REFERENCE BUREAU Legal Section Telephone: 266-3561 5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 11/24/98	To: Representative Schneider		
	Relating to LRB drafting number: LIB-03 11		
<u>Topic</u> transporting bulk materials; covers and mudflaps			
Subject(s) Transportation - traffic laws			
1. JACKET the draft for introduction			
in the Senate or the Assembly (chec	k only one). Only the requester under whose name the		
drafting request is entered in the LRB's drafting	g records may authorize the draft to be submitted. Please		
allow one day for the preparation of the required	d copies.		
2. REDRAFT. See the changes indicated or attac	hed		
A revised draft will be submitted for your appro	eval with changes incorporated.		
3. Obtain FISCAL ESTIMATE NOW , prior to i	ntroduction		
If the analysis indicates that a fiscal estimate is	required because the proposal makes an appropriation or		
increases or decreases existing appropriations or state or general local government fiscal liability or			
revenues, you have the option to request the fisc	cal estimate prior to introduction. If you choose to		
introduce the proposal without the fiscal estimat	te, the fiscal estimate will be requested automatically upon		
introduction. It takes about 10 days to obtain a f	iscal estimate. Requesting the fiscal estimate prior to		
introduction retains your flexibility for possible	redrafting of the proposal.		
If you have any questions regarding the above productions	cedures, please call 266-3561. If you have any questions		
relating to the attached draft, please feel free to call me.			

Paul E. Nilsen, Legislative Attorney Telephone: (608) 26 1-6926