

1999 DRAFTING REQUEST

Bill

Received: 09/10/98

Received By: fasttn

Wanted: As time permits

Identical to LRB:

For: Peggy Krusick (608) 266-1733

By/Representing: Self

This file may be shown to any legislator: NO

Drafter: fasttn

May Contact:

Alt. Drafters:

Subject: Transportation - traffic laws

Extra Copies: PEN - 1

Pre Topic:

No specific pre topic given

Topic:

Transporting bulk materials

Instructions:

See Attached

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>
/?	fasttn 09/16/98	jgeller 09/17/98		_____			
/1			lpaasch 09/17/98	_____	lrb_docadmin 09/17/98	lrb_docadmin 03/9/99	

FE Sent For:

Not Needed

<END>

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/?	fasttn	1-9-17-98 JKG	9-17 LR	9-17 LR <del>PS</del>			

FE Sent For:

<END>

WISCONSIN STATE ASSEMBLY



PEGGY KRUSICK  
STATE REPRESENTATIVE

TO: Tim Fast  
FROM: Peggy Krusick  
DATE: September 4, 1998  
SUBJECT: Truck covers

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Please redraft 1997 Assembly Bill 94 for the 1999-2000 session.

A copy of the former bill is attached. Thanks.

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## 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.

1 **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:



1999

Date (time) needed \_\_\_\_\_

LRB - 0132 / 1

BILL

TNF : jlg : \_\_\_\_\_

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: .....

.....  
.....  
.....  
.....

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

*Analysis by the Legislative Reference Bureau*

For the 3 titles used in an analysis, in the component bar:

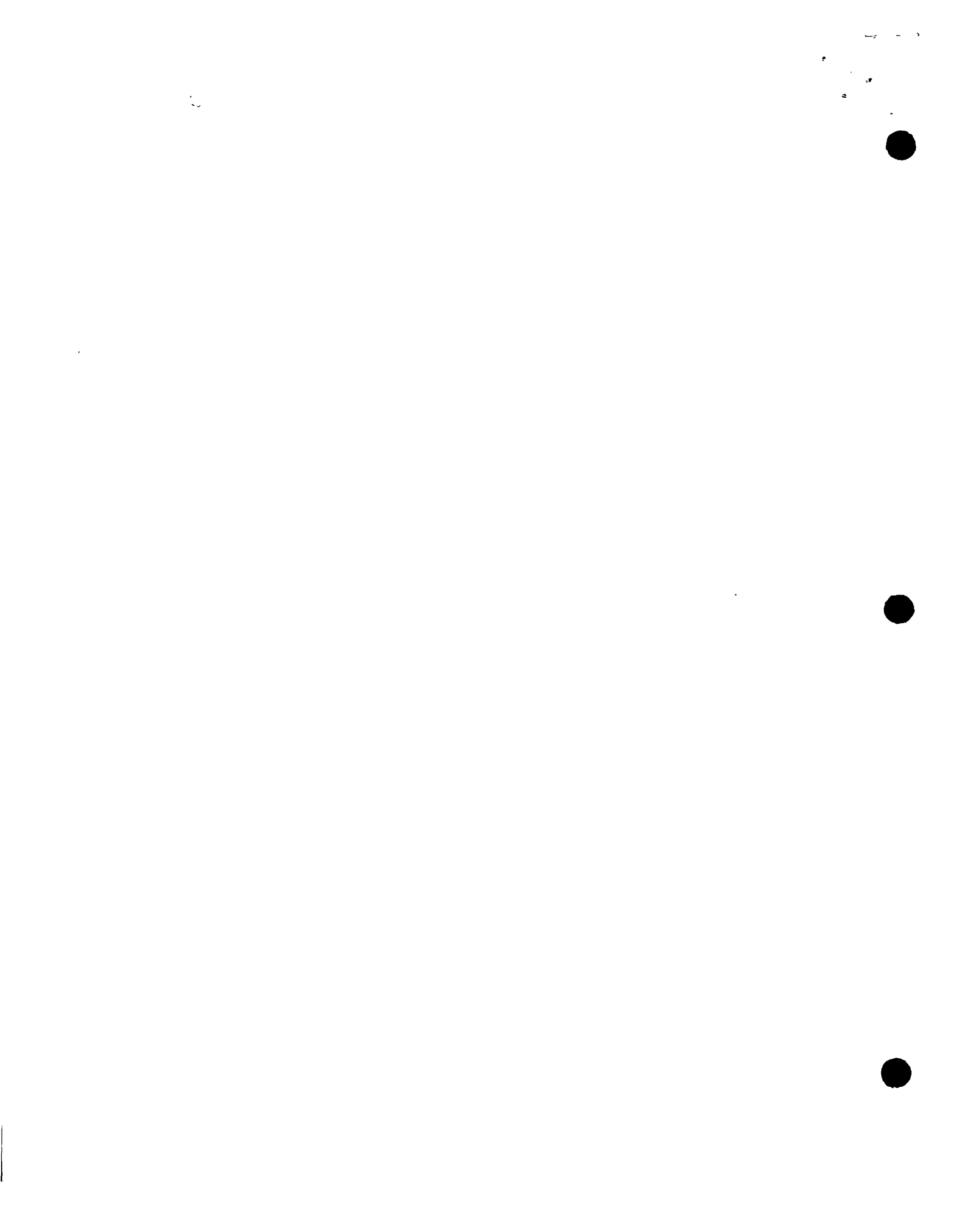
For the main heading [old =M], execute: ..... create → anal: → title: → head

For the subheading [old =S], execute: ..... create → anal: → title: → sub

For the sub-subheading [old =P], execute: ..... create → anal: → title: → sub-sub

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

SECTION #.





# ~~1997 ASSEMBLY BILL 94~~

~~February 12, 1997 - Introduced by Representatives KRUSICK, SCHNEIDER, BLACK, BOCK, BOYLE, CARPENTER, CULLEN, GROTHMAN, KAUEERT, MURAT, NOTESTEEN, 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.~~

- ① ~~AN ACT to renumber and amend 348.10 (2), and to create 348.10 (2)(b) and~~
- ② ~~to 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:*

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

PROOF  
w/FOLD  
3  
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ASSEMBLY BILL 94

SECTION 1

PROOF  
2/FOLIO

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348.10 (2) (a) No person shall ~~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~~ 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)

**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:** 9/17/98

**To:** Representative Krusick

**Relating to LRB drafting number:** LRB-0132

**Topic**

Transporting bulk materials

**Subject(s)**

Transportation - traffic laws

1. **JACKET** the draft for introduction \_\_\_\_\_

*Peggy Krusick*

in the **Senate** \_\_\_\_\_ or the **Assembly**  (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_.

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 fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal 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 procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Timothy N. Fast, Senior Legislative Attorney  
Telephone: (608) 266-9739

11-2-20

Dr. J. M. [unclear]

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