

Patch II

99-1997df



cullen



nilsepe



1999 DRAFTING REQUEST

Bill

Received: **01/25/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **David Cullen (608) 267-9836**

By/Representing: **Mike**

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

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **TNF, ISR**

Pre Topic:

No specific pre topic given

Topic:

Semitrailers restricted to right lane and 50 mph in Milwaukee County

Instructions:

Require semis and tractor-trailers to stay in right hand lane on interstates, except to exit. Speed limit of 50 mph for those vehicles on interstate.

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>
/?	nilsepe 01/27/99	wjackson 02/2/99		_____			S&L
/1	nilsepe 03/1/99	wjackson 03/2/99	martykr 02/2/99	_____	lrb_docadmin 02/2/99		S&L
/2		wjackson 03/3/99	jfrantze 03/2/99	_____	lrb_docadmin 03/2/99		S&L
/3			martykr 03/3/99	_____	lrb_docadmin 03/3/99	lrb_docadmin 04/8/99	

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Page 2

LRB-1997

FE Sent For:

05-06-99

<END>

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/2		wjackson 03/3/99	jfrantze 03/2/99	_____	lrb_docadmin 03/2/99		S&L
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/1	nilsepe 03/1/99	wjackson 03/2/99	martykr 02/2/99	_____	lrb_docadmin 02/2/99		S&L
/2		13 3/3 WLj	jfrantze 03/2/99	_____	lrb_docadmin 03/2/99		

Handwritten initials and dates: km 3/3, JA 3/3, km 3/3

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/?	nilsepe 01/27/99	wjackson 02/2/99		_____			S&L
/1		/2 3/2 wlj	martykr 02/2/99	_____	lrb_docadmin 02/2/99		
FE Sent For:			<i>3/2</i>	<i>3/2</i>			

<END>

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1?	nilsepe	1 WLJ 1/28 1 JLG 2/1	2/2	2/2			

FE Sent For:

<END>

Mike Rep. Colten - 1997

Require ~~tractor~~ ~~semitrailer~~ semitrailer/tractor-trailer combination to stay

in right-hand lane in Milwaukee County

establish separate speed limit of 50 mph.

(exception for exts)

only interstates highways

CR 346.05 (1g)

notwithstanding sub (1) or (3), no person may operate a motor vehicle in combination with a ~~se~~ semitrailer or trailer unless the vehicle is operated in the lane

right-hand ~~lane~~ lane



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1997/0

PEN...../.....

Handwritten initials and a circle.

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Handwritten note in a circle: "A-note"

Handwritten note in a circle: "5th. cat."

1 AN ACT relating to: maximum speed limits and travel lanes applicable to
2 trailers and semitrailers in certain counties.

Analysis by the Legislative Reference Bureau

Under current law, the maximum speed limits for vehicles operated in combination with a semitrailer or trailer are the same as those for an automobile. The maximum speed limit applicable to most freeways and expressways is 65 miles per hour.

This bill sets a maximum speed limit of 50 miles per hour for vehicles operated in combination with a semitrailer or trailer having a gross weight of more than 3,000 pounds. This maximum speed limit applies only on interstate highways in Milwaukee County (or any county having a population of 500,000 or more). ~~trucks~~ may be required to forfeit not less than \$30 nor more than \$300. This speed limit is not effective unless the department of transportation (DOT) erects traffic signs giving notice of the limit. The bill prohibits DOT or any local authority from modifying this maximum speed limit.

Current law generally requires that all vehicles be driven in the right half of the roadway and in the right-hand lane of a ^{three} ~~two~~-lane highway, except when making an approach for a left turn, when overtaking and passing or when circumstances permit or require driving on the left half of the roadway. Any vehicle traveling at less than the speed of surrounding traffic must be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand edge or curb of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

Handwritten "300w" in the left margin.

Handwritten "Keep period" with an arrow pointing to a period in the text.

Handwritten note: "A person who violates either of the provisions created by this bill..."

This bill requires vehicles that are operated in combination with a semitrailer or trailer having a gross weight of more than 3,000 pounds to be operated only in the right-hand lane of the highway, except when approaching to make a left hand turn. This provision applies only on interstate highways within Milwaukee County (or any county having a population of 500,000 or more).

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:

1 **SECTION 1.** 346.05 (1g)[✓] of the statutes is created to read:

2 346.05 (1g) Notwithstanding subs. (1)[✓] and (3)[✓], a vehicle operated upon a
3 roadway in combination with a semitrailer or trailer having a gross weight of 3,000
4 pounds or more shall be operated only in the right-hand lane of the highway, unless
5 the vehicle is making an approach for a left turn under circumstances in which the
6 rules relating to left turns require driving on the left half of the roadway. This
7 [✓]sub[✓]section applies only on an interstate highway in a county having a population of
8 500,000 or more.

9 **SECTION 2.** 346.57 (6) (a)[✓] of the statutes is amended to read:

10 346.57 (6) (a) On state trunk highways and connecting highways and on county
11 trunk highways or highways marked and signed as county trunks, the speed limits
12 specified in sub. (4) (e) and (f) are not effective unless official signs giving notice
13 thereof have been erected by the authority in charge of maintenance of the highway
14 in question. The speed limit specified in sub. (4) (g) and (k) and s. 346.58 (2)[✓] is not
15 effective on any highway unless official signs giving notice thereof have been erected
16 by the authority in charge of maintenance of the highway in question. The signs shall
17 be erected at such points as the authority in charge of maintenance deems necessary
18 to give adequate warning to users of the highway in question, but an alleged failure

1 to post a highway as required by this paragraph is not a defense to a prosecution for
2 violation of the speed limits specified in sub. (4) (e), (f), (g) or (k), or in an ordinance
3 enacted in conformity therewith, if official signs giving notice of the speed limit have
4 been erected at those points on the highway in question where a person traversing
5 such highway would enter it from an area where a different speed limit is in effect.

6 History: 1973 c. 157; 1975 c. 192, 210; 1977 c. 29 s. 1654 (3), (8) (a); 1977 c. 30, 67, 116, 203, 272; 1987 a. 17, 136; 1993 a. 246; 1995 a. 318; 1997 a. 35.

SECTION 3. 346.58 (2) of the statutes is created to read:

7 346.58 (2) ^{Fifty}~~50~~ miles per hour for any vehicle that is operated in combination
8 with a semitrailer or trailer having a gross weight greater than 3,000 pounds. This
9 subsection applies only on an interstate highway in a county having a population of
10 500,000 or more.

11 SECTION 4. 349.11 (2) (b) of the statutes is amended to read:

12 349.11 (2) (b) Modify the limits stated in s. 346.57 (4) (c) or 346.58 (1).

13 SECTION 5. 349.11 (3) (b) of the statutes is amended to read:

14 349.11 (3) (b) Modify the limits stated in s. 346.57 (4) (c) or 346.58 (1); or

History: 1971 c. 38; 1973 c. 157; 1975 c. 25; 1977 c. 29 s. 1654 (8) (a); 1977 c. 30 s. 5; 1977 c. 67, 203, 418; 1979 c. 213; 1983 a. 54; 1985 a. 182 s. 57; 1987 a. 17, 219; 1989 a. 31; 1993 a. 376; 1995 a. 318.

History: 1971 c. 38; 1973 c. 157; 1975 c. 25; 1977 c. 29 s. 1654 (8) (a); 1977 c. 30 s. 5; 1977 c. 67, 203, 418; 1979 c. 213; 1983 a. 54; 1985 a. 182 s. 57; 1987 a. 17, 219; 1989 a. 31; 1993 a. 376; 1995 a. 318.

15 SECTION 6. 349.11 (8) (c) of the statutes is amended to read:

16 349.11 (8) (c) Maximum speed limits which are not uniformly applicable to all
17 types of motor vehicles using a highway, except that a lower speed limit may be
18 established for any vehicle operating under a special permit because of any weight
19 or dimension of such vehicle and except as provided in s. 346.58 (2).

History: 1971 c. 38; 1973 c. 157; 1975 c. 25; 1977 c. 29 s. 1654 (8) (a); 1977 c. 30 s. 5; 1977 c. 67, 203, 418; 1979 c. 213; 1983 a. 54; 1985 a. 182 s. 57; 1987 a. 17, 219; 1989 a. 31; 1993 a. 376; 1995 a. 318.

(END)

D-NOTE

insert
DEE and
FFF

indor
ETE

Nonstat File Sequence:

EEE

INITIAL APPLICABILITY

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → inappl

For the budget action phrase, execute: create → action: → *NS: → 93XX

For the text, execute: create → text: → *NS: → inappl

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the 9300 department code; and fill in "____" or "()" only if a "frozen" number is needed.

SECTION # _____

[93] ✓

Initial applicability: 0.....

(#1) ()

The treatment of sections: ..

346.05 (1g) ✓

first applies to of the statutes
of this vehicles operated on the ^{effective} date
subsection ©

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → inappl

For the text, execute: create → text: → *NS: → inapplA

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # _____

Initial applicability;

(#1) ()

This act first ap-

plies to

Ⓢ (end ins)

1999

INS FFF

FFF

LRB

Nonstat File Sequence:

EFFECTIVE DATE

- 1. In the component bar: For the action phrase, execute: ... create → action: → *NS: → effdate
For the text, execute: ... create → text: → *NS: → effdateA
- 2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in " " or "()" only if a "frozen" number is needed.

SECTION # 2 . Effective date.

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

- 1. In the component bar: For the action phrase, execute: .. create → action: → *NS: → effdateE
For the text, execute: ... create → text: → *NS: → effdate
- 2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in " " or "()" only if a "frozen" number is needed.

SECTION # . Effective dates;

This act takes effect on the day after publication, except as follows:

(#1) () The treatment of sections of the statutes takes effect on

- 1. In the component bar: For the budget action phrase, execute: .. create → action: → *NS: → 94XX
For the text, execute: ... create → text: → *NS: → effdate
- 2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the 9400 department code; and fill in "()" only if a "frozen" number is needed.

SECTION 94 . Effective dates;

(#1) () The treatment of sections of the statutes takes effect on

(end insert)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1997/?dn

PEN....?/....

wlj
+
jlg

January 27, 1999 } new date

Representative Cullen:

The different speed limits for trucks ~~and automobiles~~ ^{was} were repealed by 1983 Wisconsin Act 54 (1983 Assembly Bill 73), effective November 2, 1983. See s. 346.58 (2), 1981 stats.

The penalties applicable to this draft are those provided under current law for similar offenses.

Paul E. Nilsen
Legislative Attorney
261-6926

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1997/1dn
PEN:wlj&jlg:km

February 2, 1999

Representative Cullen:

The different speed limit for trucks was repealed by 1983 Wisconsin Act 54 (1983 Assembly Bill 73), effective November 2, 1983. See s. 346.58 (2), 1981 stats.

The penalties applicable to this draft are those provided under current law for similar offenses.

Paul E. Nilsen
Legislative Attorney
261-6926

2/26 10 am

Mike; Cullen
LRB-1997/1

pg. 2, 2-4

right-hand line of highway or right 2 lanes
if 3 or more lanes"

Redraft per Mike in Rep. Cullen's
request by voicemail 2/26/99

-PEN



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1997/4
PEN:wlj&jlg:km

1999 BILL

Regen

1 AN ACT *to amend* 346.57 (6) (a), 349.11 (2) (b), 349.11 (3) (b) and 349.11 (8) (c);
2 and *to create* 346.05 (1g) and 346.58 (2) of the statutes; **relating to:** maximum
3 speed limits and travel lanes applicable to trailers and semitrailers in certain
4 counties.

Analysis by the Legislative Reference Bureau

Under current law, the maximum speed limits for vehicles operated in combination with a semitrailer or trailer are the same as those for an automobile. The maximum speed limit applicable to most freeways and expressways is 65 miles per hour.

This bill sets a maximum speed limit of 50 miles per hour for vehicles operated in combination with a semitrailer or trailer having a gross weight of more than 3,000 pounds. This maximum speed limit applies only on interstate highways in Milwaukee County (or any county having a population of 500,000 or more). This speed limit is not effective unless the department of transportation (DOT) erects traffic signs giving notice of the limit. The bill prohibits DOT or any local authority from modifying this maximum speed limit.

Current law generally requires that all vehicles be driven in the right half of the roadway and in the right-hand lane of a three-lane highway, except when making an approach for a left turn, when overtaking and passing or when circumstances permit or require driving on the left half of the roadway.

A person who violates either of the provisions created by this bill may be required to forfeit not less than \$30 nor more than \$300.

BILL

or, if the roadway is divided into ~~three~~³ or more marked lanes for traffic, in the direction being traveled in either of the ~~two~~² lanes farthest to the right. This subsection does not apply to any

This bill requires vehicles that are operated in combination with a semitrailer or trailer having a gross weight of more than 3,000 pounds to be operated only in the right-hand lane of the highway, ~~except when~~ approaching to make a left-hand turn. This provision applies only on interstate highways within Milwaukee County (or any county having a population of 500,000 or more).

or, if ~~3~~^{two} or more lanes are available, in either of the ~~3~~^{two} lanes farthest to the right. This requirement does not apply to any vehicle

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:

1 **SECTION 1.** 346.05 (1g) of the statutes is created to read:

2 346.05 (1g) Notwithstanding subs. (1) and (3), a vehicle operated upon a
 3 roadway in combination with a semitrailer or trailer having a gross weight of 3,000
 4 pounds or more shall be operated only in the right-hand lane of the highway ~~unless~~
 5 ~~the vehicle is~~ ^{vehicle} making an approach for a left turn under circumstances in which the
 6 rules relating to left turns require driving on the left half of the roadway. This
 7 subsection applies only on an interstate highway in a county having a population of
 8 500,000 or more.

9 **SECTION 2.** 346.57 (6) (a) of the statutes is amended to read:

10 346.57 (6) (a) On state trunk highways and connecting highways and on county
 11 trunk highways or highways marked and signed as county trunks, the speed limits
 12 specified in sub. (4) (e) and (f) are not effective unless official signs giving notice
 13 thereof have been erected by the authority in charge of maintenance of the highway
 14 in question. The speed limit specified in sub. (4) (g) and (k) and s. 346.58 (2) is not
 15 effective on any highway unless official signs giving notice thereof have been erected
 16 by the authority in charge of maintenance of the highway in question. The signs shall
 17 be erected at such points as the authority in charge of maintenance deems necessary
 18 to give adequate warning to users of the highway in question, but an alleged failure

BILL

1 to post a highway as required by this paragraph is not a defense to a prosecution for
2 violation of the speed limits specified in sub. (4) (e), (f), (g) or (k), or in an ordinance
3 enacted in conformity therewith, if official signs giving notice of the speed limit have
4 been erected at those points on the highway in question where a person traversing
5 such highway would enter it from an area where a different speed limit is in effect.

6 **SECTION 3.** 346.58 (2) of the statutes is created to read:

7 346.58 (2) Fifty miles per hour for any vehicle that is operated in combination
8 with a semitrailer or trailer having a gross weight greater than 3,000 pounds. This
9 subsection applies only on an interstate highway in a county having a population of
10 500,000 or more.

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12 349.11 (2) (b) Modify the limits stated in s. 346.57 (4) (c) or 346.58 (1).

13 **SECTION 5.** 349.11 (3) (b) of the statutes is amended to read:

14 349.11 (3) (b) Modify the limits stated in s. 346.57 (4) (c) or 346.58 (1); or

15 **SECTION 6.** 349.11 (8) (c) of the statutes is amended to read:

16 349.11 (8) (c) Maximum speed limits which are not uniformly applicable to all
17 types of motor vehicles using a highway, except that a lower speed limit may be
18 established for any vehicle operating under a special permit because of any weight
19 or dimension of such vehicle and except as provided in s. 346.58 (2).

20 **SECTION 7. Initial applicability.**

21 (1) The treatment of section 346.05 (1g) of the statutes first applies to vehicles
22 operated on the effective date of this subsection.

23 **SECTION 8. Effective date.**



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1997/2
PEN:wlj&jlg:jf

Handwritten initials 'FJ' in a circle.

1999 BILL

Handwritten note: Note

Handwritten word: Regen

1 **AN ACT** *to amend* 346.57 (6) (a), 349.11 (2) (b), 349.11 (3) (b) and 349.11 (8) (c);
2 and *to create* 346.05 (1g) and 346.58 (2) of the statutes; **relating to:** maximum
3 speed limits and travel lanes applicable to trailers and semitrailers in certain
4 counties.

Analysis by the Legislative Reference Bureau

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Current law generally requires that all vehicles be driven in the right half of the roadway and in the right-hand lane of a three-lane highway, except when making an approach for a left turn, when overtaking and passing or when circumstances permit or require driving on the left half of the roadway.

A person who violates either of the provisions created by this bill may be required to forfeit not less than \$30 nor more than \$300.

BILL

This bill requires vehicles that are operated in combination with a semitrailer or trailer having a gross weight of more than 3,000 pounds to be operated only in the right-hand lane of the highway or, if three more lanes are available, in either of the two lanes farthest to the right. This requirement does not apply to any vehicle approaching to make a left-hand turn. This provision applies only on interstate highways within Milwaukee County (or any county having a population of 500,000 or more).

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:

1 **SECTION 1.** 346.05 (1g) of the statutes is created to read:

2 346.05 **(1g)** Notwithstanding subs. (1) and (3), a vehicle operated upon a
3 roadway in combination with a semitrailer or trailer having a gross weight of 3,000
4 pounds or more shall be operated only in the right-hand lane of the highway or, if
5 the roadway is divided into 3 or more marked lanes for traffic in the direction being
6 traveled ^(insert comma) in either of the 2 lanes farthest to the right. This subsection does not apply
7 to any vehicle making an approach for a left turn under circumstances in which the
8 rules relating to left turns require driving on the left half of the roadway. This
9 subsection applies only on an interstate highway in a county having a population of
10 500,000 or more.

11 **SECTION 2.** 346.57 (6) (a) of the statutes is amended to read:

12 346.57 **(6)** (a) On state trunk highways and connecting highways and on county
13 trunk highways or highways marked and signed as county trunks, the speed limits
14 specified in sub. (4) (e) and (f) are not effective unless official signs giving notice
15 thereof have been erected by the authority in charge of maintenance of the highway
16 in question. The speed limit specified in sub. (4) (g) and (k) and s. 346.58 (2) is not
17 effective on any highway unless official signs giving notice thereof have been erected

BILL

1 by the authority in charge of maintenance of the highway in question. The signs shall
2 be erected at such points as the authority in charge of maintenance deems necessary
3 to give adequate warning to users of the highway in question, but an alleged failure
4 to post a highway as required by this paragraph is not a defense to a prosecution for
5 violation of the speed limits specified in sub. (4) (e), (f), (g) or (k), or in an ordinance
6 enacted in conformity therewith, if official signs giving notice of the speed limit have
7 been erected at those points on the highway in question where a person traversing
8 such highway would enter it from an area where a different speed limit is in effect.

9 **SECTION 3.** 346.58 (2) of the statutes is created to read:

10 346.58 (2) Fifty miles per hour for any vehicle that is operated in combination
11 with a semitrailer or trailer having a gross weight greater than 3,000 pounds. This
12 subsection applies only on an interstate highway in a county having a population of
13 500,000 or more.

14 **SECTION 4.** 349.11 (2) (b) of the statutes is amended to read:

15 349.11 (2) (b) Modify the limits stated in s. 346.57 (4) (c) or 346.58 (1).

16 **SECTION 5.** 349.11 (3) (b) of the statutes is amended to read:

17 349.11 (3) (b) Modify the limits stated in s. 346.57 (4) (c) or 346.58 (1); or

18 **SECTION 6.** 349.11 (8) (c) of the statutes is amended to read:

19 349.11 (8) (c) Maximum speed limits which are not uniformly applicable to all
20 types of motor vehicles using a highway, except that a lower speed limit may be
21 established for any vehicle operating under a special permit because of any weight
22 or dimension of such vehicle and except as provided in s. 346.58 (2).

23 **SECTION 7. Initial applicability.**

24 (1) The treatment of section 346.05 (1g) of the statutes first applies to vehicles
25 operated on the effective date of this subsection.

-1997/3
PEN: Wlj

¶ This draft corrects errors in
grammar syntax and punctuation.

-PEN

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1997/3dn
PEN:wlj&jlg:km

March 3, 1999

This draft corrects errors in syntax and punctuation.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

**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: 3/3/99

To: Representative Cullen

Relating to LRB drafting number: LRB-1997

Topic

Semitrailers restricted to right lane and 50 mph in Milwaukee County

Subject(s)

Transportation - traffic laws

1. **JACKET** the draft for introduction

David A. Cullen

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.

Paul E. Nilsen, Legislative Attorney
Telephone: (608) 261-6926