1999 ASSEMBLY BILL 454

September 14, 1999 – Introduced by Representatives Ainsworth, J. Lehman, Kaufert, Kelso and Pettis, cosponsored by Senator Farrow. Referred to Committee on Transportation.

- 1 AN ACT *to renumber and amend* 348.10 (2); and *to create* 348.10 (2) (b) and
- (c) of the statutes; **relating to:** transporting loads on a highway in vehicles
 equipped with dump bodies.

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 any vehicle that is equipped with a dump body and that is carrying any load extending above the top of the dump body must be covered when being operated 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
- 5 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 that is equipped with a dump body and that is carrying any load extending
above the top of the dump body 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)