

1999 DRAFTING REQUEST

Bill

Received: 12/09/1998

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: John Ainsworth (608) 266-3097

By/Representing: Kristina

This file may be shown to any legislator: NO

Drafter: fasttn

May Contact:

Alt. Drafters:

Subject: Transportation - traffic laws

Extra Copies: PEN, ISR

Pre Topic:

No specific pre topic given

Topic:

Require dump trucks to cover tall loads

Instructions:

If load extending above top of dump truck, load must be covered (see. ss. 348.09 and 348.10)

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 02/18/1999 fasttn 07/22/1999	wjackson 07/22/1999		_____			
/1			martykr 07/27/1999	_____	lrb_docadmin 07/27/1999	lrb_docadmin 08/05/1999	

FE Sent For:

↳ Not Needed

<END>

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1/?	nilsepe 02/18/99 fasttn	11 Wlj 7/22	Km 7/27	JA 7/27 Ern 7/27			

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348.09

348.09 Projecting loads on side of vehicles.

348.09(1)

(1) No person, without a permit therefor, shall operate on a highway any motor vehicle, trailer or semitrailer carrying any load extending beyond the fender line on the left side or extending more than 6 inches beyond the fender line on the right side of the vehicle. In the case of motor trucks, "fender line" means the outermost limits of the rear fenders, flare boards or floor of the body, whichever projects outward the farthest.

348.09(2)

(2) This section applies even though the total width of the vehicle and load does not exceed the maximum permitted under s. 348.05.

348.10

348.10 Special limitations on load.

348.10(1)

(1) No person, without a permit therefor, may operate on a highway any vehicle or combination of vehicles with any load thereon extending more than 3 feet beyond the front of the foremost vehicle, except as provided in s. 348.07 (2) (j), and except that a vehicle carrying another vehicle equipped with a crane or boom which extends more than 3 feet beyond the front of the foremost vehicle may be operated without permit if the total length of the vehicle or combination of vehicles, measuring from the end of the foremost projection of the load to the rear of the rearmost vehicle, does not exceed statutory length limitations.

348.10(2)

(2) No person shall 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.

348.10(3)

(3) No person may operate on a highway any motor vehicle, trailer or semitrailer carrying logs unless the logs are transported within a cargo body or are securely fastened to the vehicle by chains, steel cables or other attachment devices of equivalent strength whose safety is approved by the department.

348.10(3m)

(3m) (intro.) No person may operate on a highway any motor vehicle, trailer or semitrailer carrying junk or scrapped vehicles unless one of the following conditions is satisfied:

348.10(3m)(a)

(a) Each junk or scrapped vehicle is securely fastened to the vehicle carrying the load by chains, steel cables or other attachment devices of equivalent strength whose safety is approved by the department. In this paragraph, "securely fastened" means that each tier of junk or scrapped vehicles is secured by at least 2 chains, steel cables or other attachment devices across the axis of its width.

348.10(3m)(b)

(b) The vehicle carrying the load is equipped with stakes which are securely fastened by chains, steel cables or other attachment devices of equivalent strength whose safety is approved by the department and the top of the load is lower than the top of the stakes.

348.10(3m)(c)

(c) The vehicle carrying the load is equipped with sides, sideboards or side stakes and with a rear endgate, endboard or rear stakes. These devices shall be of sufficient strength and height to prevent the cargo from shifting upon or falling from the vehicle. No device may have any aperture large enough to permit cargo in contact with one or more of the devices to pass through the aperture.

348.10(4)

(4) All other provisions notwithstanding, no person shall operate on a highway any trailer or semitrailer when the gross weight of the trailer or semitrailer exceeds the empty weight of the towing vehicle, unless the trailer or semitrailer is equipped with brakes as provided in s. 347.35 (3) (a) and (b).

348.10(5)

(5) (intro.) The load imposed upon trailers or semitrailers shall be distributed in a manner that will prevent side sway under all conditions of operation:

348.10(5)(a)

(a) All items of load carried by any trailer, semitrailer or mobile home, except bulk material such as sand, gravel, dirt not in containers, shall be secured to, on or in the trailer in such manner as to prevent shifting of the load while the trailer or mobile home is being drawn by a towing vehicle.

348.10(5)(b)

(b) Boats of any type transported on a trailer or semitrailer being drawn by a towing vehicle shall be secured in position at bow and stern by attachments of such strength and design as to prevent the boat from shifting its position on the trailer or becoming separated from the trailer while being transported thereon.

348.10(5)(c)

(c) The load carried by any trailer, semitrailer or mobile home shall be so positioned that a weight of not less than 35 pounds is imposed at the center of the point of attachment to the towing vehicle when parked on a level surface.

348.10 - ANNOT.

History: 1983 a. 78; 1983 a. 192 s. 304; 1985 a. 161; 1991 a. 249; 1993 a. 401.

1999

Date (time) needed

SOON
(turned in 7/22)

LRB - 120511

BILL

TNF: Wlj:

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: *transporting loads on a highway in vehicles equipped with dump bodies.*

[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 #.

1999 ASSEMBLY BILL 243

March 23, 1999 - Introduced by Representatives KRUSICK, SINICKI, BALOW, BLACK, BOCK, CARPENTER, COGGS, COLON, CULLEN, KAUFERT, J. LEHMAN, MILLER, WARD, WASSERMAN and ZIEGELBAUER, cosponsored by Senators GROBSCHMIDT, COWLES, DARLING, FARROW and WIRCH. Referred to Committee on 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

operated

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:

any vehicle that is equipped with a dump body and that which is carrying any load extending above the top of dump the body

**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: 07/27/1999

To: Representative Ainsworth

Relating to LRB drafting number: LRB-1205

Topic

Require dump trucks to cover tall loads

Subject(s)

Transportation - traffic laws

1. **JACKET** the draft for introduction

John Ainsworth

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