

1999 DRAFTING REQUEST**Bill**Received: **01/14/2000**Received By: **nilsepe**Wanted: **As time permits**

Identical to LRB:

For: **David Brandemuehi (608) 266-1170**By/Representing: **Joe Maassen**

This file may be shown to any legislator: NO

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - highways**Extra Copies: **TNF****Pre Topic:**

No specific pre topic given

Topic:

Weight limits for milk trucks; axle distances

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>Reauired</u>
I?	nilsepe 01/14/2000	jgeller 01/14/2000		_____			S&L
/1	nilsepe 02/14/2000	jgeller 02/14/2000	martykr 01/14/2000	_____	lrb-docadmin 01/14/2000	lrb_docadminS&L 02/09/2000	
/2	nilsepe 02/17/2000	jgeller 02/18/2000	jfrantze 02/15/2000	_____	lrb-docadmin 02/15/2000	lrb_docadminS&L 02/15/2000	

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/3	nilsepe 02/21/2000	jgeller 02/22/2000	martykr 02/18/2000	_____	lrb-docadmin 02/18/2000	lrb_docadminS&L 02/18/2000	
/4			martykr 02/22/2000	_____	lrb-docadmin 02/22/2000	lrb_docadmin 02/22/2000	

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2/23/00

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/3		14 2/21 jg	martykr	_____	lrb-docadmin	lrb-docadmin	
			<i>sm/22</i>	<i>sm/22</i>			

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			02/18/2000 _____		02/18/2000	02/18/2000	

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/1		<i>1/2 2/14 jg</i> martykr 01/14/2000		_____	lrb_docadmin 01/14/2000	lrb_docadmin 02/09/2000	
FE Sent For:			<i>Bill 15</i>	<i>1/15</i>			

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please
jacket for
Brandemmel,
Assembly -
PEW

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10

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/?	nilsepe	11/14/99 JG	1/14/00	Ch 1/14/00 dm			

FE Sent For:

<END>

Call from JOE MIESSEN 1/14/09

bill for DOT

11.54

348.47(-)

348.15 (3) (b)

AM; (b) - keep 9 feet or more

but delete last sentence

946.1015 - Also, notwithstanding s. 348.15 (5m) from
3 axes' (?) and delete caption to 179.

- Rev

↑
stays

g

DOA:.....Etzler – Weight limits for milk trucks; axle distances

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

gen cat

1

AN ACT ..; **relating to:** maximum gross vehicle weight of motor trucks

2

transporting exclusively milk.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

Current law prohibits any person from driving upon a highway any motor vehicle that exceeds the maximum permissible gross vehicle weight or the maximum permissible weight per axle. Current law allows additional weight, beyond the weight limits ordinarily applicable, for vehicles transporting exclusively milk from the point of production to the primary market and the return of dairy supplies and dairy products from such primary market to the farm. On such a vehicle, for groups of three or more consecutive axles more than nine feet apart, an additional weight of 2,000 pounds is allowed if the gross vehicle weight does not exceed 80,000 pounds. To determine the distance between axles, the distance is measured between axle centers to the nearest even foot, and when a fraction is exactly one-half foot, the nearest larger whole number shall be used. An axle measurement of eight feet, six inches is considered nine feet. Under this measurement system, only milk vehicles having axle measurements of nine feet, one inch or greater qualify for the additional 2,000 pound axle weight.

This bill extends the 2,000 pound weight limit applicable to certain milk trucks to vehicles having an axle distance considered to be nine feet or more, With this

change, milk vehicles transporting milk and having an actual axle distance of eight feet, six inches or more will qualify for the additional 2,000 pounds.

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. 348.15 (3) (bg) ^X of the statutes is amended to read:

348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting exclusively milk from the point of production to the primary market and the return of dairy supplies and dairy products from such primary market to the farm, the gross weight imposed on the highway by the wheels of any one axle may not exceed 21,000 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, ^y for groups of 3 or more consecutive axles ~~more than 9 feet or more~~ apart, a weight of 2,000 pounds more than is shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply to the national system of interstate and defense highways, -
USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39.

SECTION 9350. Initial applicability/transportation.

(1) WEIGHT LIMITS FOR MILK TRUCKS. ~~The treatment of section 348.15 (3) (bg) of the statutes~~ ^{This act} first applies to motor vehicles operated on the effective date of this subsection.

(END)

notwithstanding sub. (5m)

11

11

Redraft per phone

Call with Shert Krause

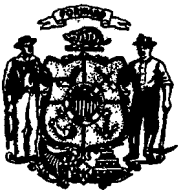
2/11/00 11 am, concerning

milk handlers' interpretation of

whether analysis to 4223/1 should read
"nine feet, one inch"

or "nine feet, six inches" in statement
of current law.

-PEN



2

1999 BILL

1-Note-Note
D

Regen

1 **AN ACT to amend** 348.15 (3) (bg) of the statutes; **relating to:** maximum gross
2 vehicle weight of motor trucks transporting exclusively milk.

Analysis by the Legislative Reference Bureau

between

Current law prohibits any person from driving upon a highway any motor vehicle that exceeds the maximum permissible gross vehicle weight or the maximum permissible weight per axle. Current law allows additional weight, beyond the weight limits ordinarily applicable, for vehicles transporting exclusively milk from the point of production to the primary market and the return of dairy supplies and dairy products from such primary market to the farm. On such a vehicle, for groups of three or more consecutive axles more than nine feet apart, an additional weight of 2,000 pounds is allowed if the gross vehicle weight does not exceed 80,000 pounds. To determine the distance between axles, the distance is measured between axle centers to the nearest even foot, and when a fraction is exactly one-half foot, the nearest larger whole number shall be used. An axle measurement of eight feet, six inches is considered nine feet. Under this measurement system, only milk vehicles having axle measurements of nine feet, ~~or more~~ qualify for the additional 2,000 pound axle weight.

This bill extends the 2,000 pound weight limit applicable to certain milk trucks to vehicles having an axle distance considered to be nine feet or more. With this change, milk vehicles transporting milk and having an actual axle distance of eight feet, six inches or more will qualify for the additional 2,000 pounds.

and nine feet, six inches

to be

Six inches or more

an actual axle distance

BILL

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. 348.15 (3) (bg) of the statutes is amended to read:

2 348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting
3 exclusively milk from the point of production to the primary market and the return
4 of dairy supplies and dairy products from such primary market to the farm, the gross
5 weight imposed on the highway by the wheels of any one axle may not exceed 21,000~
6 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds *or, notwithstanding sub.*
7 *(5m),* for groups of 3 or more consecutive axles ~~more than~~ 9 feet ~~or more~~ apart, a
8 weight of 2,000 pounds more than is shown in par. (c), but not to exceed 80,000
9 pounds. ~~This paragraph does not apply to the national system of interstate and~~
10 ~~defense highways, except for that portion of USH 51 between Wausau and STH 78~~
11 ~~and that portion of STH 78 between USH 51 and the I 90/94 interchange near~~
12 ~~Portage upon their federal designation as I 39.~~

13 SECTION 2. Initial applicability.

14 (1) WEIGHT LIMITS FOR MILK TRUCKS. This act first applies to motor vehicles
15 operated on the effective date of this subsection.

16 (END)

Insert
2-12

Section #. 348.15 (5m) of the statutes is amended to read:

348.15 (5m) The distances between axles and between the foremost and rearmost of a group of axles shall be measured between axle centers to the nearest-foot, and when a fraction is exactly one-half foot, the ~~nearest larger whole number shall be used~~ ^{and rounded}

History: 1977 c. 29 ss. 1487p to 1487s, 1650m (4), 1654 (3); 1977 c. 418; 1979 c. 326; 1981 c. 312; 1983 a. 27, 345, 486; 1985 a. 202, 332; 1987 a. 174; 1989 a. 56, 70; 1995 a. 113, 227.

measurement shall be rounded
up to the nearest foot

4223/2dn
PEN: Jg

This bill changes the analysis to reflect a different interpretation of current law (namely, that in §. 348.15 (5m) ("nearest even foot" means: "nearest y foot" ↓ not "nearest even^d numbered foot"). The bill also amends whole-numbered §. 348.15 (5m) to match this interpretation.

-PEN

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

LRB-4223/2dn

PEN:jljgjf

February 15, 2000

This bill changes the analysis to reflect a different interpretation of current law (namely, that in s. 348.15 (5m) "nearest even foot" means "nearest whole-numbered foot", not "nearest even-numbered foot"). The bill also amends s. 348.15 (5m) to match this interpretation.

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

500W

13

1999 ASSEMBLY BILL

Page 2, pp 6-7

Regen

1 AN ACT to amend 348.15 (3) (bg) and 348.15 (5m) of the statutes; relating to:
2 maximum gross vehicle weight of motor trucks transporting exclusively milk.

Analysis by the Legislative Reference Bureau

Current law prohibits any person from driving upon a highway any motor vehicle that exceeds the maximum permissible gross vehicle weight or the maximum permissible weight per axle. Current law allows additional weight, beyond the weight limits ordinarily applicable, for vehicles transporting exclusively milk from the point of production to the primary market and the return of dairy supplies and dairy products from such primary market to the farm. On such a vehicle, for groups of three or more consecutive axles "more than nine feet" apart, an additional weight of 2,000 pounds is allowed if the gross vehicle weight does not exceed 80,000 pounds. To determine the distance between axles, the distance is measured between axle centers to the nearest even foot, and when a fraction is exactly one-half foot, the nearest larger whole number shall be used. An axle measurement of between eight feet, six inches and nine feet, six inches is considered to be nine feet. Under this measurement system, only milk vehicles having an actual axle distance of nine feet, six inches or more qualify for the additional 2,000 pound axle weight.

This bill extends the 2,000 pound weight limit applicable to certain milk trucks to vehicles having an axle distance considered to be "nine feet or more". With this change, milk vehicles transporting milk and having an actual axle distance of eight feet, six inches or more will qualify for the additional 2,000 pounds.

100



Tues - 2/22/00

14

1999 ASSEMBLY BILL

Reger

1 **AN ACT** to *amend* 348.15 (3) (bg) and 348.15 (5m) of the statutes; **relating to:**
2 maximum gross vehicle weight of motor trucks transporting exclusively milk.

Analysis by the Legislative Reference Bureau

Current law prohibits any person from driving upon a highway any motor vehicle that exceeds the maximum permissible gross vehicle weight or the maximum permissible weight per axle. Current law allows additional weight, beyond the weight limits ordinarily applicable, for vehicles transporting exclusively milk from the point of production to the primary market and the return of dairy supplies and dairy products from such primary market to the farm. On such a vehicle, for groups of three or more consecutive axles "more than nine feet" apart, an additional weight of 2,000 pounds is allowed if the gross vehicle weight does not exceed 80,000 pounds. To determine the distance between axles, the distance is measured between axle centers to the nearest even foot, and when a fraction is exactly one-half foot, the nearest larger whole number shall be used. An axle measurement of between eight feet, six inches and nine feet, six inches is considered to be nine feet. Under this measurement system, only milk vehicles having an actual axle distance of nine feet, six inches or more qualify for the additional 2,000 pound axle weight.

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three
a group of 3 or more axles within

these changes

nine feet

three
a group of 3 or more axles

and eliminates the process of rounding the measurement to the nearest whole foot

