

**1999 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB77)**

Received: 04/27/99

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: Roger Breske (608) 266-2509

By/Representing:

This file may be shown to any legislator: NO

Drafter: nilsepe

May Contact:

Alt. Drafters:

Subject: Transportation - highways

Extra Copies: TNF,ISR

**Pre Topic:**

No specific pre topic given

**Topic:**

Highway weight limit exception for septic trucks

**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> |
|--------------|---------------------|---------------------|--------------------|----------------|--------------------------|--------------------------|-----------------|
| /?           | nilsepe<br>04/27/99 | ygeller<br>04/27/99 |                    | _____          |                          |                          |                 |
| /1           |                     |                     | hhagen<br>04/27/99 | _____          | lrb_docadmin<br>04/27/99 | lrb_docadmin<br>04/27/99 |                 |

FE Sent For:

<END>

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|--------------|---------------------|--------------------------|--------------|----------------|------------------|-----------------|-----------------|
| 1/?          | nilsepe<br>04/27/99 | lrb_editor<br>1 4/23 jlg | dlw 4/27     | dlw 4/27       |                  |                 |                 |

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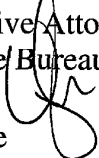
9950052



**STATE SENATOR ROGER BRESKE**

**MEMORANDUM**

April 19, 1999

TO: Paul Nilsen, Legislative Attorney  
Legislative Reference Bureau.  
FR: Vaughn L. Vance for   
Senator Roger Breske  
RE: SB77 - Substitute Amendment

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Attached, please find a draft substitute amendment to 1999 Senate Bill 77 which was prepared by Bill Ford at Legislative Council. Roger is requesting that you prepare this draft language for introduction at his May 5<sup>th</sup> hearing. Please feel free to give me a call (6-2509) should you have any questions or concerns.

1999 - 2000 LEGISLATURE

SOON

SSA TO

1999 SENATE BILL 77

(Not in)

LRB-1194/3

PEN: [redacted] jg:ijs

stays  
-50057/1

March 10, 1999 - Introduced by Senators ~~BRESKE, ZIEN, FARROW, DRZEWIECKI, LAZICH, SCHULTZ and BAUMGART~~, cosponsored by Representatives SYKORA, GUNDERSON, RYBA, AINSWORTH, PETTIS, OLSEN, PORTER, PLOUFF, LADWIG, HANDRICK, ALBERS, MUSSER, VRAKAS, POWERS, GRONEMUS, BRANDEMUEHL, SERATTI, SUDER, KESTELL, KREIBICH and BALOW. Referred to Committee on ~~Insurance, Tourism, Transportation and Corrections.~~

Reger

unable to forward...  
-PEN

- 1 AN ACT to amend 349.16 (3) of the statutes; relating to: exempting certain
- 2 vehicles transporting material pumped from a septic or holding tank from
- 3 special or seasonal weight limitations imposed by local highway authorities.

**Analysis by the Legislative Reference Bureau**

Under current law, local highway authorities may impose special or seasonal weight limitations on highways which, because of deterioration or climatic conditions, would likely be seriously damaged or destroyed if such limitations were not imposed. For vehicles carrying certain commodities or being used to perform certain services, including services related to pumping waste from septic or holding tanks, local highway authorities may set different weight limitations or exempt such vehicles from the special or seasonal weight limitations if an exemption or limitation is in the interest of public health, safety and welfare.

This bill provides that any special or seasonal weight limitations imposed by a highway authority do not apply to any vehicle used to transport material pumped from a septic or holding tank if, because of health concerns, the material needed to be removed from the septic or holding tank within 24 hours after the vehicle owner or operator is notified and the vehicle is operated on the most direct route. The bill requires the vehicle owner or operator to notify local highway authorities within 72 hours after operating such a vehicle in excess of the special or seasonal weight limitations.

Because this bill concerns an exception to the vehicle weight limits specified in ch. 348, stats., the department of transportation, as required by law, will prepare a report to be printed as an appendix to this bill.

**SENATE BILL 77**

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.** 349.16 (3) of the statutes is amended to read:

349.16 (3) The authority in charge of the maintenance of the highway may exempt vehicles carrying certain commodities specified by the authority or which are used to perform certain services specified by the authority, including but not limited to pumping septic or holding tanks, from the special weight limitations which are imposed under sub. (1) (a), or may set different weight limitations than those imposed under sub. (1) (a) for vehicles carrying those commodities or which are used to perform those services, if such exemption or limitation is reasonable and necessary to promote the public health, safety and welfare.

insen

~~The authority in charge of the maintenance of the highway shall exempt from the special or seasonal weight limitations imposed under sub. (1) (a) any vehicle that is transporting material pumped from a septic or holding tank if, because of health concerns, the material needed to be removed from the septic or holding tank within 24 hours after the vehicle owner or operator is notified and if the vehicle is travelling on the most direct route between the septic or holding tank and the location where the vehicle's contents are to be unloaded. Within 72 hours after operating a vehicle that transported material pumped from a septic or holding tank and that exceeded special or seasonal weight limitations as authorized by this subsection, the owner or operator of the vehicle shall notify the authority in charge of maintenance of the highways over which the vehicle was operated.~~

**SECTION 2. Initial applicability.**



1 n Sec

SENATE SUBSTITUTE AMENDMENT \_\_  
TO 1999 SENATE BILL 77

1 AN ACT to amend 349.16 (3) of the statutes; relating to: exempting certain vehicles  
2 transporting material pumped from a septic or holding tank from special or seasonal  
3 weight limitations imposed by local highway authorities.

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

4 SECTION 1. 349.16 (3) of the statutes is amended to read:

5 349.16 (3) The authority in charge of the maintenance of the highway may exempt  
6 vehicles carrying certain commodities specified by the authority or which are used to perform  
7 certain services specified by the authority, including but not limited to pumping septic or  
8 holding tanks, from the special weight limitations which are imposed under sub. (1)(a), or may  
9 set different weight limitations than those imposed under sub. (1) (a) for vehicles carrying  
10 those commodities or which are used to perform those services, if such exemption or  
11 limitation is reasonable and necessary to promote the public health, safety and welfare. The

12 authority in charge of the maintenance of the highway shall exempt from the special or  
13 seasonal weight limitations imposed under sub. (1) (a) a vehicle that is used to transport  
14 material pumped from a septic or holding tank if, because of health concerns, material needs  
15 to be removed from a septic or holding tank within 24 hours after the vehicle owner or operator  
16 is notified and if the vehicle is operated <sup>for the purpose of emptying</sup> the septic or holding tank and <sup>disposing</sup> ~~to dispose~~  
17 of <sup>its</sup> contents ~~so as to~~ and is operated on a route that minimize travel on highways subject to weight limitations imposed  
18 under sub. (1) (a). Within 72 hours after operating a vehicle that transported material pumped



4/15/99

WLCS: 0099/1

-2-  
INSERT  
CONT

1 from a septic or holding tank and that exceeded special or seasonal weight limitations as  
2 authorized by this subsection, the owner or operator of the vehicle shall notify the authority  
3 in charge of maintenance of the highways over which the vehicle was operated.

4 **SECTION 2: Initial applicability.**  
5 (1) This act first applies to vehicles operated on the effective date of this subsection.  
6 (END)

(end insert)