

1999 DRAFTING REQUEST

Bill

Received: **01/13/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Etzler**

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

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - highways**

Extra Copies: **TNF, ISR**

Topic:

DOA:.....Etzler - Special or seasonal weight limitation advance warning signs

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 01/13/99	chanaman 01/13/99		_____			S&L
/P1			jfrantze 01/14/99	_____	lrb_docadmin 01/14/99		S&L

FE Sent For:

<END>

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1?	nilsepe 01/13/99	lrb_editor CMM /PI 1/3	<i>Jo 1/14</i>	<i>Jo 1/14</i> <u>1/14</u>			S&L

FE Sent For: *PI 1/3 JLg*

<END>


CORRESPONDENCE MEMORANDUM

**STATE OF WISCONSIN
Department of Administration**

-1738

Date: January 11, 1999

To: Steve Miller
Legislative Reference Bureau

From: John M. Etzler 
Budget and Policy Analyst

Subject: Statutory Language Changes

Please draft legislation for the budget that would allow for the following:

1. Amend s. 349.16 (2) to specify that "sufficient notice" means notice of the weight limit sufficiently in advance of the affected highway to allow the driver to avoid the limited highway.

Please call me at 266-1039 if you have any questions or concerns.

cc: David Schmiedicke



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1738/2

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P1

DOA:.....Etzler - Special or seasonal weight limitation advance warning signs

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

d-note

No ch

1 AN ACT relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

HIGHWAYS

Under current law, highway authorities may impose special or seasonal weight limitations on highways that, because of deterioration or climatic conditions, would likely be seriously damaged or destroyed if such limitations were not imposed. The weight limits are effective only if weight limit notice signs are posted on or along the weight-limited highway.

This bill requires the posting of advance weight limit notice signs, in addition to the weight limit notice signs, to allow motorists to avoid the weight-limited highway altogether.

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:

2 SECTION 1. 349.16 (2) of the statutes is amended to read:

1 ^X 349.16 (2) Imposition of the special weight limitations authorized by sub. (1)

2 ~~WVWVWV~~ (a) shall be done by erecting signs on or along the highway on which it is desired to

3 impose the limitation sufficient to give reasonable notice that a special weight

4 limitation is in effect and the nature of that limitation and by erecting such signs

5 sufficiently in advance of that highway to provide operators of vehicles an

6 opportunity to avoid that highway. Imposition of the special weight limitations

7 authorized by sub. (1) (b) shall be done by erecting signs before each end of the bridge

8 or culvert to which the weight limitation applies sufficient to give reasonable notice

9 that a special weight limitation is in effect and the nature of that limitation. All

10 weight limitation signs and their erection shall comply with the rules of the

11 department and shall be standard throughout the state.

History: 1975 c. 141; 1977 c. 29 s. 16⁵⁴ (8) (a); 1977 c. 435; 1983 a. 307.

12 **SECTION 9450. Effective dates; transportation.**

13 (1) SPECIAL OR SEASONAL WEIGHT LIMITATION SIGNS. The treatment of sections

14 349.16 (2) of the statutes takes effect on July 1, 2000.

15 (END)

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

January 13, 1999

PI
LRB-17387dn
PEN.....
cmf
+
JLG

John Etzler:

This draft may require "advance warning signs" at *every* intersection along an affected highway, since this draft essentially requires notice to every motorist entering the highway. I am not aware of any legal cases involving required signing under s. 349.16 (2), stats., and cannot predict with certainty how a court would interpret this new requirement. Because of the number of signs that will likely be required by this draft, I have delayed the imposition of the requirement until July 1, 2000. OK?

Another approach (to avoid so many signs) would be to require a turn-around spot immediately before the affected highway, although this may not be feasible on many highways and may be just as expensive as signs.

Paul E. Nilsen
Legislative Attorney
261-6926

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

LRB-1738/P1dn
PEN:cmh&jlg:jf

January 14, 1999

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1738/P1
PEN:cmh&jlg:jf

DOA:.....Etzler - Special or seasonal weight limitation advance warning signs

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

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NOTE TO DRAFTING FILE for LRB-1738:

Per the drafter, this draft has been redrafted to a “/1” as no problems remain in the draft that require resolution before introduction of the budget bill. There are no changes between the “/PX” and the “/1.”

DOA:.....Etzler – Special or seasonal weight limitation advance warning signs

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15 (END)