

1999 DRAFTING REQUEST

Bill

Received: **02/3/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Tom Sykora (608) 266-1194**

By/Representing: **Sarah**

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

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - miscellaneous**

Extra Copies:

Topic:

Septic tank pump trucks exempt from weight limits

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 02/3/99	jgeller 02/3/99		_____			S&L Vehicle
/1			jfrantze 02/4/99	_____	lrb_docadmin 02/4/99	lrb_docadmin 02/4/99	

FE Sent For: **(02/4/99 .
" / ")**

<END>

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1?	nilsepe	1 2/3 jg	2/2/4	2/4 H/hk			

Please
jacket / 1
for Assembly.
-PEN

FE Sent For:

<END>

Request FE when
jacketed. -PEN



State of Wisconsin
1999 - 2000 LEGISLATURE

~~LRB 1194/3~~
PEN:pgt&jlg:ijs

~~1999 SENATE BILL~~

-2113/1

Mo
Wagner

Regen

- 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

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

2 349.16 (3) The authority in charge of the maintenance of the highway may
3 exempt vehicles carrying certain commodities specified by the authority or which are
4 used to perform certain services specified by the authority, ~~including but not limited~~
5 ~~to pumping septic or holding tanks~~, from the special weight limitations which are
6 imposed under sub. (1) (a), or may set different weight limitations than those
7 imposed under sub. (1) (a) for vehicles carrying those commodities or which are used
8 to perform those services, if such exemption or limitation is reasonable and necessary
9 to promote the public health, safety and welfare. The authority in charge of the
10 maintenance of the highway shall exempt from the special or seasonal weight
11 limitations imposed under sub. (1) (a) any vehicle that is transporting material
12 pumped from a septic or holding tank if, because of health concerns, the material
13 needed to be removed from the septic or holding tank within 24 hours after the
14 vehicle owner or operator is notified and if the vehicle is travelling on the most direct
15 route between the septic or holding tank and the location where the vehicle's contents
16 are to be unloaded. Within 72 hours after operating a vehicle that transported
17 material pumped from a septic or holding tank and that exceeded special or seasonal
18 weight limitations as authorized by this subsection, the owner or operator of the
19 vehicle shall notify the authority in charge of maintenance of the highways over
20 which the vehicle was operated.

21 **SECTION 2. Initial applicability.**



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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STEPHEN R. MILLER
CHIEF

LRB
/2

April 19, 1999

MEMORANDUM

To: Representative Sykora

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

Subject: Technical Memorandum to **1999 AB 188** (LRB 99-2113/1)

We received the attached technical memorandum relating to your bill. This copy is for your information and your file. If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

Thiel, Jim

From: Thiel, Jim
Sent: Friday, April 16, 1999 8:58 AM
To: Nilsen, Paul
Cc: Morrison, Mark; Buckmaster, Carol
Subject: AB 188/ SB 77 TECHNICAL MEMO

1. These companion bills require the vehicle to travel "on the most direct route between the septic or holding tank and the location where the vehicle's contents are to be unloaded." That provision might result in the vehicle traveling for a longer distance on the road posted for lower weight limits during the Spring thaw and causing more damage. WISDOT suggests that the language be amended to require the most direct route and shortest distance on the posted road. Once its off the posted road, it will be subject to normal weight limits and not a problem. NOTE: Bill Ford apparently is also suggesting some sort of start to finish rather than pumping to dumping amendment on the Senate version of the bill. Perhaps these can be combined into one amendment.

2. We think the companion bills still require the operator to obtain a permit, but it could/would be a multiple trip permit, so shouldn't be that inconvenient to obtain before the Spring thaw period. See 348.17(1), Stats. Maybe that's o.k. as long as everyone understands that permit will still be required. If not, probably need an amendment.