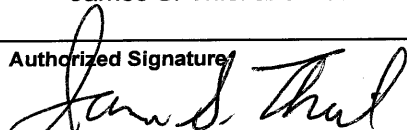


<b>1999 Session</b>		LRB Number <b>LRB 99-2113/1</b>
<b>FISCAL ESTIMATE</b> DOA-2048 N(R06/99)		Bill Number <b>AB 188</b>
<input type="checkbox"/> ORIGINAL                      x    UPDATED <input type="checkbox"/> CORRECTED <input type="checkbox"/> SUPPLEMENTAL		Amendment No. if Applicable
<b>Subject</b> <b>Exempting certain vehicles transporting material pumped from a septic or holding tank from special or seasonal weight limitations imposed by local highway authorities.</b>		Administrative Rule Number
<b>Fiscal Effect</b>		
State: xNo State Fiscal Effect		
Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.		<input type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Increase Existing Appropriation	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriation	<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriation		
Local: xNo local government costs		
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others _____ <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
<b>Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S		
		<b>Affected Chapter 20 Appropriations</b>
<b>Assumptions Used in Arriving at Fiscal Estimate</b>		
<p><b>Current law, sec. 349.16(1)(a), Stats., allows</b> the authority in charge of the maintenance of a highway to impose special weight limitations on <b>highways</b> or portions of highways when it is necessary due to weakness of the roadbed due to deterioration or climatic conditions (spring thaw) or other special or temporary conditions. Current law, sec. 349.16(1)(b), Stats., also <b>allows</b> the imposition of special weight limitations on <b>bridges and culverts</b> when the bridge or culvert cannot safely sustain the maximum weight otherwise permitted by statute.</p> <p>Such posted highways and bridges may disrupt the delivery or removal of commodities or materials even though the movement is important to the health and safety of the property served by these highways and bridges. Therefore, under <b>current law</b>, sec. 349.16(3), Stats., the authority in charge of the maintenance of the highway <b>may</b> 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 <b>may</b> 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. <b>However, there is no authority to create exemptions for posted bridges or culverts, under sub. (1)(b).</b></p> <p>It is <b>assumed</b> that local highway maintaining authorities already exempt vehicles that pump septic or holding tanks from these special or seasonal weight limits on local highways when it is necessary to do so within 24 hours to address public health, safety and welfare concerns and that reasonable conditions are imposed to be eligible for these exemptions. The Wisconsin Department of Transportation issues permits for significantly less than 300 trips of this nature; WISDOT <b>assumes</b> the number of required trips of this nature on State Trunk Highways will not significantly increase.</p> <p>There are 315 miles of State Trunk Highways on 28 segments posted for spring thaw each year. WISDOT rarely imposes other special weight limitations. Under 300 trips on State Trunk Highways authorized by this legislation would have a negligible State fiscal impact.</p> <p style="text-align: center;"><b>(Continued)</b></p>		
<b>Long-Range Fiscal Implications</b> <b>None.</b>		
Prepared by: James S. Thiel and Pete Rusch	Telephone No. (608) 266-8928	Agency DOT
Authorized Signature 	Telephone No.	Date 11/5/99

The posting of roads for special or seasonal weight limits is much more common on the local road system. WISDOT does not have a good method for determining the number of trips of this nature on local roadways. This bill **requires** state and local highway maintaining authorities to exempt vehicles that are used to transport material pumped from a septic or holding tank from the special or seasonal weight limitations on highways **if, because of health concerns, material needs to be removed from a septic or holding tank within 24 hours after the vehicle owner or operator is notified and if the vehicle is operated for the purpose of emptying the septic or holding tank and disposing of its contents.** There is still no exemption for posted bridges or culverts. This bill also requires the operator of the vehicle to notify the maintaining authority within 72 hours after the movement. The vehicles are still subject to normal vehicle weight limitations, including appropriate registration requirements.

If the vehicles involved are operated on a route that minimizes travel on highways subject to the special or seasonal weight limitations, a condition that, in all probability, is presently imposed by the permitting authorities, then the fiscal effect of this bill on local governments is also, in all likelihood, negligible. [Note: Assembly Substitute Amendment 1 to AB 188 and Senate Substitute Amendment 1 to SB 77 impose this "minimize travel" requirement as a matter of law in order to be eligible for the exemption.] The key difference between this bill and current law is that persons making the move will be able to carry out the 24 hour emergency pumping and disposal first and then notify the highway maintaining authority within 72 hours after the movement to seek a permit.

Regardless of the exemption authorized by this bill, sec. 348.17(1), Stats., prohibits any person, whether operating under a permit or otherwise, to operate a vehicle in violation of special or seasonal weight limitations, except when the vehicle is being operated under a permit expressly authorizing the weight limitations to be exceeded. Likewise, under sec. 348.17(2), Stats., whenever the operator of a vehicle is ordered by the officer or agency in charge of maintenance or by a traffic officer to suspend operation of a vehicle because of the damage the vehicle is causing or likely to cause to the highway or the public investment therein, the operator is required to comply with the order.

**ISCAL ESTIMATE WORKSHEET**

**1999 Session**

Detailed Estimate of Annual Fiscal Effect  
DOA-2047 (R06/99)

LRB Number <b>LRB 99-2113/1</b>	Amendment No. if Applicable
Bill Number <b>AB 188</b>	Administrative Rule Number

ORIGINAL                      x UPDATED  
 CORRECTED                       SUPPLEMENTAL

**Subject**  
Exempting certain vehicles transporting material pumped from a septic or holding tank from special or seasonal weight limitations imposed by local highway authorities.

**I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**

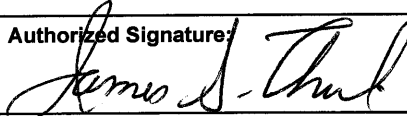
II. Annualized Costs:		Annualized Fiscal impact on State funds from:	
		Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>			
State Operations - Salaries and Fringes		\$ -	\$ -
(FTE Position Changes)		( FTE)	(- FTE)
State Operations - Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations			-
TOTAL State Costs by Category		\$ -	\$ --
<b>B. State Costs by Source of Funds</b>			
GPR		\$ -	\$ -
FED			-
PRO/PRS			-
SEG/SEG-S			-
<b>State Revenues</b>	Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	<b>Increased Rev.</b>	<b>Decreased Rev.</b>
GPR Taxes		\$ -	\$ -
GPR Earned			-
FED			-
PRO/PRS			-
SEG/SEG-S			-
TOTAL State Revenues		\$ -	\$ -

**NET ANNUALIZED FISCAL IMPACT**

STATE

LOCAL

ET CHANGE IN COSTS                      \$ Negligible, If Any                      \$ Negligible, If Any  
ET CHANGE IN REVENUES                      \$ \_\_\_\_\_                      \$ \_\_\_\_\_

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