

Fiscal Estimate — 2001 Session

- Original Updated
 Corrected Supplemental

LRB Number 2001 LRB 0863/1	Amendment Number if Applicable
Bill Number 2001 AB 78	Administrative Rule Number

Subject

Mudguards and fenders on road tractors, truck tractors, trailers, semitrailers and farm trailers and tarps on vehicles transporting bulk materials on a highway

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Increase Costs — May be possible to absorb within agency's budget.

- Yes No

Decrease Costs

Local: No Local Government Costs

1. Increase Costs
 Permissive Mandatory
 2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
 4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

- Towns Villages Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

Current statutes (ss.347.46(2)) require mudguards or rear fenders on all privately owned motor trucks and semitrailers drawn by a truck tractor, except motor trucks and semitrailers equipped with dump bodies, which operate on highways or for intercity movement. These mudguards or rear fenders must follow minimum specifications regarding size and placement over tires. Ss.347.46(2)(a) & (b) require fenders or mudguards to cover all tires with a ground clearance of no more than 1/3 the horizontal distance from the center of the rearmost axle to the fender or mudguard, and must be at least as wide as the tire or multiple tires. Mudguards are not required if the vehicle is so designed and constructed as to cover and protect the rear wheels as prescribed, by means of fenders or other vehicle body construction.

Standards for trailer and semi-trailer equipment, including mudguards and fenders, are administered by TRANS 305.

There are no current statutes that require mudguards for motor trucks equipped as "belly dumps".

Current statutes (ss.348.10(2)) require persons operating a vehicle on a highway to ensure that the vehicle is so constructed and loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.


Proposed legislation 2001 AB 78 expands mudguard and fender requirements by:

- 1) requiring rear fenders or mudguards for any motor truck, road tractor, trailer, farm trailer, semitrailer, or truck tractor;
- 2) providing mudguard or rear fender exemption only for farm trucks equipped with dump bodies;
- 3) requiring rear fenders or mudguards for any vehicle listed above, operated private or public; not restricted to intercity travel;
- 4) reducing the ground clearance to no more than 1/5 the horizontal distance from center of rearmost axle to fender or mudguard.

2001 AB 78 creates ss.347.10(2)(d) which requires a motor truck or semitrailer equipped with a dump body that dumps through the floor of the cargo body and is transporting sand, gravel, dirt, rock, or similar material to also be equipped with mudguards that cover the entire width of the vehicle and have a ground clearance of not more than 6 inches when the vehicle is loaded.

Long-Range Fiscal Implications

unknown

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2001 AB 78 creates ss.348.10(2)(b) which requires a vehicle loaded with bulk material to have material that is not in containers to be loaded and covered to prevent the material from dropping or sifting from the vehicle.

Equipment and Operational Costs:

- Mudguard prices are estimated at up to \$160 - \$180 per pair: \$30 - \$50 / pair for mudflaps, \$30 / pair for brackets, and \$100 / pair for installation.
- Truck fenders that fit over tires are estimated at up to \$500 per pair.
- Tarp prices vary according to their style: Electric tarps cost approximately \$1800 per unit
Manual tarps cost approximately \$600 - \$800 per tarp
- Containers range in price from \$25 - \$50 per container
- New slanted dump beds cost approximately \$8000 and are replacing older-style dump beds (with a life of 5 - 15 years) that frequently collect material.
- Some time would be added to vehicle operation time for tarp installation, use, and removal, and for the loading and unloading of containers.

Vehicles:

- Approximately 280,000 trucks, tractors, trailers, semitrailers, farm trailers, heavy farm trucks, APO power units, and APO trailers are registered in Wisconsin. It is not possible to estimate the number of these registered vehicles that currently do not have mudguards or fenders.
- The number of trailers of a gross weight under 3000# that are not required to be registered in Wisconsin, but would not be covered under AB 78 is impossible to estimate.
- WisDOT-owned trucks and trailers are currently equipped with mudguards or fenders as required by current statutes.
- Vehicles used to transport bulk material for highway maintenance or construction purposes are exempt from covering/tarps requirements.

Conclusions:

- Requirements mandated by AB 78 would be applicable to both privately and publicly owned vehicles and would not permit exemptions for existing vehicles.
- Of the over 280,000 currently registered trucks, tractors, trailers, semitrailers, farm trailers, heavy farm trucks, APO power units, and APO trailers, it is not possible to estimate the number of vehicles that do not have mudguards or fenders as required under AB 78. However, those vehicles not having existing equipment would be required to purchase and install mudguards or fenders to meet statutory requirements.
- It is not possible to estimate the number of vehicles that do not have tarps or use containers to carry products, and those vehicles would be required to purchase tarps or containers to meet statutory requirements.
- For vehicles that do have mudguards that do not meet the proposed clearance reduction from 1/3 to 1/5 of the horizontal distance, operators would either have to modify their equipment or purchase different mudguards or fenders to meet the statutory requirements.
- Because WisDOT vehicles currently do have mudguards and fenders as proposed under AB 78, there would be no additional cost to WisDOT to bring these vehicles into compliance.
- However, because WisDOT and other public and private entities have the opportunity to contract with operators of vehicles which may be required to equip their vehicles with mudguards, fenders, and/or tarps, costs associated with equipment purchase and installation, as well as time required for operators to perform replacement/removal of mudguards, fenders, tarps, and/or containers, may be passed on to related contracts.
- Revision to TRANS 305 to reflect changes pursuant to AB 78 would be absorbed into routine TRANS review and printing.
- Enforcement of AB 78 would increase the amount of time law enforcement officers spend on violations due to the increase in types of vehicles required to have mudguards, fenders, tarps, and/or containers. The enforcement duties undertaken along Wisconsin roads would require additional time for officers observing the equipment violations and resultant traffic stops, which would be absorbed into overall enforcement duties and work time. Training on the new equipment requirements would be absorbed into routine training activities.
- Additional work would be required for WisDOT to submit a new state commercial motor vehicle safety law to the federal government for a preemption determination, but the work would be absorbed into routine administrative duties.

Fiscal Estimate Worksheet — 2001 Session

Detailed Estimate of Annual Fiscal Effect

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

Annualized Costs:	Annualized Fiscal Impact on State Funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
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	\$ unknown	\$ - 0
B. State Costs by Source of Funds		
GPR	\$	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S		-
State Revenues	Increased Revenue	Decreased Revenue
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
Total State Revenues	\$ 0	\$ - 0

Net Annualized Fiscal Impact

	<u>State</u>	<u>Local</u>
Net Change in Costs	\$ unknown	\$ unknown
Net Change in Revenues	\$ 0	\$ 0

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