

**2001 DRAFTING REQUEST**

**Bill**

Received: 09/12/2000

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: Jon Richards (608) 266-0650

By/Representing: Tara Vasby

This file may be shown to any legislator: NO

Drafter: fasttn

May Contact:

Alt. Drafters:

Subject: **Transportation - highways**

Extra Copies: **PJH**

**Pre Topic:**

No specific pre topic given

**Topic:**

Regular inspection of bicycle and pedestrian bridges

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Revicwed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 10/09/2000 fasttn 02/01/2001	wjackson 02/02/2001		_____			S&L
/1			jfrantze 02/02/2001	_____	lrb_docadmin 02/02/2001	lrb_docadmin 03/06/2001	

FE Sent For:

<END>

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1?	nilsepe	1 WLJ 2/2	2/2	2/2			

FE Sent For:

<END>

**Nilsen, Paul**

---

**From:** Vasby, Tara  
**Sent:** Friday, August 04, 2000 2:44 PM  
**To:** Nilsen, Paul  
**Subject:** Bill for Rep. Richards

Paul,  
Rep. Richards would like a bill drafted for next session that would require WisDOT to make regular inspections of bicycle and pedestrian bridges-just as they must now inspect auto bridges.

If you need more info, feel free to give me or Jon a call. Thanks!

Tara J. Vasby  
Legislative Assistant  
Rep. Jon Richards  
6-0650

2001

Date (time) needed MONDAY 2/5/01 NOON

D-NOTE

LRB - 0267 / 1

BILL

TNF: WLj

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] to repeal...; to renumber...; to consolidate and renumber...; to renumber and amend...; to consolidate, renumber and amend...; to amend...; to repeal and recreate...; and to create... of the statutes; relating to: a bicycle and pedestrian inspection and inventory program and making appropriations.

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

- For the main heading, execute: create -> anal: -> title: -> head
For the subheading, execute: create -> anal: -> title: -> sub
For the sub-subheading, execute: create -> anal: -> title: -> sub-sub

For the analysis text, in the component bar:

- For the text paragraph, execute: create -> anal: -> text

(Attached) ↓

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

SECTION #

84.17, and 84.17S;

Section #. 20.395 (2) (eq) of the statutes is amended to read:

20.395 (2) (eq) *Highway and local bridge improvement assistance, state funds.* As a continuing appropriation, the amounts in the schedule for bridge development, construction and rehabilitation under s. 84.18; for the development and construction of bridges under ss. 84.12 and 84.17; for payments to local units of government for jurisdictional transfers under s. 84.16) and for the improvement of the state trunk highway system under 1985 Wisconsin Act 341, section 6 (1).

**History:** 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185.

Section #. 20.395 (2) (ev)<sup>✓</sup> of the statutes is amended to read:

20.395 (2) (ev) *Local bridge improvement assistance, local funds.* All moneys received from any local unit of government or other source for improving bridges under ss. 84.12, 84.17<sup>✓</sup> and 84.18, for such purposes.

**History:** 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185.

, 84.175, ✓

Section #. 20.395 (2) (ex)<sup>✓</sup> of the statutes is amended to read:

20.395 (2) (ex) *Local bridge improvement assistance, federal funds.* All moneys received from the federal government for improving bridges under ss. 84.12, 84.17 and 84.18, for such purposes.

**History:** 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185.

84.175,



84,175 ✓

Section #. ~~84.17~~ (of the statutes is created to read:

Insert A

② Bicycle and pedestrian

<sup>5</sup>/<sub>1</sub> 84.17 Bridge inspection and inventory. (1) In this section:

(a) ~~Highway~~ means all public ways and thoroughfares specified in ~~§ 3100.122~~

↓ Pedestrian

(b) ~~Highway~~ bridge" means a <sup>public structure</sup> ~~bridge on a highway~~ in this state which crosses <sup>that a</sup> waterways, ~~other~~ / a topographical barriers, <sup>a</sup> ~~over~~ highways, <sup>a</sup> or railroads. <sup>and which is designed to be used primarily for pedestrian travel</sup>

(c) "Rehabilitating" means making major repairs necessary to restore the structural integrity of <sup>bicycle or pedestrian</sup> a ~~highway~~ bridge or making repairs necessary to correct a major safety defect.

under its jurisdiction

(2) The department shall conduct an inspection and inventory of all <sup>bicycle and pedestrian</sup> ~~highway~~ bridges ~~on the high~~

~~way~~ in this state. The inspection and inventory of local ~~highway~~ bridges shall be done in consultation with local authorities. <sup>with respect to bicycle and pedestrian bridges under their jurisdictions</sup> The department shall complete the inspection and inventory required

under this subsection ~~prior to July 1, 1979, if it is practicable to do so, and in any case prior to Decem-~~

~~ber 31, 1980, and shall submit the inspection and inventory report to the federal government in~~

~~accordance with the provisions of 23 USC 244.~~ <sup>by January 1, 2003</sup> The inspection and inventory shall include all ~~high~~

<sup>bicycle and pedestrian</sup> ~~way~~ bridges ~~on any highway~~ in the state. The department shall classify each ~~highway~~ bridge accord-

ing to its safety, serviceability and necessity for public use and shall determine the cost of rehabilitat-

ing the ~~highway~~ bridge or of replacing the ~~highway~~ bridge with a comparable facility. The

bicycle or pedestrian

department shall adopt standards for the ~~highway~~ bridge inspection and inventory program under this subsection.

bicycle and pedestrian

(3) After the initial inspection and inventory under sub. (2) is completed, all ~~highway~~ bridges in the state shall be inspected on a continuing basis as determined by the department. The department shall establish standards for the continuing inspection program. The responsibility for the continuing inspection program shall be as follows:

bicycle and pedestrian

(a) The department shall be responsible for inspecting the ~~highway~~ bridges ~~on the state trunk highway system~~ under its jurisdiction

(b) Local authorities ~~and other authorities~~ shall be responsible for inspecting ~~highway~~ bridges ~~on~~ ~~highway~~ under their jurisdictions.

History: 1979 c. 7.

(END)

D-NOTE

Insert A

~~Section #. 81.17(1)(b) of the statutes~~

"Bicycle ~~bridge~~ bridge" means a ~~bridge on a highway~~ public structure in this state ~~which~~ that crosses ~~(water-~~ a way, ~~other~~ a topographical barrier, ~~over~~ a highway) or railroad

History: 1979 c. 7.

↑ and which is designed to be used primarily for bicycle travel

## Analysis

(DOT)

¶ Under current law, the department of transportation

administers a highway bridge inspection and inventory

program under which all highway bridges are required to

be inspected on a continuing basis as determined by

DOT. Under the program, continuing inspections are

conducted by DOT with respect to highway bridges under

its jurisdiction and by local authorities with respect to

highway bridges under their jurisdictions.

¶ This bill creates a bicycle and pedestrian bridge

inspection and inventory program under which DOT is

directed to complete an inspection and inventory of all

public bridges that are designed to be used primarily for

bicycle or pedestrian travel. The bill also requires that all

bicycle and pedestrian bridges be inspected on a continuing basis as

determined by DOT. Continuing inspections are to be conducted

by DOT with respect to bicycle and pedestrian bridges under its

jurisdiction and by local authorities with respect to bicycle  
and pedestrian bridges under their jurisdiction<sup>s</sup>

FE - S/L

LRB-0267/1dn

TNF:

DRAFTER'S NOTE

I have patterned the bicycle and pedestrian  
inspection and inventory program (proposed s.

84.175) after the existing highway bridge

inspection and inventory program (s. 84.17, stats.)<sup>o</sup>

I have required the initial inspection and inventory  
of <sup>all</sup> bicycle and pedestrian bridges to be completed by

January 1, 2003<sup>o</sup>

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

LRB-0267/1dn  
TNF:wlj:jf

February 2, 2001

I have patterned the bicycle and pedestrian inspection and inventory program (proposed s. 84.175) after the existing highway bridge inspection and inventory program (s. 84.17, stats.). I have required the initial inspection and inventory of all bicycle and pedestrian bridges to be completed by January 1, 2003.

Timothy N. Fast  
Senior Legislative Attorney  
Phone: (608) 266-9739  
E-mail: [tim.fast@legis.state.wi.us](mailto:tim.fast@legis.state.wi.us)



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6946

February 2, 2001

### MEMORANDUM

To: Representative Richards

From: Timothy N. Fast, Senior Legislative Attorney

Re: LRB-0267 Regular inspection of bicycle and pedestrian bridges

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY     JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9739 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.



## Fast, Timothy

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**From:** Richards, Jon  
**Sent:** Wednesday, February 14, 2001 12:40 PM  
**To:** Fast, Timothy  
**Subject:** RE: Bicycle and pedestrian bridges

Tim-

Thanks for all the good info. It will be helpful in pushing the bill forward.

Jon

-----Original Message-----

**From:** Fast, Timothy  
**Sent:** Monday, February 12, 2001 8:20 AM  
**To:** Richards, Jon  
**Subject:** Bicycle and pedestrian bridges

Representative Richards,

Greetings! I have an answer re the number of bicycle or pedestrian bridges. There are 72 bicycle or pedestrian bridges in the state. There are also 1,605 bridges with highways and sidewalks or bike trails on them.

Counting bridges, it seems, is as complex as counting votes in Florida! DOT counts 2 bridges if the bridges are separated and also counts culverts if they are over 20 feet. However, bridges that are very large (such as the Marquette interchange) count as several bridges as they are divided into units.

I'm not sure that the initial inventory by DOT of bicycle or pedestrian bridges should take much time. An alternative to any fixed date (which is hard to determine because we don't know when the bill will pass) is to require DOT to complete its inventory by the first day of X month beginning after publication. The revisor then puts in the appropriate date. If you think this works better, please let me know. My recommendation is first day of the 7th month beginning after publication. In my opinion, this gives DOT more than sufficient time.

I hope this helps. Also I hope all is well with you and yours. Please take care.

Peace, Tim

Timothy Fast, Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 266-9739

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