

2001 DRAFTING REQUEST

Bill

Received: **05/29/2001**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Barbara Gronemus (608) 266-7015**

By/Representing:

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

Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Transportation - mot veh dealers**

Extra Copies: **TNF, ARG**

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Overweight/oversize manure haulers

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>
/1	phurley 10/02/2001	rschluet 10/31/2001	pgreensl 10/31/2001	_____	lrb_docadmin 10/31/2001	lrb_docadminState 11/12/2001	Vehicle

FE Sent For:

At introduction

<END>

Vehicle Report Sent For 03-21-2002 (see attached)

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/1	phurley 10/02/2001	rschluet 10/31/2001	pgrecnsl 10/31/2001	_____	lrb_docadmin 10/31/2001		State Vehicle

FE Sent For:

<END>

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Wanted: As time permits

Identical to LRB:

For: Barbara Gronemus (608) 266-7015

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: **Transportation - mot veh dealers**

Extra Copies: **TNF, ARG**

King

Submit via email: NO

Requester's email:

Pre Topic:

No specific pre topic given

Topic:

Overweight/oversize manure haulers

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>
1?	phurley	RS 10-3-1 10/30 King	10/31 PS	10/31 PS			
FE Sent For:							

<END>

Fast, Timothy

From: Tradewell, Becky
Sent: Friday, May 25, 2001 3:20 PM
To: Fast, Timothy
Subject: FW: drafting request

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

From: Cross, William
Sent: Friday, May 25, 2001 1:45 PM
To: Tradewell, Becky
Subject: drafting request

DATE: May 25, 2001
TO: Becky Tradewell
FROM: Julia Sherman, Office of State Representative Barbara Gronemus
RE: Bill Draft

Currently agricultural manure haulers do not fall under the seasonal or special weight limitation exemptions, because it is not a crop. The DOT has advised us that this particular piece of equipment does not fall under the "implements of husbandry" exception because the issue is weight per axle, not overall weight and/or dimensions. Representative Gronemus would like a draft that permits manure haulers to cross and travel on state highways without the need for an overweight permit.

It is likely that Rep. Gronemus will try to attach this change to the biennial budget. Please feel free to call me if you have any additional questions.

7-11-01 t/c to Julia Sherman 67015 left msg.
7-12-01 t/c to " " - talked with [B.D]. He asked that
I send q's via email. Sent email to Rep. G.
7-27: no response yet - will call Juke on Monday.
8-22: talked w/ Bill - Rep would like a year-round exemption
10% over the axel limit

Hurley, Peggy

From: Hurley, Peggy
Sent: Thursday, July 12, 2001 11:08 AM
To: Gronemus, Barbara
Subject: Agricultural manure haulers bill request

Representative Gronemus:

I have received your request to draft a bill exempting agricultural manure haulers from the general weight limitations for travel on state highways. The memo I received indicated that DOT will not include these vehicles in the seasonal or special weight limitation exemptions because they do not haul a "crop." Is it your intent to exempt these vehicles when other, crop-hauling vehicles are exempted, i.e., when there exists an agricultural emergency? If not, is it your intent to exempt these vehicles year-round from ALL weight limitations, or would you like to put some sort of limit on the allowable weight for these vehicles (an 8%, 10% or 15% over the usual per-axle limit)?

I thank you for your attention to this matter.

create 347.15 (F)?

Peggy J. Hurley
Legislative Attorney
Legislative Reference Bureau
100 North Hamilton Street
Madison, Wisconsin 53701
608 266 8906

Hurley, Peggy

From: Nilsen, Paul
Sent: Thursday, September 27, 2001 11:59 AM
To: Hurley, Peggy
Subject: RE: s. 348.15 (3)

Yes, it's an official I39 now. Safe to clean up as "that portion of I39 between USH51 and I90/94" ('near Portage' is unnecessary). I'm trying to track down an authority here who would be able to tell you exactly when and how that I39 designation occurred. Numerous places where that can be cleaned up/simplified.

It's important to keep that exception there, though, because the feds won't let you create OS/OW exceptions on Interstates, but will allow you to keep any exceptions that predate the designation. Don't eliminate the exception as a cleanup matter. Of course, a bill could delete that exception, but it cannot be restored once deleted (maybe keep exception on books, but prohibit DOT from issuing permits, so we can get it back if desired).

I'll let you know when I track down the designation.

Always happy to help.

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

From: Hurley, Peggy
Sent: Thursday, September 27, 2001 9:48 AM
To: Nilsen, Paul
Subject: s. 348.15 (3)

Hi Paul,

You may not be the right person to ask about this, but maybe you can point me in the right direction. A few paragraphs within section 348.15 (3) make reference to "that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage **upon their federal designation as I 39.**" Section 348.15 (3) was last amended in 1995. I cannot tell, by looking at a regular map, whether those portions of USH 51 and STH 78 have been designated as I 39, or whether the feds have yet to change their designation. Do you know who would have that information? Thanks a bunch - I always appreciate your help.

Peggy

Peggy J. Hurley
Legislative Reference Bureau
100 North Hamilton Street
Madison, Wisconsin 53701-2037
608 266 8906



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3373/1

PJH:.....

CS & King

2001 BILL

D-note submitted 10-1-01

Gen

1 AN ACT ...; relating to ^{del. pp.} permitting vehicles ^{that are} hauling agricultural manure to
2 exceed weight limits on certain highways.

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, no person may operate upon a highway any vehicle or combination of vehicles that exceeds certain statutory weight limits unless that person obtains a permit issued by the department of transportation (DOT). One exception allows a vehicle or a combination of vehicles transporting exclusively livestock to operate without a permit on certain highways while exceeding the prescribed per-axle weight limit by up to 15%, if the vehicle or combination of vehicles does not exceed the gross weight limit. A vehicle or combination of vehicles ^{that} transporting exclusively livestock may not operate without a permit on Class B highways or on the national system of interstate and defense highways, except for the portion of I 39 between USH 51 and I 90/94. ^{del. pp.}

that is

This bill allows a vehicle or a combination of vehicles transporting agricultural manure to operate without a permit on certain highways while exceeding the prescribed per-axle or gross weight limit by up to 10%. The bill does not allow these vehicles to operate without a permit on Class B highways or on the national system of interstate and defense highways, except for the portion of I 39 between USH 51 and I 90/94. ^{del. pp.}

that is

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.

DOT

BILL

For further information see the *state* 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.** 348.15 (3) (bg) of the statutes is amended to read:

2 348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting
3 exclusively milk from the point of production to the primary market and the return
4 of dairy supplies and dairy products from such primary market to the farm, the gross
5 weight imposed on the highway by the wheels of any one axle may not exceed 21,000
6 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more
7 consecutive axles more than 9 feet apart, a weight of 2,000 pounds more than is
8 shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply
9 to the national system of interstate and defense highways, except for that portion of
10 ~~USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51~~
11 ~~and the I 90/94 interchange near Portage upon their federal designation as I 39~~
12 between USH 51 and I 90/94.

History: 1977 c. 29 ss. 1487p to 1487s, 1650m (4), 1654 (2), 1977 c. 418, 1979 c. 526; 1981 c. 312; 1982 a. 27, 345, 486; 1985 a. 202, 332; 1987 a. 174; 1989 a. 56, 70; 1995 a. 113, 227; 1999 a. 85.

13 **SECTION 2.** 348.15 (3) (br) of the statutes is amended to read:

14 348.15 (3) (br) In the case of a vehicle or combination of vehicles transporting
15 exclusively peeled or unpeeled forest products cut crosswise or in the case of a vehicle
16 or combination of vehicles transporting exclusively scrap metal, the gross weight
17 imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds
18 or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive
19 axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c),
20 but not to exceed 80,000 pounds. This paragraph does not apply to the national

BILL

1 system of interstate and defense highways, except for that portion of USH 51
 2 ~~between Wausau and STH 78 and that portion of STH 78 between USH 51 and the~~
 3 ~~I 90/94 interchange near Portage upon their federal designation as I 39 between~~
 4 USH 51 and I 90/94.

History: 1977 c. 29 ss. 1487p to 1487s, 1650m (4), 1654 (3); 1977 c. 418; 1979 c. 326; 1981 c. 312; 1983 a. 27, 345, 486; 1985 a. 202, 332; 1987 a. 174; 1989 a. 56, 70; 1995 a. 113, 227; 1999 a. 85.

5 **SECTION 3.** 348.15 (3) (bv) of the statutes is amended to read:

6 348.15 (3) (bv) In the case of a vehicle or combination of vehicles used primarily
 7 for the transportation of septage, as defined in s. 281.49 (1) (a), the gross weight
 8 imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds
 9 or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive
 10 axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c)
 11 or, for groups of 4 or more consecutive axles more than 10 feet apart, a weight of 6,000
 12 pounds more than is shown in par. (c) or, for groups of 5 or more consecutive axles
 13 more than 14 feet apart, a weight of 7,000 pounds more than is shown in par. (c), but
 14 not to exceed 80,000 pounds. This paragraph does not apply to the national system
 15 of interstate and defense highways, except for that portion of ~~USH 51 between~~
 16 ~~Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94~~
 17 ~~interchange near Portage upon their federal designation as I 39 between USH 51~~
 18 and I 90/94.

History: 1977 c. 29 ss. 1487p to 1487s, 1650m (4), 1654 (3); 1977 c. 418; 1979 c. 326; 1981 c. 312; 1983 a. 27, 345, 486; 1985 a. 202, 332; 1987 a. 174; 1989 a. 56, 70; 1995 a. 113, 227; 1999 a. 85.

19 **SECTION 4.** 348.15 (3) (e) of the statutes is amended to read:

20 348.15 (3) (e) Notwithstanding pars. (a), (b), and (c), in the case of a vehicle or
 21 combination of vehicles transporting exclusively livestock, the gross weight imposed
 22 on the highway by the wheels of any one axle or axle group may exceed the applicable
 23 weight limitation specified in pars. (a), (b), and (c) by 15% if the gross weight of the

BILL

SECTION 4

1 vehicle or combination of vehicles does not exceed the maximum gross weight
 2 specified for that vehicle or combination of vehicles under par. (c). This paragraph
 3 does not apply to the national system of interstate and defense highways, except for
 4 that portion of USH 51 between Wausau and STH 78 and that portion of STH 78
 5 between USH 51 and the I 90/94 interchange near Portage upon their federal
 6 designation as I 39 between USH 51 and I 90/94.

History: 1977 c. 29 ss. 1487p to 1487s, 1650m (4), 1654 (3); 1977 c. 418; 1979 c. 326; 1981 c. 312; 1983 a. 27, 245, 486; 1985 a. 202, 332; 1987 a. 174; 1989 a. 56, 70; 1995 a. 113, 227; 1999 a. 85.

7 **SECTION 5.** 348.15 (3) (f) of the statutes is created to read:

8 348.15 (3) (f) Notwithstanding pars. (a), (b), and (c), in the case of a vehicle or
 9 combination of vehicles transporting exclusively agricultural manure, the gross
 10 weight imposed on the highway by the wheels of any one axle or axle group may
 11 exceed the applicable weight limitation specified in pars. (a), (b), and (c) by 10% if the
 12 gross weight of the vehicle or combination of vehicles does not exceed the maximum
 13 gross weight specified for that vehicle or combination of vehicles under par. (c) by
 14 more than 10%. This paragraph does not apply to the national system of interstate
 15 and defense highways, except for that portion of I 39 between USH 51 and I 90/94.

back slash

(END)

16

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

LRB-3373/1dn

PJH:.....

05/21/09

Water

Representative Gronemus:

that is

Please note that this bill authorizes a vehicle ^{that is} hauling agricultural manure to operate on Class A highways without a permit, so long as the vehicle's weight does not exceed the statutory weight limits by more than 10%. The bill does not address operation on Class B highways.

Generally, a vehicle that exceeds more than 60% of the weight authorized on Class A highways cannot operate on Class B highways, except that a vehicle may make pickups and deliveries on Class B highways so long as the weight carried by any one axle does not exceed 16,500 pounds. Please let me know if you want to address this in the bill.

Please also note that s. 348.15 contains numerous references to "that portion of USH 51 between Wausau and STH 78 and that portion STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39." These portions of highway have been designated as I 39; accordingly, I have amended each paragraph within s. 348.15 that contains the outdated reference. However, I have not amended other statutes within ~~chapter~~ 348 that contain the same reference. Please let me know if you wish for me to do so within this draft. *del. or.*

→
Peggy Hurley
Legislative Attorney
Phone: (608) 266-8906
E-mail: peggy.hurley@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3373/1dn
PJH:rs&kmg:pg

October 31, 2001

Representative Gronemus:

Please note that this bill authorizes a vehicle that is hauling agricultural manure to operate on Class A highways without a permit, so long as the vehicle's weight does not exceed the statutory weight limits by more than 10%. The bill does not address operation on Class B highways.

Generally, a vehicle that exceeds more than 60% of the weight authorized on Class A highways cannot operate on Class B highways, except that a vehicle may make pickups and deliveries on Class B highways so long as the weight carried by any one axle does not exceed 16,500 pounds. Please let me know if you want to address this in the bill.

Please also note that s. 348.15 contains numerous references to "that portion of USH 51 between Wausau and STH 78 and that portion STH 78 between USH 51 and the I 90/94 interchange near Portage **upon their federal designation as I 39.**" These portions of highway have been designated as I 39; accordingly, I have amended each paragraph within s. 348.15 that contains the outdated reference. However, I have not amended other statutes within ch. 348 that contain the same reference. Please let me know if you wish for me to do so within this draft.

Peggy Hurley
Legislative Attorney
Phone: (608) 266-8906
E-mail: peggy.hurley@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) 264-6948

October 31, 2001

MEMORANDUM

To: Representative Gronemus

From: Peggy J. Hurley, Legislative Attorney

Re: LRB-3373/1 Overweight/oversize manure haulers

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) 266-8906 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.

Barman, Mike

From: Barman, Mike
Sent: Thursday, March 21, 2002 8:48 AM
To: Buckmaster, Carol; Hurley, Peggy
Subject: A "Vehicle" Report is required for the attached bill (AB-854). Thanks

Importance: High



01-3373/1

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703