

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: 03/11/2002

Received By: fasttn

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau 266-9919

By/Representing: Dyck

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **TNF, PJH**

Submit via email: NO

Pre Topic:

LFB: ... Dyck

Topic:

Permissible length of certain semitrailers, up to 53 feet

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>
/?	agary 03/12/2002	csicilia 03/12/2002		_____			
/1			pgreensl 03/12/2002	_____	lrb_docadmin 03/13/2002		
			kfollet 03/12/2002	_____			

FE Sent For:

<END>

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1?	agary	1 cjs 3/12 02	kj 3/12	ls/rs 3/12			

FE Sent For:

<END>

Gary, Aaron

Subject: FW: budget

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

From: Dyck, Jon

Sent: Monday, March 11, 2002 9:11 AM

To: Fast, Timothy

Subject: budget amendment

An additional transportation-related amendment has passed the ARC. Here is my summary:

Modify a provision that specifies that semitrailers (operated as part of a two-vehicle combination) may be operated without a permit for excessive length provided that they do not exceed 53 feet in length if operated on highways designated for such vehicles, to, instead, specify that such semitrailers may be operated without a permit on any highway.

Jon Dyck, Fiscal Analyst
Legislative Fiscal Bureau
1 E. Main, Suite 301
(608) 266-9919

01-4790

03/12/2002

2001

Date (time) needed

soon

D-NOTE

LRB b 2432, 1

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

ARG: / :
cjs

See form AMENDMENTS — COMPONENTS & ITEMS.

**January 2002 SPECIAL SESSION CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 ASSEMBLY BILL 1**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 215, line 7: after that line insert ?

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

BILL

①

SECTION 4. 348.07 (2) (gr) of the statutes is amended to read:

348.07 (2) (gr) 53 feet for a semitrailer whose length from kingpin to axle does not exceed 43 feet and which is operated as part of a 2-vehicle combination on a highway designated under sub. (4).

⑤

SECTION 5. 348.07 (4) of the statutes is amended to read:

348.07 (4) The secretary shall, by rule, designate the highways to which sub. (2) (f), (fm), and (gm) ~~and (gr)~~ and s. 348.08 (1) (e) and (h) apply. The designation of highways under this subsection may not be inconsistent with the designation of highways made by the U.S. secretary of transportation under P.L. 97-424, section 411. The secretary may also designate additional highways by rule. In adopting a rule designating other highways, which may include 2-lane highways, the secretary shall specify the factors which resulted in the determination to designate the highways. These factors shall include, but are not limited to, safety, economics, energy savings, industry productivity and competition. Vehicles to which sub. (2) (f), (fm), and (gm) ~~and (gr)~~ and s. 348.08 (1) (e) and (h) apply may also operate on undesignated highways for a distance of 5 miles or less in order to obtain access to a designated highway or to reach fuel, food, maintenance, repair, rest, staging, terminal or vehicle assembly facilities or points of loading or unloading. The secretary may, by rule, designate an access route of more than 5 miles from a designated highway when the longer route provides safer and better access to a location which is within the 5-mile limit. Household goods carriers may operate between highways designated in this subsection and points of loading and unloading.

②④

~~SECTION 3. Initial applicability.~~

BILL

#. Page 437, line 21: after that line insert:

1

~~(4) TWO-VEHICLE COMBINATIONS.~~ ⁽³⁾ The treatment of section 348.07(2) ^(g) and ⁽⁴⁾ first applies to violations committed on the effective date of this

2

subsection, but does not preclude the counting of other violations as prior violations

3

for purposes of sentencing a person.)

of the statutes

4

(END)

D-Note

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

March 7, 2002

b2432/ldn
LRB/2002/127
ARG:jld:pg

cjs

> ~~As we discussed,~~ The attached changes to state law regarding permissible vehicle length may conflict with federal law. Federal law imposes limitations both on a state's ability to restrict vehicle length on interstate and federal-aid highways and on a state's ability to increase the permissible length of vehicles operated on highways after 1991. See 49 USC 31111; 23 CFR 658.13; 23 USC 127. Whether the statutory change effected by this bill is permissible under federal law may require a ruling from US DOT. ~~I suggest that you consult with Wis DOT as to whether the attached bill is likely to create a conflict with federal law.~~

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

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

LRBb2432/1dn
ARG:cjs:kjf

March 12, 2002

The attached changes to state law regarding permissible vehicle length may conflict with federal law. Federal law imposes limitations both on a state's ability to restrict vehicle length on interstate and federal-aid highways and on a state's ability to increase the permissible length of vehicles operated on highways after 1991. See 49 USC 31111; 23 CFR 658.13; 23 USC 127. Whether the statutory change effected by this bill is permissible under federal law may require a ruling from US DOT.

Aaron R. Gary
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State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2432/1
ARG:cjs:kjf

LFB: ... Dyck – Permissible length of certain semitrailers, up to 53 feet

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 215, line 7: after that line insert:

3 “SECTION 461p. 348.07 (2) (gr) of the statutes is amended to read:

4 348.07 (2) (gr) 53 feet for a semitrailer whose length from kingpin to axle does
5 not exceed 43 feet and which is operated as part of a 2-vehicle combination ~~on a~~
6 highway designated under sub. (4).

7 SECTION 461q. 348.07 (4) of the statutes is amended to read:

8 348.07 (4) The secretary shall, by rule, designate the highways to which sub.
9 (2) (f), (fm), and (gm) ~~and (gr)~~ and s. 348.08 (1) (e) and (h) apply. The designation of
10 highways under this subsection may not be inconsistent with the designation of

1 highways made by the U.S. secretary of transportation under P.L. 97-424, section
2 411. The secretary may also designate additional highways by rule. In adopting a
3 rule designating other highways, which may include 2-lane highways, the secretary
4 shall specify the factors which resulted in the determination to designate the
5 highways. These factors shall include, but are not limited to, safety, economics,
6 energy savings, industry productivity and competition. Vehicles to which sub. (2) (f),
7 (fm), and (gm) ~~and (gr)~~ and s. 348.08 (1) (e) and (h) apply may also operate on
8 undesignated highways for a distance of 5 miles or less in order to obtain access to
9 a designated highway or to reach fuel, food, maintenance, repair, rest, staging,
10 terminal or vehicle assembly facilities or points of loading or unloading. The
11 secretary may, by rule, designate an access route of more than 5 miles from a
12 designated highway when the longer route provides safer and better access to a
13 location which is within the 5-mile limit. Household goods carriers may operate
14 between highways designated in this subsection and points of loading and
15 unloading.”.

16 **2.** Page 437, line 21: after that line insert:

17 “(4q) TWO-VEHICLE COMBINATIONS. The treatment of section 348.07 (2) (gr) and
18 (4) of the statutes first applies to violations committed on the effective date of this
19 subsection, but does not preclude the counting of other violations as prior violations
20 for purposes of sentencing a person.”.

21 (END)