

2003 DRAFTING REQUEST

Bill

Received: **06/24/2003**

Received By: **tfast**

Wanted: **Today**

Identical to LRB:

For: **John Gard (608) 266-3387**

By/Representing: **Ellen Nowak (aide)**

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

Drafter: **tfast**

May Contact:

Addl. Drafters: **phurley**

Subject: **Transportation - motor vehicles**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gard@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Vehicles transporting agricultural crops

Instructions:

Redraft of LRB-2428/1 with submitted change

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>
/?	tfast 06/24/2003	kgilfoy 06/24/2003		_____			Vehicle
/1	phurley 10/29/2003	wjackson 10/30/2003	chaskett 06/24/2003	_____	lemery 06/24/2003	lemery 06/24/2003	Vehicle
/2			rschluet	_____	Inorthro	Inorthro	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			10/30/2003 _____		10/30/2003	10/30/2003	

FE Sent For:

↳ Not Needed

<END>

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/?	tfast 06/24/2003	kgilfoy 06/24/2003					Vehicle
/1		1/2 Wlj 10/30	chaskett 06/24/2003		lemery 06/24/2003	lemery 06/24/2003	

Handwritten signature and date 10/30/03

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<END>

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1?	tfast	1-6/04 KMG	1 6/24 CPH	rs CPH 6/24			

FE Sent For:

<END>

* Please jacket 11. Thank you.

PJD

**Proposed Statutory Exemption from Vehicle Weight Limitations for
Overweight Vehicles Hauling Agricultural Crops
During the Fall Harvest**

1 **SECTION 1.** 348.165 of the statutes is created to read:

2 **348.165 Weight limit exemption for seasonal operation of vehicles transporting agricultural crops.**

3 The transportation of agricultural crops from field to storage or from field to processing facilities in vehicles that
4 are exceed the gross weight limitations under ss. 348.15 and 348.16 shall be permitted without requiring
5 additional or special permits from September 1 through November 31 to facilitate the harvest of agricultural
6 crops. This section does not apply to the national system of interstate and defense highways, except for that
7 portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94
8 interchange near Portage upon their federal designation as I 39.

Author
Rep. Mary Williams
Send bill draft to
Speaker Gould

**Proposed Revision of LRB 2428/1
Agricultural Weight Limits Exemption**

1 Section 4. 348.17 (5) of the statutes is created to read:

2 348.17 (5) No permit shall be required for the transportation of
3 agricultural crops from field to storage or processing facilities, nor shall
4 a permit be required for implements of husbandry as defined in s.
5 340.01 (24), from September 1 to November 31 of each year. This
6 subsection does not apply to vehicles or combinations of vehicles on
7 highways designated as parts of the national system of interstate and
8 defense highways, except for that portion of USH 51 between Wausau
9 and STH 78 and that portion of STH 78 between USH 51 and the I
10 90/94 interchange near Portage upon their federal designation as I 39.

Fast, Timothy

From: Nowak, Ellen
Sent: Tuesday, June 24, 2003 2:27 PM
To: Fast, Timothy
Subject: RE: LRB 2428

Many thanks!

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

From: Fast, Timothy
Sent: Tuesday, June 24, 2003 2:25 PM
To: Nowak, Ellen
Subject: RE: LRB 2428

Interesting. We show it was jacketed but don't worry about it. There are ways around everything and I have done most of them! I'll just put it under a new LRB # and you'll have it later today.

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

From: Nowak, Ellen
Sent: Tuesday, June 24, 2003 2:21 PM
To: Fast, Timothy
Subject: RE: LRB 2428

I never had a bill jacket for it - just the print out.

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

From: Fast, Timothy
Sent: Tuesday, June 24, 2003 2:20 PM
To: Nowak, Ellen
Subject: RE: LRB 2428

Ellen -- Could you send over the jacket for LRB-2428? The front office won't release the /2 without it coming back. Thanks. And sorry not to get to this for you yesterday -- I was hit with a number of unexpected amendments and substitute amendments. --Tim

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

From: Nowak, Ellen
Sent: Monday, June 23, 2003 9:59 AM
To: Fast, Timothy
Subject: RE: LRB 2428

Thanks!

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

From: Fast, Timothy
Sent: Monday, June 23, 2003 9:58 AM
To: Nowak, Ellen
Subject: RE: LRB 2428

Sure. Send it over. Glad to help. --Tim

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

From: Nowak, Ellen
Sent: Monday, June 23, 2003 9:58 AM
To: Fast, Timothy
Subject: LRB 2428

I will be sending one small change over to this proposal - will you be able to make the change and send the draft back today?

WANTED!
NOW

2003 BILL

and for implements of husbandry

Gen. Cat.

1 AN ACT to amend 348.15 (3) (intro.), 348.16 (2) and 348.17 (1); and to create
2 348.17 (5) of the statutes; relating to: weight limitations for vehicles
3 transporting agricultural crops.

implements of
husbandry or any
other

Analysis by the Legislative Reference Bureau

Current law imposes weight limits on vehicles based on the size of a vehicle. The Department of Transportation may authorize a vehicle to exceed the weight limit under certain circumstances, including authorizing a vehicle carrying crops from field to storage or to a processing facility when the Department of Agriculture, Trade and Consumer Protection determines that an agricultural emergency exists. The authorization to exceed the weight limit does not apply to vehicles operated on highways designated as parts of the national system of interstate and defense highways, except for 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.

Under this bill, a vehicle carrying crops from field to storage or to a processing facility may exceed weight limits without a permit from September 1 to November 31 of each year. This exception does not apply to vehicles operated on highways designated as parts of the national system of interstate and defense highways, except for 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.

or
an
implement
of

husbandry (vehicle designed and used for agricultural purposes)

BILL

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.

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

1 **SECTION 1.** 348.15 (3) (intro.) of the statutes is amended to read:

2 348.15 (3) (intro.) Subject to any modifications made by a 1st class city under
3 s. 349.15 (3) and except as provided in s. 348.17 (5), no person, without a permit, may
4 operate on a class "A" highway any vehicle or combination of vehicles unless the
5 vehicle or combination of vehicles complies with the following weight limitations:

6 **SECTION 2.** 348.16 (2) of the statutes is amended to read:

7 348.16 (2) Except as provided in sub. (3) and ~~s.~~ ss. 348.17 (5) and 348.175 and
8 subject to any modifications made by a city of the first class pursuant to s. 349.15 (3),
9 no person, without a permit therefor, shall operate on a class "B" highway any vehicle
10 or combination of vehicles imposing wheel, axle, group of axles, or gross weight on
11 the highway exceeding 60 per cent of the weights authorized in s. 348.15 (3).

12 **SECTION 3.** 348.17 (1) of the statutes is amended to read:

13 348.17 (1) ~~No~~ Except as provided in sub. (5), no person, whether operating
14 under a permit or otherwise, shall operate a vehicle in violation of special weight
15 limitations imposed by state or local authorities on particular highways, highway
16 structures or portions of highways when signs have been erected as required by s.
17 349.16 (2) giving notice of such weight limitations, except when the vehicle is being
18 operated under a permit expressly authorizing such weight limitations to be
19 exceeded.

20 **SECTION 4.** 348.17 (5) of the statutes is created to read:

BILL

1
2
3
4
5
6
7
8

348.17 (5) No permit shall be required for the transportation of agricultural crops from field to storage or processing facilities from September 1 to November 31 of each year. This subsection does not apply to vehicles or combinations of vehicles on highways designated as parts of the national system of interstate and defense highways, except for 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.

(END)

D-NOTE

or for implements of husbandry

implements
of husbandry
or any
other

LRB-2906/1dn
TNF: ~~KMG~~

DRAFTER'S NOTE

ATTN: Ellen Nowak

This bill replaces LRB-2428/1 and includes
the revision ^{that} you sent over adding implements
of husbandry to proposed s. 348.17(5). The
bill is jacketed for introduction.

TNF

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2906/1dn
PJH&TNF:kmg&wj:cph

June 24, 2003

ATTN: Ellen Nowak

This bill replaces LRB-2428/1 and includes the revision that you sent over adding
implementations of husbandry to prepared s. 348.17 (5). The bill is jacketed for
introduction.

oposed

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

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

LRB-2906/1dn
TNF:kmg:cph

June 24, 2003

ATTN: Ellen Nowak

This bill replaces LRB-2428/1 and includes the revision that you sent over adding implements of husbandry to proposed s. 348.17 (5). The bill is jacketed for introduction.

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

Hurley, Peggy

From: Jordan K. Lamb [jkl@dewittross.net]
Sent: Monday, October 27, 2003 1:00 PM
To: peggy.hurley@legis.state.wi.us
Subject: Truck-Weight Limit LRB



doc_draft_weight_li
mit_exempti...

Hi Peggy. I understand that Bob Jentz of my office and Ellen Nowak of Representative Gard's office have been in contact with you about the truck weight exemption LRB. This bill was originally drafted as 2428/1, then was redrafted in the same form as 2906/1. However, we would like to have it redrafted with some agreed upon changes. For your reference, I have attached a proposed revision (MS word doc) that explains the changes we need to the LRB draft. (This is the same requested revision I dropped off at your office on September 3rd.)

If you have any questions, please call me directly at 252-9358.

Best regards,
Jordan Lamb

--

Ms. Jordan K. Lamb, Esq.
DeWitt Ross & Stevens s.c.
2 E. Mifflin St., Ste. 600
Madison, WI 53703
608-255-8891 (phone)
608-252-9243 (fax)
www.dewittross.com

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10-28-03
t/c to Williams' office
2428/2 has this in
it - can I discuss/
send to Gard's
office & discuss w/
Jordan Lamb?
Left msg.

Linda called - call
Amy Winters
294-5450

Upshot: 2428 is
dead; redraft
2906 for
Gard. Called Gard's
office to get
stripes back.

**Proposed Amendment to LRB 2428/1
Vehicle Weight Limitations for Specified Agricultural Crops
During the Fall Harvest Season**

Note to Drafter: The following amendment to LRB-2428/1 is designed to (1) narrow the weight exemption to only allow 15% over existing weight limits; (2) limit the exemption to vehicles or combinations of vehicles transporting corn, soybeans, potatoes, vegetables or cranberries; (3) clarify that the exemption applies only to the initial transportation from field to storage or processing; and (4) to exclude implements of husbandry.

SECTION 4. 348.17 (5) of the statutes is created to read:

348.17 (5) From September 1 to November 30 of each year, no permit shall be required for the transportation of corn, soybeans, potatoes, vegetables or cranberries from the field to initial storage or from field to initial processing in vehicles or combinations of vehicles that exceed the weight limitations under ss. 348.15 or 346.16 by not more than 15%. This section does not apply to the national system of interstate and defense highways, except for 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.

2003 ASSEMBLY BILL

Soar
10-29-03

REGEN

1 AN ACT to amend 348.15 (3) (intro.), 348.16 (2) and 348.17 (1); and to create
2 348.17 (5) of the statutes; relating to: weight limitations for vehicles
3 transporting agricultural crops.

Analysis by the Legislative Reference Bureau

Current law imposes weight limits on vehicles based on the size of a vehicle. The Department of Transportation may authorize a vehicle to exceed the weight limit under certain circumstances, including authorizing a vehicle carrying crops from field to storage or to a processing facility when the Department of Agriculture, Trade, and Consumer Protection determines that an agricultural emergency exists. The authorization to exceed the weight limit does not apply to vehicles operated on highways designated as parts of the national system of interstate and defense highways, except for 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.

Under this bill, a vehicle or combination of vehicles carrying certain agricultural crops from the field to initial storage or processing may exceed weight limits by not more than 15 percent without a permit from September 1 to November 31 of each year. This exception does not apply to vehicles operated on highways designated as parts of the national system of interstate and defense highways, except for 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.

ASSEMBLY BILL

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.

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4 operate on a class “A” highway any vehicle or combination of vehicles unless the
5 vehicle or combination of vehicles complies with the following weight limitations:

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9 no person, without a permit therefor, shall operate on a class “B” highway any vehicle
10 or combination of vehicles imposing wheel, axle, group of axles, or gross weight on
11 the highway exceeding 60 per cent of the weights authorized in s. 348.15 (3).

12 **SECTION 3.** 348.17 (1) of the statutes is amended to read:

13 348.17 (1) ~~No~~ Except as provided in sub. (5), no person, whether operating
14 under a permit or otherwise, shall operate a vehicle in violation of special weight
15 limitations imposed by state or local authorities on particular highways, highway
16 structures or portions of highways when signs have been erected as required by s.
17 349.16 (2) giving notice of such weight limitations, except when the vehicle is being
18 operated under a permit expressly authorizing such weight limitations to be
19 exceeded.

20 **SECTION 4.** 348.17 (5) of the statutes is created to read:



State of Wisconsin
2003-2004 LEGISLATURE

CORRECTIONS IN:

2003 ASSEMBLY BILL 743

Prepared by the Legislative Reference Bureau
(January 13, 2004)

1. Page 3, line 1: delete "31" and substitute "30".
2. Page 3, line 5: delete "15%" substitute "15 percent".

LRB-2906/2ccc-1

WLJ:ch

Minor clerical corrections in legislation are authorized under s. 35.17, stats.; Senate Rule 31; Assembly Rule 36; and Joint Rule 56.

CCC to AB-743 - 2906

Page 3, line 1: delete "31" and substitute "30".

Page 3, line 5: delete "15%" and substitute "15 percent".

WLS 1/12