

2003 DRAFTING REQUEST

Senate Floor Amendment (SA1-SB414)

Received: 03/11/2004

Received By: agary

Wanted: Today

Identical to LRB:

For: Senate Chief Clerk

By/Representing:

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - veh reg/filing

Extra Copies: PJH

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

SA1-SB414 (floor amendment)

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	agary 03/11/2004	rschluet 03/11/2004	rschluet 03/11/2004	_____	lemery 03/11/2004	lemery 03/11/2004	

FE Sent For:

<END>

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FE Sent For:

<END>

LRB

SCC DATE 3-10-04

LRB f138
FAX _____

SENATE FLOOR AMENDMENT

SENATE AMENDMENT 1

to _____ amendment _____

to _____ sub. amdt. _____

TO S BILL 414

Offered by Senator(s) Carpenter

At the locations indicated, amend the _____ as follows:

1. Page 2, line 7: after "carrier." insert:

~~After the carrier is inserted in the subject of the bill, the carrier shall be deemed to be a carrier of the same.~~
had now the effect of

See attached

2003 ASSEMBLY BILL 21

February 5, 2003 - Introduced by Representatives AINSWORTH, KRUSICK, BLACK, BOYLE, GIELOW, JESKEWITZ, KAUFERT, J. LEHMAN, McCORMICK, MILLER, OTT, TOWNSEND, VAN ROY, ZIEGELBAUER and CULLEN, cosponsored by Senators COWLES and CARPENTER. Referred to Committee on Transportation.

1
2
3

AN ACT to renumber and amend 348.10 (2); and **to create** 348.10 (2) (b) and (c) of the statutes; **relating to:** transporting loads on a highway in vehicles equipped with dump bodies and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate a vehicle on a highway unless the vehicle is so constructed and loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping from the vehicle. A forfeiture of not less than \$10 nor more than \$200 may be imposed for violating this provision.

This bill specifies that any vehicle that is equipped with a dump body and that is carrying any load extending above the top of the dump body must be covered when being operated on a highway to prevent the load from dropping or sifting from the vehicle. This requirement does not apply to a vehicle temporarily operated on a highway between fields or between a farm and a field. Failure to comply with this provision may result in a forfeiture of not less than \$10 nor more than \$200.

The bill specifies that both of these provisions do not apply to a vehicle that is applying bulk material to a highway for highway construction or maintenance.

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

4
5

SECTION 1. 348.10 (2) of the statutes is renumbered 348.10 (2) (a) and amended to read:

ASSEMBLY BILL 21

1 348.10 (2) (a) No person shall may operate a vehicle on a highway unless such
2 the vehicle is so constructed and loaded as to prevent its contents from dropping,
3 sifting, leaking, or otherwise escaping therefrom.

4 **SECTION 2.** 348.10 (2) (b) and (c) of the statutes are created to read:

5 348.10 (2) (b) Notwithstanding par. (a), no person may operate on a highway
6 a vehicle that is equipped with a dump body and that is carrying any load extending
7 above the top of the dump body unless the vehicle is so loaded and covered as to
8 prevent the load from dropping or sifting from the vehicle. This paragraph does not
9 apply to a person while temporarily operating a vehicle on a highway between fields
10 or between a farm and a field.

11 (c) This subsection does not apply to the application of a bulk material to a
12 highway for the purpose of maintenance or construction of the highway.

13  (END)

TODAY

ARG: *Tracy*

**SENATE AMENDMENT 1,
TO 2003 SENATE BILL 414**

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 1, line 3: after "registration" insert "•". *insert A*

3 ✓ 2. Page 2, line 7: after that line insert:

4 *insert B*

5 (END)

2003 ASSEMBLY BILL 21

February 5, 2003 - Introduced by Representatives AINSWORTH, KRUSICK, BLACK, BOYLE, GIELOW, JESKEWITZ, KAUFERT, J. LEHMAN, MCCORMICK, MILLER, OTT, TOWNSEND, VAN ROY, ZIEGELBAUER and CULLEN, cosponsored by Senators COWLES and CARPENTER. Referred to Committee on Transportation.

insert
A

comme

1 AN ACT to renumber and amend 348.10(2); and to create 348.10 (2) (b) and
2 (c) of the statutes, relating to transporting loads on a highway in vehicles
3 equipped with dump bodies and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate a vehicle on a highway unless the vehicle is so constructed and loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping from the vehicle. A forfeiture of not less than \$10 nor more than \$200 may be imposed for violating this provision.

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The bill specifies that both of these provisions do not apply to a vehicle that is applying bulk material to a highway for highway construction or maintenance.

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

11 SECTION 1. 348.10 (2) of the statutes is renumbered 348.10 (2) (a) and amended

to read:

insert
B

4
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ASSEMBLY BILL 21

1 348.10 (2) (a) No person ~~shall~~ may operate a vehicle on a highway unless such
2 the vehicle is so constructed and loaded as to prevent its contents from dropping,
3 sifting, leaking, or otherwise escaping therefrom.

4 SECTION ^{3m} ~~7~~ ⁶ 348.10 (2) (b) and (c) of the statutes are created to read:

5 348.10 (2) (b) Notwithstanding par. (a), no person may operate on a highway
6 a vehicle that is equipped with a dump body and that is carrying any load extending
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8 prevent the load from dropping or sifting from the vehicle. This paragraph does not
9 apply to a person while temporarily operating a vehicle on a highway between fields
10 or between a farm and a field.

11 (c) This subsection does not apply to the application of a bulk material to a
12 highway for the purpose of maintenance or construction of the highway. "

13 (END)

insert B cont'd