

2005 DRAFTING REQUEST

Bill

Received: 03/21/2005

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Jerry Petrowski (608) 266-1182

By/Representing: Katie Scott (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **PJH**

Submit via email: YES

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Weight limitations on vehicles transporting agricultural crops

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 03/30/2005	wjackson 04/04/2005		_____			S&L Vehicle
/1			rschluet 04/04/2005	_____	sbasford 04/04/2005		S&L Vehicle
/2	agary 04/29/2005	wjackson 05/02/2005	pgreensl 05/02/2005	_____	lemery 05/02/2005	sbasford 06/09/2005	

FE Sent For:

<END>

AX
intro.

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/?	agary 03/30/2005	wjackson 04/04/2005					S&L Vehicle
/1		1/2 wlj 5/2	rschlue 04/04/2005	5/2 p8/11E	sbasford 04/04/2005		

FE Sent For:

5/2
p8
<END>

2005 DRAFTING REQUEST

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Received: **03/21/2005**

Received By: **agary**

Wanted: **As time permits**

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For: **Jerry Petrowski (608) 266-1182**

By/Representing: **Katie Scott (aide)**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **PJH**

Submit via email: **YES**

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

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Weight limitations on vehicles transporting agricultural crops

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/?	agary	1 wj 4/4					
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FE Sent For:

<END>

Gary, Aaron

From: Scott, Katie
Sent: Wednesday, March 30, 2005 2:36 PM
To: Gary, Aaron
Subject: RE: Question

Yes, Aaron.

For the first part - we do NOT want the draft to include implements of husbandry.

For the second part - that language is perfect.

Thank you for your help with this!

From: Gary, Aaron
Sent: Wednesday, March 30, 2005 2:16 PM
To: Scott, Katie
Subject: RE: Question

Hi Katie,

Do you think you'll have a response to these questions in the near future, or should I just put this draft in editing now and then we can revise it if need be once you see it? Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

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

From: Gary, Aaron
Sent: Friday, March 25, 2005 11:53 AM
To: Scott, Katie
Subject: RE: Question

Hi Katie,

This is just about finished, but I need to clarify part of the instructions.

As I read your e-mail, looking at 2003 AB-743, you want to add implements of husbandry into created s. 348.17 (5) on p. 3. Do you want s. 348.17 (5) to apply to all implements of husbandry, or only to implements of husbandry transporting the described crops?

Also, with respect to the third point in your e-mail, will this language work for you: on p. 3, line 3, changing "from the field to initial storage" to "from the field to initial storage at a location not owned or leased by the grower"?

Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

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

From: Scott, Katie
Sent: Monday, March 21, 2005 11:37 AM
To: Gary, Aaron
Subject: Question

Hi Aaron,

Could we get last session's AB 743 redrafted with the following changes:

-Revise so that it would not apply to posted roads. (2003 AB 743, as drafted, would not prohibit operation of the overweight trucks on posted roads. This is a concern for DOT and for local highway officials, since roads are posted specifically to avoid overweight loads.)

-Revise so that the legislation limits its application to vehicles registered greater than 50,000 pounds or commercial motor vehicles, similar to the agriculture emergency statute. (2003 AB 743 would allow any vehicle to operate overweight.)

-Revise to clarify what is meant by "first point of storage": that "first point of storage" *does not* include stops at cribs or other storage facilities that are on the farmer's land (e.g., the load has not yet left the property upon which it was grown.)

-Revise to clarify that this seasonal weight limitation does apply to implements of husbandry.

-If this legislation is enacted, the current provision for declaring an agriculture emergency would not be necessary. Therefore, include the repeal of the current provision for declaring an agricultural emergency under Wis. Stat. § 348.17(4). *However*, also include a note in the analysis or wherever appropriate, that explains that the elimination of this provision does not eliminate the authority of the Governor to declare a transportation emergency under Wis. Stat. § 166.03(1)(b) or affect haulers' ability to get short-term overweight permit under Wis. Stat. § 348.27(9)(m) and Wis. Admin. Code § Trans 259.

Could we possibly get this as soon as possible? Our goal is to get this done this spring so it will be in effect for fall harvest.

Thank you,

Katie Scott

Research Assistant/Committee Clerk
Representative Jerry Petrowski

Wanted
by 4/4
end of
day

2527/1
LRB-2003/2
wjl:rs
ARB stays.

in 3/30

5
2003 ASSEMBLY BILL 743

R M N R

Lps:
Please
PWF

January 9, 2004 - Introduced by Representatives AINSWORTH, ALBERS, GRONEMUS, GUNDERSON, HAHN, MUSSER, OWENS, PETROWSKI, PETTIS, SERATTI, SUDER, OLSEN and OTT, cosponsored by Senators SCHULTZ, HARSDDORF and BRESKE. Referred to Committee on Transportation.

Regen

special or seasonal

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 ^{certain}
3 transporting agricultural crops.

insert ANAL

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 743

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:

ms. f 2-19

ASSEMBLY BILL 743

1 348.17 (5) From September 1 to November ³⁰ 31 of each year, no permit shall be
 2 required for the transportation of corn, soybeans, potatoes, vegetables, or
 3 cranberries from the field to initial storage or from the field to initial processing in
 4 a vehicle or combination of vehicles that exceeds the weight limitations under s.
 5 348.15 or 348.16 by not more than 15% ^{percent}. This subsection does not apply to the
 6 national system of interstate and defense highways, except for that portion of USH^e
 7 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and
 8 the I 90/94 interchange near Portage upon their federal designation as I 39.

9 (END)

insert 3-9 ↓

between USH^Δ 51 and I^Δ 90/94

having a registered gross weight of 50,000
 pounds or more or described in s.
 s. 340.01 (24) (b) ✓

at a location not owned or leased by the grower

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2527/lins
ARG:.....

INSERT ANAL:

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 the person obtains a permit issued by the Department of Transportation (DOT) or a local authority. Under one exception, if the Department of Agriculture, Trade and Consumer Protection (DATCP) determines that an agricultural emergency exists with respect to the harvest of a particular crop, DOT may authorize a vehicle or vehicle combination that has a registered gross weight of 50,000 pounds or more or is a specified type of commercial motor vehicle and that is transporting these crops from field to storage or processing facilities to exceed statutory weight limits by not more than 15 percent. This exception does not apply on highways designated as part 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, from September 1 to November 30 of each year, a vehicle or combination of vehicles that has a registered gross weight of 50,000 pounds or more or is a specified type of commercial motor vehicle that is transporting certain agricultural crops from the field to initial storage at a location not owned or leased by the grower or from the field to initial processing may, without a permit, exceed weight limits by not more than 15 percent. This exception does not apply on highways designated as part of the national system of interstate and defense highways, except for that portion of I 39 between USH 51 and I 90/94. The bill also repeals the provision of current law that authorizes DOT to increase weight limits for certain vehicles transporting agricultural crops upon a declaration by DATCP of an agricultural emergency, but provides the same penalty for violating the new seasonal weight limits under the bill as the penalty that applies under current law for violations of the special or seasonal weight limits imposed following a declaration of agricultural emergency by DATCP. The bill does not affect the authority of DOT to issue certain overweight permits for the transportation of raw forest products, fruits and vegetables, or potatoes, of DATCP to declare an agricultural emergency allowing DOT to issue overwidth permits for the transportation of hay bales or Christmas trees, or of the governor with respect to emergency management.

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.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

INSERT 2-19:

SECTION * 348.17 (4) of the statutes is repealed.

INSERT 3-9:

SECTION 2 348.19 (2) of the statutes is amended to read:

348.19 (2) (a) Except as provided in par. (b), whenever after a weighing of a vehicle and load as provided in sub. (1) a traffic officer determines that the weight exceeds the limitations imposed by s. 348.15, 348.16 or 348.17 (3) or (4) (5) or any limitations posted as provided in s. 348.17 (1), the operator of such vehicle shall not proceed (except to drive to such place as directed by the traffic officer for the purpose of reloading or unloading) until such portion of the load has been reloaded or unloaded as may be necessary to reduce the weight of the vehicle and load to comply with the limitations imposed by s. 348.15, 348.16 or 348.17 (3) or (4) (5) and any limitations posted as provided in s. 348.17 (1). All material so reloaded or unloaded shall be reloaded or unloaded and cared for by and at the risk of the owner or operator of the vehicle.

(b) If upon weighing a vehicle transporting livestock a traffic officer determines that the gross weight of the vehicle exceeds the limitations imposed by s. 348.15, 348.16 or 348.17 (3) or (4) or a limitation posted as provided in s. 348.17 (1), and if the point of apprehension is 15 miles or less from the destination of the vehicle, the traffic officer shall permit the operator of the vehicle to proceed to such destination without requiring the vehicle to be reloaded or unloaded as provided in par. (a). This paragraph does not apply to vehicles transporting livestock on 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~~ between USH 51 and I 90/94.

~~SECTION 3~~ 348.21 (3) (intro.) of the statutes is amended to read:

348.21 (3) (intro.) Any person violating s. 348.15 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized under s. 348.17 (3) or (4) (5) or in an overweight permit issued under s. 348.26 or 348.27 may be penalized as follows:

History: 1971 c. 164 s. 83; 1971 c. 278, 307; 1975 c. 297; 1977 c. 29 s. 1654 (7) (a); 1981 c. 312; 1985 a. 201, 332; 1995 a. 348; 1997 a. 27.

~~SECTION 4~~ 348.21 (3) (a) of the statutes is amended to read:

348.21 (3) (a) If the weight exceeds by 1,000 pounds or less the maximum set forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized under s. 348.17 (3) or (4) (5) or in an overweight permit issued under s. 348.26 or 348.27, a forfeiture of not less than \$50 nor more than \$100 upon the first conviction and, upon the 2nd and each subsequent conviction within a 12-month period, a forfeiture of not less than \$100 nor more than \$200.

History: 1971 c. 164 s. 83; 1971 c. 278, 307; 1975 c. 297; 1977 c. 29 s. 1654 (7) (a); 1981 c. 312; 1985 a. 201, 332; 1995 a. 348; 1997 a. 27.

~~SECTION 5~~ 348.21 (3) (b) (intro.) of the statutes is amended to read:

348.21 (3) (b) (intro.) If the weight exceeds by more than 1,000 pounds the maximum set forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized under s. 348.17 (3) or (4) (5) or in an overweight permit issued under s. 348.26 or 348.27, the forfeiture shall be computed according to the following schedule and in the case of violation of s. 348.15 (3) (bg) or (br) shall be computed on the basis of the weights stated in s. 348.15 (3) (bg) or (br):

History: 1971 c. 164 s. 83; 1971 c. 278, 307; 1975 c. 297; 1977 c. 29 s. 1654 (7) (a); 1981 c. 312; 1985 a. 201, 332; 1995 a. 348; 1997 a. 27.

Gary, Aaron

From: Scott, Katie
Sent: Thursday, April 28, 2005 4:01 PM
To: Gary, Aaron
Subject: RE: Bill Draft

No, that sounds great, Aaron. Thanks!

From: Gary, Aaron
Sent: Thursday, April 28, 2005 1:48 PM
To: Scott, Katie
Subject: RE: Bill Draft

Hi Katie,

I'm just finishing up these changes and spotted one other issue. If you do not want created s. 348.17 (5) [bill section 4] to apply on class "B" highways, I think that I should not only delete bill section 2, but also delete the cross-reference to s. 348.16 on p. 3, line 8 - otherwise, created s. 348.17 (5) suggests, or at least creates ambiguity as to whether, the provision allows the "15 percent" exception on class "B" highways as well. Do you have any objection to my deleting the cross-reference to s. 348.16 on p. 3, line 8? Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

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

From: Scott, Katie
Sent: Thursday, April 28, 2005 11:37 AM
To: Gary, Aaron
Subject: RE: Bill Draft

Thank you, Aaron. The changes look good, except could we delete 'to processing'?

From: Gary, Aaron
Sent: Friday, April 22, 2005 9:42 AM
To: Scott, Katie
Subject: RE: Bill Draft

Hi Katie,

Following up on our conversation, do these changes work for you with respect to your second comment below?

"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 storage to processing on the grower's owned or leased land, from the field to initial storage at a location not owned or leased by the grower, or from the field to initial processing in a vehicle or combination of vehicles having a registered gross weight of 50,000 pounds or more or described in s. 340.01 (24) (b) that exceeds the weight limitations under s. 348.15 or 348.16 by not more than 15 percent. This subsection does not apply to the national system of interstate and defense highways, except for that portion of I 39 between USH 51 and I 90/94."

Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

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

From: Scott, Katie
Sent: Thursday, April 21, 2005 9:50 AM
To: Gary, Aaron
Subject: Bill Draft

Hi Aaron,

Thank you for drafting LRB-2527, the Truck Weights Limits bill draft. (Attached)

Could we make two slight changes to the draft:

- Delete Section 2 of the bill;
- Include "from field to storage to processing plant on the grower's owned or leased land" on Page 3, Line 5 & 6.

Thanks Aaron,

Katie Scott
Committee Clerk/Research Assistant
Representative Jerry Petrowski

<< File: 05-25271.pdf >>

soon

in 4/28

AMR

2005 BILL

Regen

1 AN ACT *to repeal* 348.17 (4); *to amend* 348.15 (3) (intro.), 348.16 (2), 348.19 (2),
 2 348.21 (3) (intro.), 348.21 (3) (a) and 348.21 (3) (b) (intro.); and *to create* 348.17
 3 (5) of the statutes; **relating to:** special or seasonal weight limitations for
 4 certain vehicles transporting agricultural crops.

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 the person obtains a permit issued by the Department of Transportation (DOT) or a local authority. Under one exception, if the Department of Agriculture, Trade and Consumer Protection (DATCP) determines that an agricultural emergency exists with respect to the harvest of a particular crop, DOT may authorize a vehicle or vehicle combination that has a registered gross weight of 50,000 pounds or more or is a specified type of commercial motor vehicle and that is transporting these crops from field to storage or processing facilities to exceed statutory weight limits by not more than 15 percent. This exception does not apply on highways designated as part 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, from September 1 to November 30 of each year, a vehicle or combination of vehicles that has a registered gross weight of 50,000 pounds or more or is a specified type of commercial motor vehicle that is transporting certain

BILL

from the field to storage on the grower's
owned or leased lands

class B highways
or on

agricultural crops from the field to initial storage at a location not owned or leased by the grower or from the field to initial processing may, without a permit, exceed weight limits by not more than 15 percent. This exception does not apply on highways designated as part of the national system of interstate and defense highways, except for that portion of I 39 between USH 51 and I 90/94. The bill also repeals the provision of current law that authorizes DOT to increase weight limits for certain vehicles transporting agricultural crops upon a declaration by DATCP of an agricultural emergency, but provides the same penalty for violating the new seasonal weight limits under the bill as the penalty that applies under current law for violations of the special or seasonal weight limits imposed following a declaration of agricultural emergency by DATCP. The bill does not affect the authority of DOT to issue certain overweight permits for the transportation of raw forest products, fruits and vegetables, or potatoes, of DATCP to declare an agricultural emergency allowing DOT to issue overwidth permits for the transportation of hay bales or Christmas trees, or of the governor with respect to emergency management.

Because this bill concerns an exception to the vehicle weight limits specified in ch. 348, stats., DOT, as required by law, will prepare a report to be printed as an appendix to this bill.

For further information see the *state and local* 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) (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).

BILL *from the field to storage on the grower's owned or leased land*

1 SECTION 3. 348.17 (4) of the statutes is repealed.

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

3 348.17 (5) From September 1 to November 30 of each year, no permit shall be
4 required for the transportation of corn, soybeans, potatoes, vegetables, or
5 cranberries from the field to initial storage at a location not owned or leased by the
6 grower or from the field to initial processing in a vehicle or combination of vehicles
7 having a registered gross weight of 50,000 pounds or more or described in s. 340.01
8 (24) (b) that exceeds the weight limitations under s. 348.15 or 348.16 by not more
9 than 15 percent. This subsection does not apply to the national system of interstate
10 and defense highways, except for that portion of I 39 between USH 51 and I 90/94.

11 SECTION 5. 348.19 (2) of the statutes is amended to read:

12 348.19 (2) (a) Except as provided in par. (b), whenever after a weighing of a
13 vehicle and load as provided in sub. (1) a traffic officer determines that the weight
14 exceeds the limitations imposed by s. 348.15, 348.16 or 348.17 (3) or ~~(4)~~ (5) or any
15 limitations posted as provided in s. 348.17 (1), the operator of such vehicle shall not
16 proceed (except to drive to such place as directed by the traffic officer for the purpose
17 of reloading or unloading) until such portion of the load has been reloaded or
18 unloaded as may be necessary to reduce the weight of the vehicle and load to comply
19 with the limitations imposed by s. 348.15, 348.16 or 348.17 (3) or ~~(4)~~ (5) and any
20 limitations posted as provided in s. 348.17 (1). All material so reloaded or unloaded
21 shall be reloaded or unloaded and cared for by and at the risk of the owner or operator
22 of the vehicle.

23 (b) If upon weighing a vehicle transporting livestock a traffic officer determines
24 that the gross weight of the vehicle exceeds the limitations imposed by s. 348.15,
25 348.16 or 348.17 (3) or ~~(4)~~ or a limitation posted as provided in s. 348.17 (1), and if

BILL**SECTION 5**

1 the point of apprehension is 15 miles or less from the destination of the vehicle, the
2 traffic officer shall permit the operator of the vehicle to proceed to such destination
3 without requiring the vehicle to be reloaded or unloaded as provided in par. (a). This
4 paragraph does not apply to vehicles transporting livestock on the national system
5 of interstate and defense highways, except for that portion of ~~USH 51 between~~
6 ~~Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94~~
7 ~~interchange near Portage upon their federal designation as I 39~~ between USH 51
8 and I 90/94.

9 **SECTION 6.** 348.21 (3) (intro.) of the statutes is amended to read:

10 348.21 (3) (intro.) Any person violating s. 348.15 or 348.16 or any weight
11 limitation posted as provided in s. 348.17 (1) or in a declaration issued under s.
12 348.175 or authorized under s. 348.17 (3) or ~~(4)~~ (5) or in an overweight permit issued
13 under s. 348.26 or 348.27 may be penalized as follows:

14 **SECTION 7.** 348.21 (3) (a) of the statutes is amended to read:

15 348.21 (3) (a) If the weight exceeds by 1,000 pounds or less the maximum set
16 forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or in a declaration
17 issued under s. 348.175 or authorized under s. 348.17 (3) or ~~(4)~~ (5) or in an overweight
18 permit issued under s. 348.26 or 348.27, a forfeiture of not less than \$50 nor more
19 than \$100 upon the first conviction and, upon the 2nd and each subsequent
20 conviction within a 12-month period, a forfeiture of not less than \$100 nor more than
21 \$200.

22 **SECTION 8.** 348.21 (3) (b) (intro.) of the statutes is amended to read:

23 348.21 (3) (b) (intro.) If the weight exceeds by more than 1,000 pounds the
24 maximum set forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or
25 in a declaration issued under s. 348.175 or authorized under s. 348.17 (3) or ~~(4)~~ (5)

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1 or in an overweight permit issued under s. 348.26 or 348.27, the forfeiture shall be
2 computed according to the following schedule and in the case of violation of s. 348.15
3 (3) (bg) or (br) shall be computed on the basis of the weights stated in s. 348.15 (3)
4 (bg) or (br):

5 (END)

Basford, Sarah

From: Scott, Katie
Sent: Thursday, June 09, 2005 2:23 PM
To: LRB.Legal
Subject: Draft review: LRB 05-2527/1 Topic: Weight limitations on vehicles transporting agricultural crops

It has been requested by <Scott, Katie> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-2527/1 Topic: Weight limitations on vehicles transporting agricultural crops