

Fiscal Estimate Narratives
DOT 10/12/2005

LRB Number	05-0168/1	Introduction Number	AB-716	Estimate Type	Original
Subject					
Transporting bulk materials					

Assumptions Used in Arriving at Fiscal Estimate

Current statutes (ss.348.10(2)) require persons operating a vehicle on a highway to ensure that the vehicle is so constructed and loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping.

Current statutes (ss.347.46(2)) require mudguards or rear fenders on all privately owned trucks and semitrailers drawn by a truck tractor, except trucks and semitrailers equipped with dump bodies, which operate on highways or for intercity movement. These mudguards or rear fenders must follow minimum specifications regarding size and placement over tires. Ss.347.46(2)(a)&(b) require fenders or mudguards to cover all tires with a ground clearance of no more than 1/3 the horizontal distance from the center of the rearmost axle to the fender or mudguard, and must be at least as wide as the tire or multiple tires.

Mudguards are not required if the vehicle is so designed and constructed as to cover and protect the rear wheels as prescribed, by means of fenders or other vehicle body construction.

Standards for trailer and semi-trailer equipment, including mudguards and fenders, are administered by TRANS 305.

There are no current statutes that require mudguards for trucks equipped as "belly dumps".

Proposed legislation 2005 AB 716 requires that a load of bulk material, such as sand, gravel, or dirt, that is not in containers be covered to prevent the load from dropping or sifting from the vehicle when transported on a highway. In addition the bill expands mudguard and fender requirements by:

- 1) requiring rear fenders or mudguards for any motor truck, trailer, farm trailer or semitrailers, except for those motor trucks and semi trailers transporting sand, gravel, dirt, rock, refuse, or similar bulk material;
- 2) providing mudguard or rear fender exemption for motor trucks and semitrailers equipped with dump bodies;
- 3) requiring rear fenders or mudguards for any vehicle listed above operated private or public;

2005 AB 716 would create ss.347.46(2)(d) which requires a motor truck or semitrailer equipped with a dump body that dumps through the floor of the cargo body and is transporting sand, gravel, dirt, rock, or similar bulk material to also be equipped with mudguards that cover the entire width of the vehicle and have a ground clearance of not more than 6 inches when the vehicle is loaded.

2005 AB 716 would create ss.348.10(2)(b)(c) which requires that a vehicle loaded with bulk materials that is not in containers to be loaded and covered to prevent the material from dropping or sifting from the vehicle. However, plants, plant parts, animals, or animal products are exempt from these requirements.

Conclusions

* Of the over 280,000 currently registered trucks, tractors, trailers, semitrailer, farm trailers, heavy farm trucks, APO power units and APO trailers, it is not possible to estimate the number of vehicles that do not have mudguards or fenders as required under 2005 AB 716. However, those vehicles not having existing equipment would be required to purchase and install mudguards or fenders to meet statutory requirements.

* Because WisDOT vehicles currently do have mudguards and fenders as proposed under 2005 AB 716, there would be no additional cost to bring these vehicle into compliance.

* It is not possible to estimate the number of vehicles, private or publicly-owned, that do not have tarps or use containers to carry products, and those vehicles would be required to purchase tarps or containers to meet statutory requirements.

* However, because WisDOT and other public and private entities have the opportunity to contract with operators of vehicles which may be able to equip their vehicles with mudguards, fenders, and/or tarps, costs associated with equipment purchase and installation may be passed on to related contracts.

* Revision of TRANS 305 to reflect changes pursuant to AB 716 would be absorbed into routine TRANS review and printing.

* Enforcement of 2005 AB 716 if enacted, would increase the amount of time law enforcement officers would spend on violations due to the increase in the types of vehicles required to have mudguards, fenders, tarps, and/or containers. The enforcement duties undertaken along Wisconsin roads would require additional time for officers observing the equipment violations and resulting traffic stops, which would be absorbed into overall enforcement duties and work time. Training on the new equipment requirements would be absorbed into routine training activities.

Long-Range Fiscal Implications

Unknown

Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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Subject			
Transporting bulk materials			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$	
	(FTE Position Changes)		
	State Operations - Other Costs		
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$	\$
B. State Costs by Source of Funds			
	GPR		
	FED		
	PRO/PRS		
	SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
		Increased Rev	Decreased Rev
	GPR Taxes	\$	\$
	GPR Earned		
	FED		
	PRO/PRS		
	SEG/SEG-S		
	TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT			
		<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS		\$unknown	\$unknown
NET CHANGE IN REVENUE		\$none	\$none
Agency/Prepared By		Authorized Signature	Date
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